



Code of Student Conduct

Grades PreK-12

2026 - 2027

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This document is available on our website: nottowayschools.org

Excellence in Education

Nottoway County Public Schools does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies:

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The *Standards of Student Conduct* are designed to define the basic rules and major expectations of students in the public schools of Nottoway County. The purpose of this publication is to provide students, parents, school personnel, and the public with a concise and comprehensive description of the minimum standards of behavior for all students enrolled in the public schools of Nottoway County.

The policies detailed in the *Standards for Student Conduct* are intended to support a positive and healthy school climate in which every member of the school community feels safe, connected, and supported. NCPS strives to maintain in each of its schools an “atmosphere free of disruption and threat to persons or property and supportive of Individual rights’ as required in the Standards of Quality (§ 22.1-253.13.7.D.3 and Section 22.1-279.6) of the *Code of Virginia*.”

A safe, supportive, effective school environment:

- Fosters social and physical safety;
- Provides support that enables students and staff to realize high behavioral expectations;
- Ensures effective academic instruction that provides opportunities for authentic instructional engagement with high rates of positive, task specific feedback to master rigorous academic standards; and
- Encourages and maintains respectful, trusting, and caring relationships throughout the school community.

The *Standards of Student Conduct* - a notice of the requirements of section 22.1-279.3 of the Code of Virginia, 1950, as amended - and a copy of the compulsory school attendance law shall be sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent’s signature acknowledging the receipt of the *Standards of Student Conduct*, the requirements of Va. Code § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents shall be notified that by signing the statement of receipt, parents are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school shall maintain records of the signed statements.

These standards apply and students may be disciplined for acts committed while they are

- in school or on school property,
- on a school vehicle,
- participating in or attending any school-sponsored activity or trip,
- on the way to and from school, and
- off school property, when the acts lead to
 - a ruling of delinquency or a conviction from an office listed in §16.1-305.1 of the *Code of Virginia* (unlawful purchase, possession or use of a weapon, homicide, felonious assault and bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana, arson, and related crimes, and burglary and related offenses), criminal street gang activity or recruitment for such activity, or an act of violence by a mob, or
 - a charge that would be a felony if committed by an adult.

Definitions

Aggravating Circumstances – For the purposes of § 22.1-277 and § 22.1-277.05 of the *Code of Virginia*, “aggravating circumstances” shall mean:

- i. That a student engaged in misconduct which 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.

Alternative Placements/Suspensions/Expulsions - Any student who has been charged with an offense relating to the Commonwealth’s laws or a violation of School Board policy dealing with weapons, alcohol, drugs or intentional injury to another may be required to attend an alternative placement. Any student found guilty or not innocent of a crime required to be disclosed under Virginia Code § 16.1-305.1 may be suspended, expelled or required to attend an alternative placement after a hearing by the Superintendent or designee. This section applies regardless of the location of the incident. Refer also to File JGD/JDE “Suspension or Expulsion.”

Alternative School Program – Although traditionally linked to serving students with disciplinary infractions, in Nottoway County Public Schools, the alternative school program is an instructional program that is much broader and intended to meet students' educational, behavioral, and/or medical needs that cannot be adequately addressed during a traditional school day and/or environment.

Appeal - To make a request to a higher authority for the review of a disciplinary case.

Arson – Deliberately setting a fire on school property which endangers life, limb, or property. The *Code of Virginia* § 18.2-79 prohibits the burning or destroying of any school. The destruction may be in whole or in part--only a slight burning is necessary to violate this section of the *Code*.

Assault/Battery – The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury to an individual. Includes intentional touching or striking of another person against his/her will.

Bodily Injury – (A) a cut, abrasion, bruise, burn or disfigurement; (B) physical pain; (C) illness; (D) impairment of the function of a body part or mental faculty; or (E) any other injury to the body, no matter how temporary.

Bomb/Explosive Device – Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion in accordance with §22.1-279.3:1 of the Code of Virginia.

Bullying – Section § 22.1-276.01 of the Code defines bullying 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 cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

Chronic Absenteeism - Incorporates all absences: excused, unexcused, and suspensions. Addressing chronic absenteeism focuses on the academic consequences of this lost instructional time and on preventing absences before students miss so much school that they fall behind.

Community Service - Authorized work in the building, grounds, and/or other appropriate services provided by the student to the school or the community.

Confiscation - Any item prohibited by this Code of Student Conduct or the law will be removed from the student's possession.

Court Referral – The student is taken to court in the case of a drug offense, assault, weapon possession, truancy, or other violation of the Code of Virginia. The Truancy Officer will initiate appropriate legal action.

Criminal Street Gang – Any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.

"Too Good for Drugs" Officers - A Nottoway County Police Officer is assigned to each middle and high school to assist with the maintenance of safe school environments and to support the administration and staff whenever his/her assistance is required. "Too Good for Drugs" officers are Nottoway County Police Officers assigned to elementary schools and are responsible for preventive drug education programs. They also assist with the maintenance of a safe environment.

Destructive Device - (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device.

Detention – An intervention employed by any teacher or administrator to keep a student before or after school hours or on Saturdays in hope of correcting inappropriate behavior. Parents must be notified.

Disciplinary Review Hearing – The Superintendent coordinates and enforces the school division's efforts to maintain safe, healthy learning environments in each school. The Superintendent/Designee conducts interviews and hearings that are required due to the severity of a student's behavior.

Dispositions - Recommended actions administrators are to use in handling alleged infractions of the Code of Student Conduct. **Disruptive Behavior** - "Disruptive behavior" is defined in § 22.1-276.01 of the

Code as conduct, that interrupts or obstructs the learning environment. Teachers have the initial authority to remove a student from a class for disruptive behavior.

Drug Paraphernalia – Those items described in Section 18.2-265.1 of the Code of Virginia, including items such as pipe fittings, stems, bowls, or bongs.

Drug-Related Offenses - A school board policy, in accordance with § 22.1-277.08, of the *Code of Virginia*, shall permit, but not require, the expulsion of any student determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § 18.2-247, onto school property or to a school sponsored activity.

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

Expulsion – Expulsion is the immediate and permanent cessation of all services, including Adult Education and the G.E.D. program, provided by the School Board of Nottoway County. An expelled student is considered a trespasser if that student is present on any School Board property or at any school activity. Students may be expelled only by a majority vote of the School Board of Nottoway County. Expelled students are eligible to return to school under conditions outlined in "Readmission." A student is ineligible for readmission for 365 calendar days, in accordance with the Code of Virginia, Sections 22.1-277, 22.1- 277.07.

Enrollment Hearings

- A. **Expulsion** - A hearing must be initiated with the Superintendent for any student who has been expelled and seeks readmission. The parent may initiate contact with the Superintendent to schedule the hearing 60 calendar days prior to the expiration of the 365-calendar-day expulsion time frame.
- B. **Detention, long-term suspension, expellable offense, charge or violation of the law** – A hearing must be initiated with the Superintendent for any student who has been discharged from a detention facility; been long-term suspended; committed an expellable offense while attending another school, public or private; or been charged or found guilty of a violation of the law. The hearing will determine if the student will be allowed to enroll in NCPS. The Superintendent's decision will be final unless the parent files a written request for review by the School Board within 10 school days of the Superintendent's written decision. The School Board will make a determination based on the record.

Firearm - Any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; (4) any destructive device; or (5) any unloaded firearm in a closed container.

Gambling - Section 18.2-325, of the *Code of Virginia* defines illegal gambling as the "making, placing, or receipt, of any bet or wager of money or other thing of value, made in exchange for a chance to win a prize, stake or other consideration or thing of value." A gambling device includes any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in illegal gambling operations or activity.

Habitual Offense - A habitual offense shall include, but not be limited to, situations when a student violates one or more sections of the Code of Student Conduct (excluding attendance) and the school has addressed these behaviors with the student with no marked improvement in the student's behavior.

Harassment – Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating or hostile education or work environment.

Hazing – Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the Principal or Superintendent, who shall report it to the local law enforcement agency.

Instructional Support Services Intervention - When a student experiences repeated problems in school, the school personnel may refer this student to the child study team. The student is counseled and, if necessary, evaluated for alternative placement and educational program modifications.

Jurisdiction - The Code of Student Conduct and these related policies apply to any Nottoway County Public School student. It is enforced when he/she is on school property, while traveling to school or from school, to, from and at bus stops, in School Board vehicles, in attendance at school or at any school-sponsored activity. In addition, the Code applies to incidents off school property as referred to in definitions Alternative Placements/Suspensions/Expulsions. The Code also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in the Code are expected to report such incidences to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

Law Enforcement Agencies - In cases of serious violations of the Code of Virginia, the Nottoway County Police, Child Protective Services, and Juvenile Probation Departments may be included in the disposition.

Long-Term Suspension – A disciplinary action whereby a student is not permitted to attend school for a period of more than ten (10) days, but less than 46 days. 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](#) or [22.1-277.08](#) or involves serious bodily injury or (ii) the school board or division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department. Such definition shall include a consideration of a student's disciplinary history.

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

Mediation/Conflict Resolution - Mediation/Conflict Resolution is a process led by either student and/or staff mediators in which disputants in a conflict are encouraged to meet and resolve their dispute.

Nicotine Vapor Product - Any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

One Year - 365 calendar days as required in federal regulations.

Parent/Guardian - A parent is considered a natural parent, parent by legal adoption, or court appointed legal custodian. Teachers, counselors, and administrators are expected to contact parents by phone or letter in an effort to keep them informed of their child's conduct.

Profane or Obscene Language or Conduct - School board student conduct policy, in accordance with § 22.1-279.6.C. of the *Code*, is required to prohibit profane or obscene language or conduct. The *Code of Virginia* does not specifically define these terms. Conduct typically prohibited under this provision includes swearing and obscene/offensive gestures, materials, and communications.

Property Violations - Property violations include, but are not limited to,

- Damages caused by fire, destruction of property, vandalism, and theft.
- Destruction of property § 22.1-280.4. School boards are authorized to seek reimbursement from a pupil or the pupil's parent for any "actual loss, breakage, or destruction of or failure to return property, owned by or under the control of the school board, caused or committed by such pupil in pursuit of his studies."
- Theft—Larceny: The wrongful taking of the property of another without the owner's consent and with the intention of permanently depriving the owner of possession of the property.

Readmission - A hearing must be initiated with the Superintendent for any student who has been expelled and seeks readmission. The parent may initiate contact with the Superintendent to schedule the hearing 60 calendar days prior to the expiration of the 365-calendar-day expulsion time frame. The review will be based on written information only unless otherwise requested by the School Board. In the event approval for readmission is granted, the School Board will determine appropriate school placement and the date of reentry.

Restitution - The replacement of or payment for property taken, damaged, or destroyed will be required.

School Conference with Parent - Parents are encouraged to set up an appointment with any teacher, counselor, or administrator to discuss their son's or daughter's progress or problems. If a student is suspended, a parent may be asked to come to school to initiate reinstatement of the student.

School Property and Activities - Includes real and personal property owned, leased or operated by or on behalf of the School Board. It also includes any school-sponsored event, bus stops, and activity to and from school and bus stops.

Search and Seizure - School authorities reserve the right to conduct random searches of lockers, desks, computers, computer hardware and software and other property, as well as individuals and their belongings. This action will be taken to protect the safety and security of the school environment. School authorities may also conduct a search when there is reasonable suspicion for believing that items

will be found that violate the law or school policy, rules, and regulations. The search should be reasonable in scope, duration, and intensity in relation to the item being sought. Students shall be held responsible for all items in their lockers and vehicles. The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored activity. If articles violate school policy, rule, regulation, or the law, they will be taken by an administrator. Illegal articles will be turned over to a police officer.

1. **Automobiles** - Parking on school grounds is a privilege. All personal vehicles parked on school property may be searched as part of a random search or with reasonable suspicion. Parking on school property shall be deemed a consent to such search.
2. **Canines** - In an effort to ensure that each school maintains a safe environment, police dogs will be brought onto school property to inspect school premises, including, but not limited to, students, lockers, desks, back packs, instrument cases, hand bags and vehicles.
3. **Surveillance Cameras** - Surveillance cameras may be used in buses, in school facilities, and around school grounds in order to monitor and maintain order, discipline, and school safety.

Self-Defense - Self-defense may be considered as a factor in determining appropriate administrative responses to the event. Procedures for such consideration shall include an opportunity for the student(s) to present the student's version of what occurred, as well as a review of facts, involving school personnel and others as appropriate. The fact-seeking process may include students and other staff who may have witnessed the incident or have observed previous interactions between the students involved. In cases where self-defense is claimed, previous interactions between the students may take the investigation beyond looking at the single incident to examining patterns of interaction, past threats, and bullying. Information obtained from a variety of persons, including bus drivers, custodians, teachers, other students, and parents may be relevant to determining the administrative response.

- For a claim of self-defense to apply, the following conditions should be met. The person claiming self-defense must:
 1. Be without fault in provoking or bringing on the fight or incident.
 2. Have reasonably feared, under the circumstances, as they appeared to the person claiming self-defense, that s/he was in danger of harm.
 3. Have used no more force than was reasonably necessary to protect oneself from the threatened harm.

Bringing weapons of any kind to school for the purpose of self-defense is expressly prohibited and self-defense does not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity.

Serious Bodily Injury – Bodily injury which involves (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a body part or mental faculty.

Shortened School Day - The school administrator may recommend shortening a student's day if such a move is deemed beneficial to the school and/or student.

Short-term Suspension – A disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten (10) school days.

Stalking - Stalking is defined in § 18.2-60.3 of the *Code of Virginia* as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury.

Student Conference - The first line of discipline is with the classroom teacher. Formal and informal conferences are held between the student and teacher. If problems become more serious, the administrator will hold a conference with the student in an attempt to improve behavior. The student's counselor often will be included in the conference.

Superintendent's Designee – a (1) trained hearing officer or (2) professional employee with the administrative offices of the school division who reports directly to the division superintendent and who is not a school-based instructional or administrative employee.

Threats: Intimidation - Threats to kill or to do bodily harm “to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat in reasonable apprehension of death or bodily harm” are specifically prohibited by § 18.2-60. of the *Code of Virginia*. The prohibition includes threats to any person or persons “(i) on the grounds or premises of any elementary, middle or secondary school property, (ii) at any elementary, middle, or secondary school-sponsored event, or (iii) on a school bus....”

- Section 18.2-60.B. of the *Code* prohibits an oral threat to kill or to do bodily injury to any employee of any elementary, middle or secondary school, while on a school bus, on school property, or at a school-sponsored activity. The 2009 General Assembly amended.
- § 22.1-279.6 of the *Code of Virginia* to prohibit the “use of electronic means for purposes of bullying, harassment, and intimidation ... ”

Tobacco Product - any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Trespassing - Trespassing upon church or school property, including school buses, is specifically prohibited by § 18.2-128. of the *Code of Virginia*: Any person who, without the consent of some person authorized to give such consent, goes or enters upon, in the nighttime, the premises or property of any church or upon any school property for any purpose other than to attend a meeting or service held or conducted in such church or school property, shall be guilty of a Class 3 misdemeanor.

- Trespassing must be included in student codes of conduct per § 22.1-279.6 of the *Code of Virginia*. “Trespassing” should be used to report instances of unauthorized student presence that occur outside of school hours or are deemed to have an unlawful purpose.

Truancy - Unexcused absence from school. A student displays truant behavior with a single unexcused absence from school.

Truancy Sweep – An activity that is performed routinely in a predetermined school zone that involves identifying, locating, picking up and processing truant students in the community. Truancy sweeps are performed by authorized county personnel from the schools, police and courts.

Vandalism - Vandalism in Virginia under *Virginia Code §18.2-137* is the unlawful or intentional destruction, defacing, damaging or removing of another person's personal or real property without the intent to steal. Vandalism that results in damages of less than \$1,000 is a misdemeanor. Damages in excess of \$1,000 may result in felony charges.

Verbal Assault – The act of cursing, threatening, or using abusive language or written remarks, intended to demean or harm a student, staff member, or visitor.

Video Surveillance – As a component of a comprehensive safe school plan, video surveillance, with or

without audio capability, may be used in the common areas of certain schools and on school buses to maintain the security of students, staff members and visitors. Surveillance equipment may or may not be monitored. Video recordings may be used for disciplinary purposes. To protect the confidentiality of all students, only school personnel may view video recordings that include more than one student. Law enforcement representatives in the course of a criminal investigation may view video recordings.

Weapons or Other Dangerous Articles - any firearm or weapon enumerated in the *Code of Virginia* §§ 18.2-308.1, 18.2-308., and in the federal *Gun-Free Schools Act*.

Technology Related Terms

Application – A program that helps the user accomplish a specific task. Examples include word processing programs or spreadsheet programs.

Cyber Bullying – Abusive behavior including, but not limited to, taunting, threatening, stalking, intimidating, and/or coercing by one or more individuals against other students or staff, perpetrated with computers, cellular phones, internet websites, and/or any other electronic devices.

Extensions – Small programs that add to or extend the capabilities of the computer's system software.

Hacker – One who uses programming skills to gain illegal or unauthorized access to computers, computer networks, or files.

Preferences – Settings that are altered by the user to personalize the computer. Examples include track pad, date, time, internet settings, and network settings.

Software Image – The pre-set software image is defined as the configuration of the system software, preferences, and extensions that reside on the computer.

System Software – The programs and routines that control the functioning of the hardware and direct its operation.

Rights and Responsibilities

The School Board expects a high standard of conduct from all students. The superintendent, principals, teachers, and other school personnel have a responsibility of implementing the *Standards of Student Conduct* to create a safe, supportive, effective school in an atmosphere that is supportive of learning and honoring each individual's rights while remaining free from disruption, harassment, bullying, and/or threat to person or property.

- A. **School Board** - It is the responsibility of the School Board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety, and welfare of its students. Section 22.1-279.4 of the Code of Virginia states: School Boards shall provide information developed by the office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes. Methods of providing such information may include, but not be limited to, public announcements in the schools, written notification to parents, publication in the student conduct manual, and inclusion in those materials distributed to parents pursuant to § 22.1-279.3.
- B. **Superintendent** - The superintendent shall issue annually *Standards of Student Conduct* and a list of possible corrective actions for violation of the standards.

- C. **Principal/Designee** – The principal/designee "is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources"; the principal/designee shall "ensure that the school division's student code of conduct is enforced and seek to maintain a safe and secure school environment." In addition, Section D of the *Code of Virginia § 22.1-279.3:1* requires that school principals report certain student conduct violations to law enforcement. The same section also states, "Nothing in this section shall require delinquency charges to be filed or prevent schools from dealing with school-based offenses through leveled sanctions or educational programming before a delinquency charge is filed with the juvenile court."
1. Principals are responsible for managing student conduct on school premises, on the school bus, and at school sponsored events in accordance with local board policy;
 2. Principals are responsible for establishing and implementing a clear, consistent, restorative process consistent with local board policy for removing students from an instructional setting at a teacher's request and for returning the student to the instructional setting;
 3. Law enforcement officers should not become involved in instances of student misconduct except at the request of the school principal unless there is imminent danger to students, staff, or community members;
 4. Reports to law enforcement do not necessitate the filing of delinquency charges;
 5. Law enforcement officers and school administrators should work together to implement systems of support to address juvenile delinquent behavior when possible; and
 6. In instances where charges are filed, "local law-enforcement authorities shall report, and the principal or his designee and the division superintendent shall receive such reports, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the *Drug Control Act (§ 54.1-3400 et seq.)* and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (i) through (viii) of subsection A, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond."

The school principal/designee may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or his/her designee to review the School Board's *Standards of Student Conduct* and to review the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

The school principal shall inform, consult with, or refer to the Superintendent/designee any discipline matters that require a response at Level 3 or above – including, but not limited to, acts of violence, threats to the school or to others, and accusations/suspicion of harassment of any type – and that involve special circumstances and/or may require special handling.

The principal shall notify the parent(s) or legal guardian(s) of each in-school and out of school suspension and may require a meeting to review the *Standards of Student Conduct* and the parent/guardian's responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory attendance law, and to discuss the improvement of the child's behavior, school attendance, and educational progress prior to the student's readmission to school.

- D. **Teachers/Instructional Staff** - According to the Standards of Accreditation 8VAC20-131-220, “The professional teaching staff shall be responsible for providing instruction that is educationally sound in an atmosphere of mutual respect and courtesy....” Teachers are responsible for establishing and maintaining a safe, supportive environment that is developmentally and culturally appropriate and promotes student academic, behavior and social-emotional development through the development of positive relationships with students that are built on mutual trust and respect – which have been shown to demonstrate some of the highest positive effects on student achievement and behavior. Developing relationships requires “specific skills of the teacher such as the skills of listening, empathy, caring and having a positive regard for others.”

Teachers’ responsibilities include, but are not limited to, the following:

- Develop positive relationships;
- Develop a safe, positive, and culturally responsive environment;
- Apply cultural competence to classroom management;
- Teach (and re-teach when necessary) behavioral expectations;
- Reinforce positive behavior;
- Provide instructional feedback on behaviors;
- Utilize the school’s tiered framework of interventions and supports for students who are not meeting behavioral expectations;
- Recognize personal stress, reactions that may escalate negative student behavior, and personal bias; and
- Use individual and classroom data to progress monitor student behavior and the teacher’s responses to behavior.

If a student is not meeting the behavioral expectations and the teacher has implemented classroom or school-based interventions as outlined in school procedures, the teacher may request that a student be removed from a class. Decisions regarding a removal may be made collaboratively using a school team that includes specialized instructional support personnel, the student and parents, the teacher, and a school-based administrator. When a student is removed from a class at a teacher’s request, that student must continue to have access to graded work. The student should participate in behavioral interventions to support changing the behavior. The teacher should also receive support to address student behavior.

- E. **Specialized Instructional Support Personnel** - Specialized instructional support personnel (SISP) include those members of the staff who have direct responsibilities for providing for the physical, mental, and social-emotional health of students. They include school nurses, school counselors, school psychologists, school social workers, behavior specialists, and others who work in the school to provide for the health and development of students. Each of these professionals has a direct role in promoting and supporting a positive school climate that focuses on prevention, intervention, and support to assist students in meeting the behavioral expectations of the student code of conduct. In addition, NCPS contracts with health professionals from outside agencies, the conditions of which are described in a memorandum of understanding with the agency providing the services.
- **School Counselors** - School counseling programs support the Virginia Standards of Learning by providing guidance to students in their academic, career, and personal, and social development. School counselors collaborate with parents, teachers, administrators, and others to promote learning and to help students establish and achieve their education, career, and personal goals. School counselors provide

leadership to ensure that students benefit from effective strategies and services aligned with the Standards for School Counseling Programs in Virginia Public Schools. The standards are organized by grade level under the following goals:

- i. Academic Development – Students will acquire the academic preparation essential to choose from a variety of educational, training, and employment options upon completion of secondary school.
 - ii. Career Development – Students will investigate the world of work in order to make informed career decisions.
 - iii. Social-Emotional – Students will acquire an understanding of, and respect for, self and others, and the skills to be responsible citizens.
 - iv. *8VAC20-620-10. School guidance and counseling services* states that personal/social counseling assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities, and aptitudes. Such counseling may be provided either: (i) in groups (e.g., all fifth graders) in which generic issues of social development are addressed; or (ii) through structured individual or small group multi-session counseling which focuses on the specific concerns of the participant (e.g., divorce, abuse or aggressive behavior).
- **School Social Workers** - School social workers “have special expertise in understanding family and community systems and linking students and their families with the community services that are essential for promoting student success. School social workers’ training includes specialized preparation in cultural diversity, systems theory, social justice, risk assessment and intervention, consultation and collaboration, and clinical intervention strategies to address the mental health needs of students. They work to remedy barriers to learning created because of poverty, inadequate health care, and neighborhood violence. School social workers often focus on providing supports to vulnerable populations of students that have a high risk for truancy and dropping out of school, such as homeless and foster children, migrant populations, students transitioning between school and treatment programs or the juvenile justice system, or students experiencing domestic violence. They work closely with teachers, administrators, parents, and other educators to provide coordinated interventions and consultation designed to keep students in school and help their families access the supports needed to promote student success.”
 - **School Psychologists** - School psychologists have specialized training that enables them to understand and work with students to address their academic progress, behavior, social-emotional development, and relationships. “School psychologists specialize in analyzing complex student and school problems and selecting and implementing appropriate evidence-based interventions to improve outcomes at home and school.” School psychologists can support school efforts by conducting needs assessments, establishing progress monitoring systems, evaluating and interpreting data, and helping use data to inform future directions. The school psychologist is an important member of the school team that addresses student progress. They may consult with teachers and parents to coordinate services and supports for students’ academic, social, and behavioral needs.
 - **School Nurses** - The school nurse provides emergency care assessments and interventions, management of acute and chronic health conditions, referral, and support to access primary care, preventive services, communicable disease control measures, counseling for health promotion, and identification and management of health-related barriers to student learning.
 - **Non-Certified Staff** - All members of the school community should be engaged in and responsible for establishing a positive school climate.

- F. **School Resource Officers (SROs)** - SROs are valued and valuable members of the school community with three primary roles: 1) law enforcement officer - responding to requests for assistance from administrators and coordinating the response of other law enforcement resources to the school, and working with school administrators in problem solving to prevent crime and promote safety in the school environment; 2) law-related educator - assisting with presentations for school personnel on law-related topics and delivering law-related education to students; and 3) informal mentor and role model - communicating clearly to students about acceptable and unacceptable behavior, setting a positive example in handling stressful situations and resolving conflicts, showing respect and consideration of others, and expressing high expectations for student behavior. Neither the enforcement of the Code of Conduct nor the management of the school is the responsibility of the SRO.

“School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law.”

1. Law enforcement officers are not school disciplinarians.
2. The officer’s presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division’s student code of conduct.
3. Classroom management rests with the teacher.
4. Disciplinary responses remain the responsibility of school administrators.
5. The focus of law enforcement involvement in conduct matters is properly centered on incidents that involve a violation of law.

Additionally, issues that do not present “real and immediate” threat of serious physical injury to a student, teacher, or other member of the school community, or are not a violation of the law, shall be handled by school personnel and not by SROs, police, other law enforcement or security officers.

- G. **Parents** - Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the expectations detailed in the *Standards of Student Conduct* and compulsory school attendance laws. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents’ responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

- H. **Students** – Each student has the right to expect an educational environment in which they can strive to achieve their intellectual potential. The student is expected to attend school regularly, be diligent in their studies, and conduct in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

Students who observe or are subjected to inappropriate actions as described in this *Code of Student Conduct* are expected to report such incidents to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

All disciplinary actions shall be taken in accordance with due process requirements. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student’s behavior, unless the school principal/designee determines that readmission, without parent conference, is appropriate for the student.

If a parent fails to comply with the requirements of this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

School Discipline

All students have a right to adequate and meaningful due process prior to being excluded from school for disciplinary purposes.

1. **Student Behavior Categories** - The following behavior categories were designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness of students' social-emotional development, emphasize the importance of helping everyone understand the effect of behavior, and point the way for developing a plan for improving.
 - A. **Behaviors that Impede Academic Progress (BAP):** These behaviors impede academic progress of the student or of students. This category may include, but not be limited to, the following examples:
 - Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)
 - Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)
 - Scholastic dishonesty (cheating, plagiarism)
 - Unexcused tardiness to class (Level one at elementary; up to level 2 at secondary)
 - Unexcused tardiness to school (Level one at elementary; up to level 2 at secondary)
 - B. **Behaviors Related to School Operations (BSO):** These behaviors interfere with the daily operation of school procedures. This category may include, but not be limited to, the following examples:
 - Altering an official document or record
 - Giving false information to staff, misrepresentation
 - Refusal to comply with requests of staff in a way that interferes with the operation of school
 - Failure to be in one's assigned place on school grounds (Level 1 or 2 only)
 - Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)
 - Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building
 - Dress Code Violation (Level 1 or 2 only)
 - Gambling (games of chance for money or profit)
 - Possessing items that are inappropriate for school (examples include toys, literature, electronics)
 - Possession of stolen items
 - Unauthorized use of school electronic or other equipment
 - Violation of the Acceptable Use of Technology/internet policy
 - Violation of school board policy regarding the possession or use of portable communication devices
 - Vandalism, graffiti, or other damage to school or personal property

- C. **Relationship Behaviors (RB):** These behaviors create a negative relationship between two or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. This category may include, but not be limited to, the following examples:
- Bullying with no physical injury
 - Cyberbullying
 - Posting, distributing, displaying, or sharing material or literature that is libelous, including using electronic means to post such material
 - Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature
 - Stealing money or property without physical force
 - Speaking to another in an uncivil, discourteous manner
 - Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight
 - Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)
 - 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
 - Failure to respond to questions or requests by staff
 - Unwanted or inappropriate physical contact
- D. **Behaviors that Present a Safety Concern (BSC):** These behaviors create unsafe conditions for students, staff, and visitors to the school. This category may include, but not be limited to, the following examples:
- Alcohol: Possessing or using alcohol (Level 1 to 3)
 - Alcohol: Distributing alcohol to other students (Level 1 to 4)
 - Drugs: Possessing drug paraphernalia (Level 1 to 3)
 - Drugs: Violating school board non-prescription (Over the counter) medication policy (Level 1 to 3)
 - Tobacco: Possessing/Using tobacco products, electronic cigarettes, vaping equipment (Level 2 to 3)
 - Bullying Behavior without physical injury that continues after intervention; bullying that leads to physical injury should be classified as Assault and Battery (Level 2-4)
 - Cyberbullying that continues after intervention; Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences. (Level 3-5)
 - Bus: Distracting the bus driver (Level 1- 3)
 - Bus: Endangering the safety of others on the bus (Level 1- 3)
 - Harassment: Repeatedly annoying or attacking a student or group of students or personnel creating an intimidating or hostile educational or work environment
 - Fire alarm: Falsely activating a or other disaster alarm (Level 1 to 3)
 - Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke (Level 1 to 3)
 - Engaging in reckless behavior that creates a risk of injury to self or others (Level 1 to 3)
 - Fighting that results in no injury as determined by the school administration
 - Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students (Level 1 to 3 for elementary; Level 2 to 5 for secondary)
 - Throwing an object that has the potential to cause a disturbance, injury, or property damage (Level 1 to 2 for elementary; up to Level 3 for secondary)
 - Shoving, pushing, striking a student with no visible injury (Level 1 to 3)

- Exposing body parts, lewd or indecent public behavior (Level 1 to 3 for elementary; up to 4 for secondary)
- Physical contact of a sexual nature – patting body parts, pinching, tugging clothing (Level 1 to 3 for elementary; up to level 4 for secondary)
- Stalking as described in the *Code of Virginia* section 18.2-60.3
- Stealing money or property using physical force (no weapon involved) (Level 1 to 2; up to Level 3 for secondary)
- Leaving school grounds without permission (Level 1 for elementary; up to Level 2 for secondary)
- Trespassing (Level 2 to 3)
- Weapons: Possessing any weapon (other than a firearm) as defined by § 18.2-308.1 (Level 4 to 5)

E. **Behaviors that Endanger Self or Others (BESO):** These behaviors endanger the health, safety, or welfare of either the student or others in the school community. This category may include, but not be limited to, the following examples:

- Assault: Intending to cause physical injury to another person (Level 1 to 3)
- Assault and Battery: Causing physical injury to another person (Level 3 to 5)
- Bomb threat: Making a bomb threat (Level 1 to 4)
- Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5)
- Drugs: Being under the influence of controlled substances, illegal drugs, or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5)
- Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5)
- Fighting: The use of physical violence between students or on another person where there is no injury as determined by the school administration (Level 1 to 3)
- Fire: Attempting to set, aiding in setting, or setting a fire (Level 2 to 4)
- Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in §18.2-46.1. (Level 1 to 4)
- Hazing: as defined in §18.2-56 and noted in § 22.1-279.6. (Level 5)
- Striking Staff: The use of force against a staff member when no injury is caused (Level 1 to 4)
- Threatening or instigating violence, injury, or harm to a staff member (Level 1 to 4)
- Threatening or instigating violence, injury, or harm to another student (Level 1 to 3)
- Using an object not generally considered to be a weapon to threaten or attempt to injure school personnel (Level 1 to Level 4)
- Using an object not generally considered to be a weapon to threaten or attempt to injure a student(s) or others (Level 1 to Level 4)

2. **Levels of Interventions and Responses** - Provide guidance to school administrators when determining the appropriate interventions, supports, and/or responses for student misconduct. Each level/category represents the maximum consequence permitted for specific violations; however, depending on the circumstances, administrators may provide an intervention, support, or consequence from a lesser category.

- **Level 1 Responses:** Level 1 responses are intended to prevent further behavioral issues while keeping the student in school. Possible consequences include: Restitution; Seat change; Loss of school privileges; Confiscation by the administration; Detention (before school, at lunch, after school); In-school suspension (one-two days) with behavioral instruction and academic support

- **Level 2 Responses:** Administrative responses and interventions at this level are designed to prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate. Possible consequences include: Schedule change; Detention (before school, at lunch, or after school); Restitution; Confiscation; Temporary loss of privileges; In-school suspension with behavioral interventions and/or restorative practices (one-three days)
- **Level 3 Responses:** Level 3 behaviors may result in the student's short-term removal from school. Possible consequences include: In-school suspension (three plus days not to exceed five days); Detention (before school, at lunch, or after school); Restitution; Revocation of privileges; Referral to alternative education programs; Short-term out-of-school suspension (one-three days for elementary students/one-five days for secondary students) with conference upon return; Referral to law enforcement if required by local policy
- **Level 4 Responses:** Interventions and Responses at this level may require a short-term suspension or a long-term suspension hearing with the superintendent. Violations in this category may result in a suspension between one (1) and 45 days. The long-term suspension may extend beyond 45 school days, if the division superintendent finds that (i) the offense involves a firearm or destructive device, dangerous object, drugs, or serious bodily injury, or (ii) aggravating circumstances - as defined by the Virginia Department of Education - exist.
- **Level 5 responses:** Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. For preschool to grade three students, any suspension beyond three days must be referred to the superintendent.

3. **Suspensions** - Students have the right to be informed of any suspension, given specific reasons for the suspension, and offered the opportunity to tell their side of the story before being suspended.

Short-term suspensions: Students and families have the right to receive in writing a description of the incident, the date the student may return to school, and notice of their right to appeal. This letter must also be sent to the school superintendent or designee. Upon written request by the student or parent/guardian, the superintendent must review the suspension. If no alternative education program is provided, schools must ensure that suspended students are able to access and complete graded work during and after the suspension.

Long-term suspensions: Students and families have the right to written notice from the Superintendent about the conditions of a long-term suspension and their relevant due process rights. The student has a right to the following:

- A hearing in front of the Superintendent or their designee;
- An appeal of an unfavorable decision to the School Board;
- Consideration of a variety of factors aside from the offense itself, among them: age and grade level; the student's academic and behavioral history; the availability of alternatives; mental health, substance abuse, or special education assessments; and any other relevant matters; and
- Upon appeal to the School Board, a written decision within 30 days.

Schools should provide an academically appropriate alternative education program that permits students serving a long-term suspension to maintain sufficient progress in the curriculum and allow a smooth transition back into the student's school once the suspension term concludes. If no alternative education program is provided, schools must ensure that suspended students are able to access and complete graded work during and after the suspension. Schools may provide opportunities for earlier re-admittance based on student progress.

Expulsion: Students have the same due process rights to hearings and appeals as with long-term suspension, except that no expulsion is effective until approved by the School Board.

Students have the right to apply for re-admittance to school from an expulsion. Students also have the right to appeal a denial of re-admittance from an expulsion to the School Board.

Major Categories of Behavior

This *Code of Student Conduct* specifically outlines 16 (sixteen) major categories of behavior and lists consequences which may occur as a result of misconduct. It is stressed that a) the descriptions include minimum expectations and b) in determining dispositions for a specific action, the student's past history will be considered.

1. *Attendance*
2. *Chemical Abuse*
3. *Dangerous Objects, Firearms, Explosives, Arson, Bomb Threats*
4. *Dress Code*
5. *Disorderly Conduct/Disruptive Behavior*
6. *Fighting/Assault/Threats*
7. *Integrity/Larceny/Theft*
8. *Transportation*
9. *Tobacco Products and Nicotine Vapor*
10. *Trespassing*
11. *Vandalism*
12. *Arson – Actual/Attempted*
13. *Reports of Conviction or Adjudication of Delinquency*
14. *Felony Charges*
15. *Sexual Harassment*
16. *Bullying/Harassment*
17. *Technology and the Internet*

When enforcing this *Code of Student Conduct*, students and their property, including but not limited to backpacks, purses, other containers, automobiles, lockers, desks, and computers, may be searched. Metal detectors, surveillance cameras, and detection dogs may be used on school property and at school-sponsored activities in order to maintain a safe and productive learning environment. Search and seizure is defined in more detail in the definition section of this Code.

1. Attendance

Pursuant to Policy JED

I. Student Attendance Policy

Student attendance is a cooperative effort and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

Parents of students who are absent must inform the school of the reason for the absence no later than upon the student's return to school. Absences are excused for the following reasons: funeral, illness (including mental health and substance abuse illnesses), injury, legal obligations, medical procedures, suspensions, expulsions, religious observances, and military obligation.

The superintendent, by regulation, establishes procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence, would not be an excused absence.

The superintendent's regulations include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which the student missed by reason of such absence, if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless excused by the principal or principal's designee. High school students may spend school days each academic year participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

II. Compulsory Attendance Procedures

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused." Early intervention with the student and parent or parents takes place for repeated unexcused absences.

A. *Upon Fifth Absence Without Parental Awareness and Support*

If (1) a pupil fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the pupil's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal or principal's designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

B. *Upon Additional Absences Without Parental Awareness and Support*

If the pupil is absent for more than one additional day after direct contact with the pupil's parent and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or principal's designee shall schedule a conference with the pupil, the pupil's parent and school personnel. Such conference may include the attendance officer and other community service providers to resolve issues related to the pupil's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the pupil, regardless of whether his parent approves of the conference. The conference team shall monitor the pupil's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall make a referral to the attendance officer. The attendance officer shall schedule a conference with the pupil and pupil's parent within 10 school days and may (i) file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228 or (ii) institute proceedings against the parent pursuant to Va. Code § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this policy. In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

III. Report for Suspension of Driver's License

In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

IV. Attendance Reporting

Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public school principal reports to the superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to Part II (B) above. The superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.

V. Dismissal Precautions

Principals do not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students are released only on request and authorization of the parent or guardian. The superintendent establishes procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system is maintained in each school.

2. Chemical Abuse

A. Alcohol

B. Drugs

C. Drug Paraphernalia

Each student has the right to learn in an environment free of drugs and alcohol. ALCOHOL AND OTHER DRUGS NOT PRESCRIBED FOR THE STUDENT ARE PROHIBITED. A student shall not possess, use, and/or distribute alcohol, marijuana, or other drugs on school property, on school buses, or during school activities, on or off school property.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

CHEMICAL ABUSE: possessing, which includes bringing substances onto school property or to a school-sponsored event; using, or having evidence of prior use of illegal chemicals, alcohol, look-alike/imitation drugs, chemicals and alcohol, anabolic steroids, inhalants, any drug not prescribed for the student by a physician, or any substance represented as a drug; theft or attempted theft of student prescription medications, OR possession or use of drug paraphernalia. CHEMICAL ABUSE ALSO ENCOMPASSES MANUFACTURE, DISTRIBUTION, AND INTENT TO DISTRIBUTE, WHICH INCLUDES SALE, GIFT, SHARING, AND TAKING ORDERS FOR OR ARRANGING FOR A SALE BEFORE, DURING, OR AFTER SCHOOL.

Procedures for handling chemical abuse violations:

I. Possession

Possession, Use, or Evidence of Prior Use of Alcohol or Drugs; and Possession or Use of Drug Paraphernalia

Certain circumstances may warrant a recommendation for expulsion; however, the following dispositions will apply:

First Offense Disposition

- Report the incident to the Sheriff's Department, Superintendent or designee.
- A minimum out-of-school suspension of ten (10) school days is mandatory.
- If a student has an illegal substance in a motor vehicle, parking permit privileges will be revoked for 30 school days. A 30 school day exclusion from all extracurricular activities is mandatory.
- The parents may enroll the student in a community drug counseling program of their choice and sign permission to share information between school and program.

Subsequent Offense Disposition

In addition to any of the penalties described under possession, the following will be implemented:

1. Report to Sheriff Department
2. Referral to Superintendent or designee with recommendation for long-term suspension or expulsion

II. Distribution, Bringing onto School Property, or to a School-Sponsored Event

Manufacture, Distribution, Intent to Distribute or Bringing onto School Property or to a School-sponsored Event, any of the following: Alcohol, Drugs, Chemicals or Look-Alike/Imitation Drugs or Chemicals (whether sale, gift, sharing, or taking orders for or arranging for a sale before, during, or after school)

Disposition

In addition to any of the penalties described under possession, the following will be implemented:

1. Report to Sheriff's Department
2. Referral to Superintendent or designee

Students with Disabilities

- A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA will be followed in addition to the regular disciplinary procedures.
- B. Additional authority to remove a student with a disability from school for a drug violation:
In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

III. Prescription Medications & Non-Prescription Medications

A. Prescription Medications

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

Disposition:

The following will be implemented:

1. Report to Sheriff Department
2. Referral to Superintendent or designee with recommendation for long-term suspension or expulsion

B. Nonprescription Medications

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

First Offense Disposition:

One or more may apply:

1. In-School Suspension (3 – 5 days)
2. Behavior Contract
3. Referral to Specialized Instructional Support Personnel or other support personnel

Subsequent Offense Disposition

In addition to any of the penalties described above:

1. Short-term out-of-school suspension

C. Self-Administration of Asthma Medication and Auto-Injectable Epinephrine

Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. In order for a student to possess and self-administer asthma medication, the following conditions must be met:

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

Permission granted to a student to possess and self-administer asthma medications will be effective for a period of one school year and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication may be limited or revoked after appropriate school personnel consult with the student's parents.

Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited.

Permission to self-administer non-prescription medication may be revoked if the student violates this policy and the student may be subject to disciplinary action in accordance with the Standards of Student Conduct.

Any medication that is not picked up by the last day of school will be destroyed.

3. Dangerous objects, firearms, explosives, arson, bomb threats

Each student has the right to learn in a safe environment with others who respect his/her well-being. Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. The following categories are considered extremely serious violations which threaten a suitable and secure learning environment:

- A. The possession, use, sale, or purchase of restricted items on school property, on school vehicles, or during school-sponsored activities on or off school property is prohibited. This includes, but may not be limited to, any firearm or weapon enumerated in the *Code of Virginia §§ 18.2-308.1., 18.2-308.*, and in the federal *Gun-Free Schools Act*. In addition, the possession of unloaded weapons by students on their persons or in their lockers, backpacks, or vehicles also is prohibited and will result in **out-of-school suspension**.

- B. The possession of dangerous objects is prohibited. Dangerous objects include, but are not limited to, bullets, machetes, brass knuckles, razors, switchblades, knives, Chinese stars, mace, laser pointers, firecrackers, fireworks, stink bombs, any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nunchuck, nunchaku, shuriken, or fighting chain, slingshots, spring sticks, brass or metal knuckles, blackjacks, etc. Possession includes bringing the item(s) onto school property, or to a school-sponsored activity. Also included is the use as a dangerous object of commonplace objects, including but not limited to keys, locks, etc. **Violation of this rule may result in a recommendation for expulsion.**
- C. In accordance with § 22.1-277.07., of the *Code of Virginia*, any student determined to possess a firearm, destructive device, a firearm muffler or firearm silencer, or a pneumatic gun on school property or at a school-sponsored activity **may be recommended for expulsion**. Definitions of "firearm," "destructive devices," and "pneumatic gun" are set forth in § 22.1-277.07.E. of the *Code*, and are consistent with the federal *Gun-Free Schools Act*. A copy of this Act is included in the Appendices.
- D. The possession of look-alike weapons, including, but not limited to, cap guns, squirt or water guns, toy pistols, comb knives, etc., is prohibited on school property and will result in a disciplinary consequence, including – but not limited to – **in-school detention or out-of-school suspension**. Possession includes bringing the item(s) onto school property or to a school-sponsored activity.
- E. The use of any objects noted in A or B used or intended to intrude on the security and safety of fellow students and school personnel will result in referral to Superintendent or designee and **may result in an expulsion recommendation.**

This prohibition does not apply to Junior Reserve Officers Training Corps (JROTC) programs or to the possession of firearms as part of the curriculum or other programs sponsored by the schools or other organization permitted by the school to use its premises.

- F. The possession of a firearm or destructive device, whether loaded or unloaded, operative or inoperative, on any school property or during any school activity, is prohibited unless specifically authorized by school officials. Possession includes bringing a firearm onto school property or to a school-sponsored event and storing it in a vehicle, locker, or other receptacle. Firearms include pellet guns, BB guns, CO2 air pistols, air rifles, stun weapon, paint ball guns, any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, any destructive device, or any unloaded firearm in a closed container, and any other device which meets the definition of firearm in the Code of Virginia. Destructive device includes any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device. **VIOLATION OF THIS RULE WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- 1. A student in possession of a firearm on school property or at a school-sponsored activity as prohibited by VA Code 18.2-308.1 or who is in possession of a firearm or destructive device as defined in VA Code 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in VA Code 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE.

- G. The use of a firearm or look-alike firearm, whether loaded or unloaded, operative or inoperative, in a manner which threatens a person's safety or health, WILL RESULT IN AN **AUTOMATIC RECOMMENDATION FOR EXPULSION**.
- H. The possession or representation of any explosive or flammable material considered to have the capacity to create an explosion or start a fire, including, but not limited to, firecrackers, lighter fluid, and other flammable substances, is prohibited unless specifically authorized by school officials. Possession includes bringing the item(s) onto school property or to a school-sponsored event. Unloaded firearms in closed containers are prohibited and will result in **out-of-school suspension**.
- I. Students shall not engage in any illegal conduct involving fireworks, cherry bombs, pop rocks, smoke/stink bombs, firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property. Possession includes bringing the items onto school property or to a school-sponsored event. Violation of this rule will result in **out-of-school-suspension**.
- J. The use or the intent to use any material which may result in a fire on school property, or setting fire to the property of students, staff, or volunteers is prohibited unless specifically authorized by school officials.

4. Dress Code

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process, or creates a health or safety problem. Students must come to school dressed in a way that meets their school's dress code requirements, which has been shared with them. The following dress code applies to all students:

1. Students are expected to **dress appropriately at all times**. Clothing should be size appropriate (no oversized shirts, pants, etc.) Students are not to wear any items of clothing that inappropriately expose body parts such as, but not limited to, midriff, cleavage, portions of the body normally covered by undergarments, and undergarments.
2. Clothing, jewelry, buttons, badges or personal belongings that have a message about gang activity, drugs, alcohol, tobacco, sex, vulgarity, race or gender may not be worn.
3. Shoes are to be worn at all times for safety and sanitary reasons. For safety purposes students should avoid wearing wheeled shoes - "Heely's". Bedroom slippers or flip-flops are not to be worn to school. In the event of a medical problem, the student must bring a note from home to be approved by the principal.
4. Hats (except for Read-Up Hats), hoods and sunglasses are not to be worn in school and during classes unless permission has been given by the school's principal or designee. Upon arrival at school these items should be secured with student's belongings until the close of school. If for medical reasons a hat or sunglasses need to be worn during classes, permission should be given by the office and teachers made aware of this by students bringing a note from the office to the teacher.
5. Head coverings or hairstyles of religious or ethnic significance or required for religious, ethnic, or medical purposes will be allowed. Sleep bonnets, do-rags, and other items intended for grooming purposes are not to be worn to school.
6. All shirts must have straps at least one-inch-thick and fit appropriately under the arms.

If a student does not comply with the dress code, a parent or guardian may bring them a change of clothes or, if there is no way for them to change into appropriate clothing, they will be sent to In-School Suspension for the day.

Recommended Consequences for Dress Code Violations

1st Offense	Warning with opportunity to change clothes to correct dress code violation; parent notification; items in violation of the code can be confiscated and parent required to pick-up
2nd Offense	A second warning with opportunity to change clothes to correct dress code violation; parent notification; items in violation of the code can be confiscated and parent required to pick-up
3rd Offense and Subsequent Offenses	administrative consequence

5. Disorderly Conduct/Disruptive Behavior

Students are entitled to a learning environment free of unnecessary disruption. Any physical, written or verbal disturbance, communication or activity, within the school setting or during related activities, which is dangerous to the health or safety of students or others or may interrupt or interfere with teaching and orderly conduct of school activities is prohibited.

- A. **Gambling** is prohibited. A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity. No card playing is allowed unless it is an educational activity.
- B. The possession or distribution of **print or electronic materials** which are obscene, violent, inappropriate or significantly disruptive to the educational process is prohibited. Included are inappropriate student expression, threats, hit lists, distribution of non-authorized literature, and illegal assembly.
- C. **Cell Phones / Possession of Electronic Communication Devices.** In accordance with the Code of Virginia and school board policy JFCM, cell phones, smart watches, and/or personal electronic devices may not be used or worn by students in school buildings or on school grounds during the instructional day. **This includes the time from the first bell to the closing bell. Students must use school-based communication tools to communicate with parents during the instructional day. This includes all Nottoway County Public Schools.**

Cell phones may be used before and/or after bell-to-bell instructional time on school buses as long as the use is compliant with the Code of Student Conduct and the permitted use does not result in distractions or disruptions to the learning environment, disruptive behavior, bullying, harassment, crime, or any other behavior that violates other policies, regulations or laws. This shall include, but not limited to: cell phones, smart watches, portable music devices, laser pointers, cameras, laptop computers, MP3 players, iPods, portable DVD players, etc. Failure to comply with the policy may result in disciplinary sanctions.

Refusal to surrender the cell phone to school administration after a violation (non-compliance) may result in confiscation, student conference, parent conference, in school suspension or out of school suspension. School administration are responsible for implementation and enforcement of the policy.

Habitual offenders may be required to surrender the phone at the beginning of the school day. Failure to do so will result in additional disciplinary actions.

Any student who, pursuant to an Individualized Education Plan, Section 504 Plan, individualized health care plan, or Limited English Proficiency plan, is permitted to possess and use a cell phone or smart device on school property, including in the classroom, from bell to bell to monitor or address a health concern or as an accommodation or assistive technology support. Parents of students with the potential for an extenuating circumstance should contact the principal and student case manager to complete all necessary paperwork to request an exception to this rule. In addition to the paperwork a conference/meeting will be held to understand the compliance with an extenuating circumstance listed about and will be reviewed to determine approval.

Recommended Consequences for Cell Phone/Media Violations*

1st Offense	Confiscation of the device by administrator/designee; parent notification; returned to student at the end of the day
2nd Offense	Confiscation of the device by administrator/designee; parent notification and parent and student conference with administrator; returned to parent
3rd Offense +	Confiscation of the device by administrator/designee; parent notification; student privileges for having a device within school grounds removed; parent and student conference with administrator, returned to parent
<i>Note: Refusal to relinquish the device is non-compliance and may result in more severe consequences.</i> * Depending on the nature and severity of the offense, more severe consequences may be warranted and will be at the discretion of the building administrator.	

- D. **Profane, Obscene or Abusive Language.** Cursing, threatening, or using abusive language or remarks intended to demean a person is prohibited. This violation includes, but is not limited to, actions, displays, or written material of an obscene, violent or inappropriate nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements towards school personnel and/or students, i.e., vulgar language.
- E. Failure to respond appropriately to written or verbal directions given by school personnel, chaperones/volunteers, or law enforcement officers is considered **insubordination** and will not be tolerated.
- F. **Gang Activity or Association.** Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e. clothing that symbolizes association, rituals associated with, or activities by an identified group of students). Section 16.1-260.G of the Code of Virginia requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including, prohibited criminal street gang activity pursuant to 18.2-46.2. and recruitment of other juveniles for a criminal street gang activity pursuant to 18.2-46.3. Students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. A gang is defined as any group of two or more persons whose purpose includes:

- commission of illegal acts,
 - participation in activities that threaten the safety of persons or property,
 - disruption of the school activities,
 - creation of an atmosphere of fear and intimidation.
- G. **Hazing.** Students shall not engage in hazing. Hazing means to recklessly or intentionally endanger the health or safety of a student or students or inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.
- H. Other **activities which disrupt** the orderly functions of the school include, but are not limited to: demonstrating hostile or disruptive behavior, habitually committing offences under this Code, sexually explicit behavior, sexual harassment, unauthorized sales by students, possession of inappropriate toys, and inappropriate use of school lockers and facilities, and setting off false fire alarms.

6. Fighting/Instigating/Assault/Threats

Students and school personnel are entitled to a school environment free from threat and aggression. A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery. Battery is the unlawful application of force to the person of another.

- A. Actions, comments, or written messages intended to cause others to fight or which may result in a fight are prohibited.
- B. Intentionally hitting, shoving, scratching, pushing, biting, kicking, blocking the passage of, or throwing objects at a student is prohibited.
- C. Threatening and/or conveying by gestures, notes, or verbal comments the intent to cause bodily injury or to deprive a student of his rights is prohibited.
- D. **Fighting** involving two or more parties in conflict when they are striking each other for the purpose of causing harm or injury is prohibited. This action may extend to mutual shoving, wrestling, or other aggressive actions which may result in the danger of harm or injury to either party, bystanders, or school property.
- E. The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury is prohibited.
- F. **Aggression directed toward a teacher, administrator, coach, bus driver, or other School Board employee, Law Enforcement Officer, "Too Good for Drugs" Officer, or volunteer is prohibited. VIOLATION OF THIS RULE WILL RESULT IN AN IMMEDIATE RECOMMENDATION FOR EXPULSION.**
- G. Conveying by gestures, notes, or verbal comments the intent to cause bodily injury or to deprive a teacher, administrator, coach, bus driver, or other School Board employee, Law Enforcement Officer, "Too Good for Drugs" Officer, or volunteer of his/her rights, or demonstrating hostile act, is prohibited.
- H. Any inappropriate behavior which is of a sexual nature, including, but not limited to, touching of private areas of a person's body, is prohibited.
- I. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited or for any other reason.
- J. **Bullying/Cyber Bullying.** A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer

systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. This includes, but is not limited to, social chat rooms or web space (i.e. Facebook, You Tube, My Space, instant messaging, etc.), physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability. *"Bullying" means 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 cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.*

- K. **Assault or assault and battery** with or without bodily injury of any person on a school bus, on school property or at a school-sponsored activity is prohibited.
- L. Unsafe conduct which endangers either oneself or others is prohibited. Physical assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting and fighting; or assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as described in Va. Code 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity.

Consequences for fighting/instigating a fight/bullying:

1 st Offense	5 days out-of-school suspension
2 nd Offense	10 days out-of-school suspension
3 rd + Offense	Recommendation for long-term suspension

Videotaping a fight may result in the phone becoming evidence and being turned in to the law enforcement officer. The student with the video also may have to go to court as a witness.

1 st Offense	3 days out-of-school suspension
2 nd Offense	5 days out-of-school suspension
3 rd + Offense	10 days out-of-school suspension and possible recommendation for long-term suspension

7. Integrity/Larceny/Theft

Students are expected to perform honestly through the production of their own work. Violations of this expectation will result in a **zero on the assignment and parent contact**. They should also demonstrate respect for the belongings and rights of others, including, but not limited to, staff members and volunteers.

The following acts are prohibited:

- A. **Cheating** includes the actual giving, receiving, or use of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work or tests.
- B. **Plagiarism** includes using or copying language, structure, ideas, and/or thoughts of another and representing it as one's own original work.
- C. **Falsification** includes, but is not limited to, a verbal, written or electronic transmission (i.e., e-mails, images), including the production or use of forgery.
- D. **Theft.** A student shall not intentionally take the personal property of another person without consent under duress, threat or otherwise.
- E. Attempts toward completion of any act described above would constitute a violation and may be punishable to the same extent as if the attempted act had been completed.
- F. Unauthorized use of technology and information accessed through technology without permission

is prohibited as specified in School Board Policy IBEA "Acceptable Computer System Use." (See Section 12 of this Code). Student files are subject to search at any time.

- G. Willful or malicious false accusations/reports against school personnel or other students.

8. Transportation

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus to assure that the rights of others, including private residents whose property may be affected by student behavior, are respected. Students must ride the bus to which they are assigned unless granted permission to do otherwise by an administrator.

A. The School Bus

School bus transportation is provided for many Nottoway students. This service exists for elementary, middle, and high school students to and from school, instructional field trips, athletic trips, special after-school activities, as well as for transportation from base schools to locations where specialized educational programs are available.

Riding a school bus is a privilege. Students who violate the *Standards of Student Conduct* and designated bus rules on the school bus may have the privilege of riding revoked for a specified time or permanently. In addition, other dispositions may apply. The driver of the bus has the authority and the responsibility for maintaining order and providing a safe environment. When the driver requires assistance to resolve a potentially harmful situation on the bus, a principal, or designee, of the school served by the driver will render assistance. *Note: Cursing at and/or threatening the driver, fighting on the bus, and/or other severe safety infractions on the bus **may result in suspension from school.***

CONSEQUENCES FOR VIOLATING BUS RULES

1st Bus referral	Student receives a warning.
2nd Bus referral	Student receives 1-day suspension from the bus.
3rd Bus referral	Student receives 3-days suspension from the bus.
4+ Bus referral	Days suspended from bus may be increased incrementally: 6 days, 10 days, 30 days, rest of quarter, semester, or year

**PreK-2nd grade students - at the discretion of the Principal.*

B. Drivers

Motorized vehicles of any type are not permitted as means of transportation to and from school when driven by students enrolled in the elementary or middle schools of Nottoway County. High school students who meet the requirements and accept the responsibilities of driving vehicles to school are permitted to do so. This privilege depends upon the student's compliance with the parking and vehicle regulations as prescribed by the individual high school, including consent to search. Students are assumed to have knowledge of and will be held responsible for all items in their vehicles. Failure to adhere to these regulations could result in disciplinary action as listed in the recommended dispositions of the Code of Student Conduct, including loss of driving privilege and having one's vehicle booted or towed from the premises at the operator's expense.

C. Bicycle Riders

Bicycles may be ridden to elementary, middle, and high schools. The safety of the riders and the securing of their bicycles are the responsibility of the riders. Improper use of bicycles, such as riding in bus-loading areas, constitutes grounds for the loss of bicycle parking privileges at school. Bicycle riders are prohibited from violating the rights of homeowners, apartment dwellers, and businesses on their way to and from school.

D. Walkers

Students in elementary, middle, and high schools who live within the designated no transportation zones are required to arrive promptly at school. Parents are encouraged to identify and assist in the choice of a safe route. Student walkers are prohibited from violating the rights of others including homeowners, apartment dwellers, and businesses on their way to or from school.

9. Tobacco Products and Nicotine Vapor

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity. In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited. *Note: Dab pens are marijuana products and consequences fall under the drug policy.*

1st Offense	Confiscation; parent notification; required completion of 1 Hour Vaping Awareness & Prevention Education Course, 2 Days of ISS
2nd Offense	Confiscation; parent and student conference with administrator; 3 days of ISS; completion of Vaping Dangers and Education Course with School Resource Officer and parent, loss of all school based activities for 30 school days
3rd Offense +	Confiscation; parent notification; 5 days of OSS; parent and student conference with school based personnel including the school administrator; loss of all school based activities for the remainder of the school year
<i>Note: Refusal to comply may result in additional disciplinary actions.</i> * Depending on the nature and severity of the offense, more severe consequences may be warranted and will be at the discretion of the building administrator.	

Definitions

- "Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.
- "Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

10. Trespassing

The student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion. Students, patrons, and school personnel are expected to have the appropriate authorization to be on School Board property.

- A. Any student who has been suspended from attendance will be considered a trespasser if he/she appears on any Nottoway County Public School property during the suspension period without permission of the Superintendent or the relevant school principal. Violation of this section will be considered an additional infraction and will require a separate disposition.
- B. Students who arrive at school before school opens or remain after the close of their school day without specific need or appropriate authorization and supervision may be considered trespassers.
- C. Any student who is requested by an administrator to leave school property is expected to do so immediately. Failure to do so will be considered trespassing.
- D. No student or other person may attend or visit a Nottoway County school as a guest during the regular school day without authorization from the school's administration.

<i>First Offense Disposition</i>	• Short-term out of school suspension (not to exceed 3 days)
<i>Subsequent Offense Dispositions – One or may apply:</i>	• Short-term out of school suspension • Recommendation for long-term out of school suspension

11. Vandalism

Members of the school community are entitled to enjoy property free from the abuse of others. Vandalism is the willful marring, defacing, or destruction of School Board property, including leased property or any employee's or other person's property. This section includes, but is not limited to, the buildings, both exteriors and interiors thereof, books, computer equipment and software, school buses, private automobiles, school grounds, and property as designated above. Causing, intent to cause, or attempt to cause damage to school or personal property of others is prohibited.

<i>First Offense Disposition</i>	In school suspension (not to exceed 3 days)
<i>Subsequent Offense Dispositions</i>	Short-term out of school suspension

12. Arson – Actual/Attempted

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

- A. The use, intent to use, or threat to use an explosive, including, but not limited to, fireworks, cherry bombs, smoke/stink bombs, or any device contributing to a fire or representation of an explosive device, including a bomb threat, is prohibited. These actions include bringing the items on school property or to a school-sponsored event.

- B. The use or intent to use any material (matches, lighters, etc.) which may result in a fire on school property or setting fire to the property of students, staff or volunteers, is prohibited, unless specifically authorized by school officials.

Disposition – One or more may apply:

1. Threat Assessment as indicated by the behavior
2. Referral to law enforcement as required
3. Referral to Superintendent or designee
4. Recommendation for long term out of school suspension, or
5. Recommendation for expulsion to the school board

13. Reports of Conviction or Adjudication of Delinquency

Pursuant to §16.1-305.1

Students convicted or adjudicated delinquent of an offense listed in the Code of Virginia, 1950 as amended, §16.1-305.1, may be suspended or expelled.

For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.

14. Felony Charges

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/intervention activities.

Disciplinary Authority Under Certain Circumstances

The Superintendent may require any student to attend an alternative education program regardless of where the crime occurred if the student has been:

- Charged with an offense relating to Virginia law or with a violation of school board policies, on weapons, alcohol or drugs, intentional injury to another person;
- Found guilty or not innocent of an offense relating to Virginia laws on weapons, alcohol or drugs, or of a crime that resulted in or could have resulted in injury to others, or for which the disposition ordered by a court is required to be disclosed to the Superintendent pursuant to the Code of Virginia section 16.1-305.1;

- Found to have committed a serious offense or repeated offenses in violation of School Board policies;
- Suspended pursuant to Code of Virginia section 22.1-277.05; or
- Expelled pursuant to Code of Virginia sections 22.1-277, 22.1-277.06, 22.1-277.07, or 22.1- 277.08.

15. Sexual Harassment

It is policy of the Nottoway County School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from sexual harassment.

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronic or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment. A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions.

It is prohibited for any student or employee, male or female, to harass another student or employee by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal, written, electronic, or physical conduct of a sexual nature when:

- I. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; or
- II. submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- III. that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of activities which could constitute sexual harassment if it meets the immediately preceding definition include:

- unwelcome, sexual physical contact;
- unwelcome ongoing or repeated sexual flirtation or propositions or remarks;
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions;
- graphic comments about an individual's body;
- sexual jokes, notes, stories, drawings, gestures or pictures;
- spreading sexual rumors;
- touching an individual's body or clothes in a sexual way;
- displaying sexual objects, pictures, cartoons or posters; and
- impeding or blocking movement in a sexually intimidating manner.

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:

- I. creates an intimidating, hostile or offensive working or educational environment; or
- II. substantially or unreasonably interferes with an individual's work or education; or
- III. otherwise limits a student's ability to participate in or benefit from the education program.

Any student who believes that he or she has been subjected to sexual harassment should file a complaint of the alleged act with the principal or to any school personnel. Oral or written reports shall be accepted. The principal must immediately report the complaint of the alleged incident to the compliance officer. If the complaint is against the principal, the student shall file the complaint with the Superintendent. The compliance officer is the Superintendent or her designee. Refusal to put the complaint in writing shall not preclude an investigation of the complaint. The complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint, and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School Division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings.

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

16. Bullying/Harassment

A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to: physical, verbal, or written intimidation, taunting, name-calling, insults, lies, rumors, social exclusion or isolation, threatening body posture, money or possessions taken or damaged, being threatened or forced to do things, and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or physical abilities or characteristics, or intellectual ability, or associates of the targeted person or group.

Any aggressive behavior that involves unwanted negative actions and a pattern of behavior repeated over time, and an imbalance of power or strength is considered bullying and will not be tolerated.

- A. Repeated, unwanted negative overtures and actions over time toward a person or persons are prohibited.
- B. Bullying methods (repeated) such as verbal abuse, social exclusion or isolation, physical abuse, intimidation, lies, rumors, sexual inferences, robbery, damaged personal items, threats, racial attacks, and bullying through electronic devices will not be tolerated.
- C. Electronic bullying and/or cyber bullying related activity of any nature and that which is obscene, pornographic, threatening, or otherwise inappropriate, including (but not limited to) email, instant

messaging, web pages, and use of hardware and/or software which substantially disrupts or interferes with the safety and welfare of the school and its students, are strictly prohibited, even if such uses/actions take place off school property (i.e., home, business, private property, etc.).

- D. The principal or his/her designee is directed to notify the parent(s) of any student involved in an alleged incident of bullying and of the status of any investigation within 24 hours of the allegation of bullying.
- E. Conveying by gestures, notes, or verbal comments with the intent to cause bodily/emotional injury or to deprive a student of his rights is prohibited.
- F. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited.
- G. Cursing, using abusive language, teasing, hazing, or other acts of intimidation are prohibited. This includes, but is not limited to: any verbal, written, physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.

Disposition – One or more may apply:

- 1. Threat Assessment as indicated by the behavior
- 2. Referral to law enforcement as required
- 3.

1 st Offense	5 days out-of-school suspension
2 nd Offense	10 days out-of-school suspension
3 rd + Offense	Recommendation for long-term suspension

Nottoway County Public Schools takes bullying seriously; therefore, additional offenses under this category may warrant more serious consequences.

17. Technology and the Internet

NETWORK ACCEPTABLE USE POLICY

The purpose of telecommunications technology in Nottoway County Public Schools (NCPS) is to support research, communication, and education, and to provide access to unique resources and opportunities for collaborative work. The use of NCPS computer networks, including Internet access, must be in support of education and consistent with the educational objectives of Nottoway County Public Schools and the Virginia Board of Education. This policy applies to all users of NCPS electronic information, services, and networks.

The Nottoway School Board approved the following Acceptable Computer System Use policy. The changes reflected in the revised File IIBEA are a result of the federal Children's Internet Protection Act, known as CIPA. These changes are in the Instruction Section of the Policy Manual and coordinate with the Student Section File JFC -Student Conduct and File JFC-R -Standards of Student Conduct.

In accordance with Va. Code § 22.1-70.2, Nottoway County Public Schools requires all students to receive Internet safety training. Through an implementation plan, Internet safety **and the effective use of AI are** both taught to and practiced by students, and integrated into the curriculum, K-12. Special emphasis is placed on safety, security, and ethics in the instructional program.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, 18.2-372, 17.2-374:1, 18.2-390, 22.1-70.2, and 22.1-78 18 U.S.C. Section 1460, 2256 47 U.S.C. Section 254

ACCEPTABLE COMPUTER SYSTEM USE (File: IIBEA/GAB)

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and other internal or external networks.

All students are issued a county device for learning. Devices are property of Nottoway County Public Schools and any damage will be the responsibility of the parent.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account, may be monitored or read by school officials.

The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include:

1. a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
2. provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
 - a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - c. material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
3. provisions establishing that the technology protection measure is enforced during any use of the Division's computers by minors;
4. provisions establishing that the online activities of minors will be monitored;
5. provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
6. provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online;
7. provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors;
8. a component on Internet safety for students that is integrated in the division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The Division's computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board will review, amend if necessary, and approve this policy every two years.

Legal Refs: *Code of Virginia*, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1- 70.2, and 22.1-78. 18 U.S.C. §§ 1460, 2256. 47 U.S.C. § 254.

Internet Acceptable Use - Parent Letter

Dear Parent or Guardian:

The Nottoway County School Board offers your student the use of electronic communications through the Nottoway County School Division's computer system. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the internet and other electronic information systems/networks.

Part of the School Division's responsibility in preparing students for the 21st century is to provide them access to the tools they will be using as adults. The internet will be one of these tools. Through the Division's computer system your student will have access to databases, libraries and computer services from all over the world. We accept the responsibility of teaching your student about his/her role as a "network" citizen and the code of ethics involved with this new community.

With this educational opportunity also comes responsibility on the part of your student. It is important that you and your student read the enclosed division policy, administrative regulation and agreement form and discuss these requirements. The Division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

Please review these materials with your student before signing the required agreement form.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the Division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.
2. **Privilege.** The use of the Division's computer system is a privilege, not a right.
3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:

Code of Student Conduct (38)

- using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state or local law;
 - sending, receiving, viewing or downloading illegal material via the computer system;
 - unauthorized downloading of software;
 - using the computer system for private financial or commercial purposes;
 - wastefully using resources, such as file space;
 - gaining unauthorized access to resources or entities;
 - posting material created by another without his or her consent;
 - submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate material;
 - using the computer system while access privileges are suspended or revoked;
 - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means;
 - vandalizing or destruction of devices and/or physical components of electronic equipment;
 - intimidating, harassing, or coercing others;
 - threatening illegal or immoral acts.
4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
- Be polite.
 - Users shall not forge, intercept or interfere with electronic mail messages.
 - Use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
 - Users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
 - Users shall respect the computer system's resource limits.
 - Users shall not post chain letters or download large files.
 - Users shall not use the computer system to disrupt others.
 - Users shall not modify or delete data owned by others.
5. **Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.
6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
7. **Vandalism.** Intentional destruction of physical components or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.
8. **Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.
9. **Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division.

Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. **Enforcement.** Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.**

Violations of the above rules may result in a loss of access to the computer system as well as other disciplinary or legal action.

Disciplining Students with Disabilities

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long Term Removals and Considered a Disciplinary Change in Placement

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

1. the removal is for more than 10 consecutive school days at a time; or
2. pattern analysis; there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
 - a) the length of each removal,
 - b) the proximity of the removals to each other,
 - c) the total time the student is removed,
 - d) the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year, and
 - e) the pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long-term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed. A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

II. Short-Term Suspensions

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

III. Functional Behavior Assessments and Behavior Intervention Plans

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals. If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

IV. Educational Services While Disciplined

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

1. continue to progress in the general curriculum, although in another setting, and
2. make progress toward meeting the goals set out in the student's IEP.

The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short-term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

V. Manifestation Determination Review

When a disciplinary action is proposed that will result in a disciplinary change of placement, an MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

1. considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and

2. determines that:
 - a. the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
 - b. the conduct in question was not the direct result of the school division's failure to implement the IEP.

DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INTERIM ALTERNATIVE EDUCATIONAL SETTINGS FOR WEAPONS, DRUGS AND INFLICTION OF SERIOUS BODILY INJURY

Students with disabilities 1) who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim alternative educational setting for up to 45 school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

Notification to Law Enforcement

Local school board policy must provide for notification of the Superintendent or designee in accordance with [§ 22.1-279.3:1.A.](#) of the *Code of Virginia*, § 22.1-279.3:1.D. requires principals to immediately report to the local law enforcement agency any act enumerated in clauses (ii) through (vii) of § 22.1-279.3:1.A. that may constitute a criminal offense.

However, nothing in § 22.1-279.3:1.D. shall require delinquency charges to be filed or prevent schools from dealing with school-based offenses through leveled sanctions or educational programming before a delinquency charge is filed with the juvenile court.

§ 22.1-279.3:1.A. of the *Code of Virginia* lists offenses that require reporting to the Superintendent or designee as stated below:

- i The assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
- ii The assault and battery that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;

- iii Any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
- iv Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
- v The illegal carrying of a firearm, as defined in § 22.1-277.07, onto school property;
- vi Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in § 18.2-85, or explosive or incendiary devices, as defined in § 18.2-433.1, or chemical bombs, as described in § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
- vii Any threats or false threats to bomb, as described in § 18.2-83, made against school personnel or involving school property or school buses; or
- viii The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefore.

The superintendent of the school division must also report these incidents to the Department of Education in accordance with § 22.1-279.3:1.C. of the *Code of Virginia*. Incidents reported to the Department of Education annually must accurately indicate any offenses, arrests, or charges as recorded by law enforcement authorities.

The principal or designee must also notify the parent of any student involved in the incidents listed above, as well as incidents committed by students enrolled at the school if the offense would be a felony if committed by an adult, regardless of where the offense is committed, or would be a violation of the *Drug Control Act* if it occurs on a school bus, school property, or at a school-sponsored activity [§ 22.1-279.3:1.B. and C.]. The 2005 General Assembly amended § 22.1-279.3:1.D. to require that principals notify parents 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. Whenever a student commits a reportable incident named in the *Code of Virginia*, the student shall be required to participate in prevention and intervention activities as determined appropriate by the superintendent or designee (§ 22.1-279.3:1.C.).

Procedures in the Disciplinary Process

Suspensions and Expulsions of Students Generally

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy. Except as provided in subsection C of Va. Code § 277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is 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 or the superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education. Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance. The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent of the student.

Short-Term Suspensions

A pupil may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal, or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal, or teacher responsible for such suspension shall report the facts of the case in writing to the division superintendent or his designee and the parent of the pupil suspended. The division superintendent or his designee shall review forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any party in interest and confirm or disapprove such action based on an examination of the record of the pupil's behavior.

Long-Term Suspensions

A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefore and of the right to a hearing before the superintendent or superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

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 Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) the School Board or division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education. Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

Expulsion

A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and his parent of the proposed action and the reasons therefore and of the right to a hearing before the School Board in accordance with the regulations of the School Board. The School Board confirms or disapproves of the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and his parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based educational, training and intervention programs. The notice also states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion is borne by the parent of the student.

Nothing in this Policy shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board establishes, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such a schedule is designed to ensure that any initial petition for readmission will be reviewed by the School Board or the superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the superintendent denies such a petition, the student may petition the School Board for review of such denial.

B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as “special circumstances” for purposes of expulsions discussed in the following subsections.

Readmission of Suspended or Expelled Students

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

A hearing must be initiated with the superintendent for any student who committed an expellable offense while attending another school, public or private, or have been charged or found guilty of all violation of law and/or any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the Schools. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the local school board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding school board shall not impose additional conditions for readmission to school.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student’s behavior, unless the school principal or his designee determines that re-admission, without parent conference, is appropriate for the student. If the parent fails to comply, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student’s behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the school board, committee thereof, or superintendent or his designee, as the case may be at the relevant hearing, the student may re-petition the school board for admission. If the petition for admission is rejected, the school board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the school board for admission. The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

Appealing Suspensions

A decision to suspend a student may be appealed by the student or parent/guardian. An appeal of any suspension shall not hold the suspension in abeyance. A student shall remain on out – of-school suspension while awaiting the appeal. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A student or parent/guardian may appeal a suspension to the principal of the school, then to the Superintendent or designee in the following manner:

Procedures for Appealing In-School Suspensions / Bus Suspensions:

In-school disciplinary actions and bus suspensions taken by a school administrator other than the principal may be appealed in person to the principal. If the initial action is taken by the principal, parents may appeal to the Superintendent of Schools or designee whose decision shall be final.

Procedures for Appealing Out-of-School Suspensions of ten days or less:

Out of school suspensions of 10 school days or less levied by a school administrator may be appealed in person to the principal, and subsequently to the Superintendent of Schools or designee whose decision shall be final. If the principal levies the initial out of school suspension of 10 school days or less, parents may appeal in person to the Superintendent or designee, whose decision shall be final. The appeal of the principal's decision must be scheduled and held within 10 school days.

Grievance Procedure

Any student or employee of this school division who believes he or she has been discriminated against, denied a benefit, or been excluded against, or been excluded from participation in any division education program or activity on the basis of sex in violation of this policy, may file a written complaint with the division's Title IX Coordinator. A written response will be mailed to the complainant within ten working days after receipt of the written complaint.

A copy of the written complaint and the Title IX Coordinator's response shall be provided to the Superintendent of Schools and each member of the Nottoway County School Board. If the complainant is not satisfied with such response, he or she may submit a written appeal to the School Board indicating with particularity the nature of the disagreement with the response and his or her reason underlying such disagreement.

The Nottoway County School Board shall consider the appeal at its next regularly scheduled Board meeting following receipt of the response.

The Nottoway County School Board shall permit the complainant to address the Board in public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

RIGHTS/APPEALS FOR STUDENTS

RIGHTS: Every student in the Nottoway County School System is guaranteed the full exercise of his or her civil rights as guaranteed by the Constitution and laws of the United States, and by the Constitution and laws of the Commonwealth of Virginia. While at school, students are free to exercise their individual rights so long as their behavior does not materially or substantially interfere with discipline in the operation of a school or school-sponsored activity, or pose threat of harm to others, or prevent others from exercising their rights and freedoms.

APPEALS: Whenever a parent (legal guardian) of a student enrolled in the Nottoway County Public Schools believes that his or her child has been denied his or her rights or has been mistreated, he or she may call the matter to the attention of the child's school principal. If said parent (legal guardian) is not satisfied with the principal's action, he or she may appeal in writing to the division superintendent or his

designee. Said written appeal must be filed within five school days following the principal's decision and must state the specific nature of the complaint. Finally, if not satisfied with the superintendent's decision, a written appeal may be taken to the school board. Said appeal must be in writing and filed with the Superintendent within five days following the superintendent's decision. In all matters, the decision of the Nottoway County School Board is final.

(The above grievance procedure is in accordance with Title IX of the 1972 Education Amendments and utilization of these procedures is not a prerequisite for filing of complaints with the Office Civil Rights.)

Managing Student Behavior

Tiered Systems of Support

Nottoway County Public Schools is a member of Virginia Department of Education's *Positive Behavior Interventions and Support (PBIS)* cohort under the Virginia Tiered Systems of Supports (VTSS) model, which is a data-driven decision making framework for establishing the academic, behavioral, and social-emotional supports needed for a school to be an effective learning environment for all students. In this model, positive climates in classrooms and throughout school buildings are necessary for establishing nurturing relationships that support improved student outcomes.

In an effective approach to intervention and discipline, when students do not meet behavioral expectations, they receive support to address the root causes of the behavior and learn appropriate alternatives. When a specific student behavior does not change following an intervention—or the behavior increases in frequency, intensity, or duration—a problem solving approach identifies alternative interventions and responses. All stages of a system of intervention should include opportunities for learning acceptable replacement behaviors within the school and community and access to interventions to address the underlying causes of behavior.

As with academic error correction and feedback, responses to student behavior are anchored in an instructional approach that emphasizes teaching and the modeling of desired behaviors in a supportive classroom environment. A combination of teacher and administrative responses should be used with the goal of preventing misbehavior from occurring, encouraging positive student behavior, developing social-emotional skills, and maximizing academic instructional time.

Principals and leadership teams are responsible for engaging staff in data informed decision-making that identifies student behaviors that are teacher managed versus those that are administrator managed. Such decisions must then be documented in writing and include an explanation of the processes and procedures for addressing student behavior.

The delivery of disciplinary responses should only serve four key functions:

- preventing a negative behavior from being rewarded;
- preventing a problem behavior from escalating;
- preventing a problem behavior from significantly interrupting instruction; and
- preventing physical and/or social-emotional harm to others.

Teachers are responsible for establishing and maintaining a safe, supportive environment that is developmentally and culturally appropriate and promotes student academic, behavior and social-emotional development. Developing positive relationships with students that are built on mutual trust and respect have been shown to demonstrate some of the highest positive effects on student

achievement and behavior. Developing relationships requires “specific skills of the teacher such as the skills of listening, empathy, caring and having a positive regard for others.” Because there is a correlational link among student behaviors, positive school climate, and academic achievement, NCPS teachers’ responsibilities include the following:

- Develop positive relationships;
- Develop a safe and positive physical environment;
- Teach (and re-teach when necessary) behavioral expectations;
- Reinforce positive behavior;
- Provide instructional feedback on behaviors;
- Utilize the school’s tiered framework of interventions and supports for students who are not meeting behavioral expectations;
- Recognize personal stress, reactions that may escalate negative student behavior, and personal bias; and
- Use individual and classroom data to progress monitor student behavior and the teacher’s responses to behavior.

Teacher Responses to Manage Student Behaviors

Prior to administrative involvement in student behavior issues, teachers are responsible for supporting students in acquiring the behaviors expected in the school environment. Below are examples of proactive and instructional teacher actions to assist students in meeting behavioral expectations.

Examples of Proactive Teacher Supports for Classroom Managed Behaviors:

- Develop, teach, and maintain clearly defined classroom expectations that are consistent with schoolwide behavioral expectations and applicable across all classroom settings at all times.
- Build positive relationships with students and families.
- Model and practice expectations in the appropriate settings.
- Reteach/review expectations throughout the school year (i.e., quarterly, after breaks).
- Use pre-correction strategies to remind students of expectations before transitioning between tasks/assignments.
- Use more positive than corrective statements (4:1 ratio).
- Create a classroom acknowledgement system to increase responsible student behavior.
- Implement effective, evidence based instructional practices match to student learning needs.
- Actively engage students in the teaching and learning process.
- Teach prevention lessons that address students’ social-emotional competencies. Teach lessons that apply the competencies to situations (i.e., bullying, suicide awareness and prevention, workplace skills, citizenship, character education).
- Flexible classroom arrangements/seating.

Examples of Instructional Teacher Responses for Classroom Managed Behaviors:

- Restructure/revise classroom practices based upon student needs.
- Adjust pacing of instruction to increase on-task behavior.
- Actively observe and 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 that includes the replacement behavior, on-task monitoring form, reflection sheets).
- Communicate and collaborate with parents/guardians and the student's counselor and/or case manager regarding student behavior, teacher-based actions, and to problem solve.
- Reteach desired behavior.
- Problem-solve the behavior during a 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 (not to exceed ten minutes), time-out in another class under adult supervision, loss of privileges].
- Facilitate restorative practices with the student and person(s) affected by the student's behavior.
- Assign a working lunch to facilitate re-teaching or making up missed work (ex: lunch with teacher to catch up on work, review a social story, and reteach behavior).

Code of Virginia, Section 22.1-254 – Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article

A. As used in this subsection, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

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

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

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

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

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

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

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

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

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

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

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

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

1. Career guidance counseling;
2. Mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such preparatory program or approved alternative education program to such principal or his designee;
3. Mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills assessment;
4. Successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
5. Counseling on the economic impact of failing to complete high school; and
6. Procedures for re-enrollment to comply with the requirements of subsection A.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

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

F. A school board may, in accordance with the procedures set forth in Article 3 (§ 22.1-276.01 et seq.) of Chapter 14 and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § 16.1-260; (iii) suspended pursuant to § 22.1-277.05; or (iv) expelled from school attendance pursuant to § 22.1-277.06 or 22.1-277.07 or subsection C of § 22.1-277, require the child to attend an alternative education program as provided in § 22.1-209.1:2 or 22.1-277.2:1.

G. Whenever a court orders any pupil into an alternative education program, including a program preparing students for a high school equivalency examination approved by the Board of Education, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

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

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

H. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

I. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
5. Children excused pursuant to subsections B and D.

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

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

J. Subject to guidelines established by the Department of Education, any student who is absent from school due to his mental or behavioral health shall be granted an excused absence.

Code of Virginia, Section 22.1-279.3 – Parental responsibility and involvement requirements

- A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.
- B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

- C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section; (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct, the notice of the requirements of this section, and the compulsory school attendance law. Each school shall maintain records of such signed statements.

- D. The school principal may request the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or his designee to review the school board's standards of student conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

- E. In accordance with the due process procedures set forth in this article and the guidelines required by [§ 22.1-279.6](#), the school principal may notify the parents of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compulsory school attendance compliance; (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (iv) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

- F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

- G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance, as follows:

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

2. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations, as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.
- H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision G 2. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.
- I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.

Code of Virginia, Section 22.1-274.2 – Possession and self-administration of inhaled asthma medications and epinephrine by certain students or school board employees

- A. Local school boards shall develop and implement policies permitting a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, during the school day, at school-sponsored activities, or while on a school bus or other school property. Such policies shall include, but not be limited to, provisions for:
 1. Written consent of the parent, as defined in [§ 22.1-1](#), of a student with a diagnosis of asthma or anaphylaxis, or both, that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.
 2. Written notice from the student's primary care provider or medical specialist, or a licensed physician or licensed nurse practitioner that (i) identifies the student; (ii) states that the student has a diagnosis of asthma or anaphylaxis, or both, and has approval to self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, that have been prescribed or authorized for the student; (iii) specifies the name and dosage of the medication, the frequency in which it is to be administered and certain circumstances which may warrant the use of inhaled asthma medications or auto-injectable epinephrine, such as before exercising or engaging in physical activity to prevent the onset of asthma symptoms or to alleviate asthma symptoms after the onset of an asthma episode; and (iv) attests to the student's demonstrated ability to safely and effectively self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.

3. Development of an individualized health care plan, including emergency procedures for any life-threatening conditions.
 4. Consultation with the student's parent before any limitations or restrictions are imposed upon a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.
 5. Self-administration of inhaled asthma medications and auto-injectable epinephrine to be consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manuals, which are jointly issued by the Department of Education and the Department of Health.
 6. Disclosure or dissemination of information pertaining to the health condition of a student to school board employees to comply with [§§ 22.1-287](#) and [22.1-289](#) and the federal *Family Education Rights and Privacy Act of 1974*, as amended, 20 U.S.C. § 1232g, which govern the disclosure and dissemination of information contained in student scholastic records.
- B. The permission granted a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, shall be effective for one school year. Permission to possess and self-administer such medications shall be renewed annually. For the purposes of this section, "one school year" means 365 calendar days.
- C. By the beginning of the 2013-2014 school year, local school boards shall adopt and implement policies for the possession and administration of epinephrine in every school, to be administered by any school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction.

2000, c. 871; 2005, c. 785; 2012, cc. 787, 833; 2013, cc. 336, 617.

This form is available online for electronic signature.

**TECHNOLOGY ACCEPTABLE USE AGREEMENT
&
PARENTAL RELEASE FOR MEDIA RECORDING**

As a user of the Nottoway County Public Schools computer network, I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access and monitor my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student Signature _____ Date _____

Student Name (Printed) _____

I do hereby grant or deny permission to Nottoway County Public Schools to use the image of my child. Such use includes the display, distribution, publication, transmission, or otherwise use of photographs, images, and/or video taken of my child for use in materials that include, but may not be limited to, printed materials such as brochures and newsletters, yearbooks, newspapers, videos, and digital images such as those on the Nottoway County Public Schools website.

Please check one of the following options:

____ I **deny** permission to use my child's image.

____ I **grant** permission to use my child's image.

As the parent or legal guardian of the minor student signing above, I have read this Agreement and Policy IIBEA/GAB and Regulation IIBEA-R/GAB-R. I understand that access to the computer system is intended for educational purposes and the NOTTOWAY COUNTY School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my student.

I grant permission for my student to use the computer system in accordance with Nottoway County school division's policies and regulations and for the School Division to issue an account for my student.

Parent Signature _____ Date _____

Parent/Guardian Name (Printed) _____

Homeroom Teacher _____



Nottoway County Public Schools
Personally Owned Computing/Network Device
Acceptance of Responsibility and Device Use Agreement
Permission Form

The purpose of this document is to inform parents, guardians, and students of the rules governing the use of personally owned electronic / network devices while on school property, in school vehicles, and at school-sponsored activities, as well as the district's technology resources via remote access.

Please read the following information before signing the permission form.

Introduction:

Nottoway County Public Schools (NCPS) offers students access to district computers, the Internet, and a variety of technology resources to promote educational excellence. Each student is responsible for his/her use of technology whether personal or district-provided. Use of any electronic device, including but not limited to laptops, iPods, tablets (iPads, etc.), electronic readers (Kindle, Nook, etc) or cell phones, must be in adherence to NCPS Acceptable Use Policy and accompanying regulations. While using district or personal technology resources while on school property, in school vehicles, and at school-sponsored activities, as well as the district's technology resources via remote access, each student must act in a manner consistent with school, district and legal guidelines.

Student Use of Personal Electronic Devices:

NCPS provides the opportunity for students to bring an electronic device to school to use as an educational tool with parental permission. **The use of these devices will be at the teacher's or building administrator's discretion.**

1. Students must obtain teacher permission before using an electronic device.
2. Student use of an electronic device must support instructional activities and must adhere to the Acceptable Use Policy.
3. Students must turn off and put away an electronic device when requested by school personnel.
4. Devices with audio should be muted. Headphones may be used when appropriate and when approved by school personnel. Audio files should be stored on the device and not streamed or downloaded while on the school network without permission.
5. NCPS implements Internet filtering in accordance with the Children's Internet Protection Act. Students are NOT permitted to use their personal electronic device to access the Internet by any manner other than connecting through the secure, wireless network provided by NCPS.
6. A student who brings a privately owned electronic device to school is personally responsible for the equipment. Theft of, or damage to the equipment, and charges related to the use of the device is the responsibility of the individual, not NCPS.
7. District technicians will not support, service, or repair any equipment that does not belong to the District. Students are responsible for ensuring that all personally owned electronic devices are virus free and do not contain any inappropriate or unauthorized files.
8. Nottoway County Public Schools does not guarantee the privacy or security of any item stored on or transmitted by any privately owned electronics devices.

As it relates to privately owned computers or other electronic devices being used in Nottoway County Public School facilities or on the division network, **NCPS reserves the right to:**

1. Monitor and log all activity.
2. Determine when and where privately owned equipment may be connected to the network.
3. Make determinations on whether specific uses of the computer are consistent with the District's Acceptable Use Policy.
4. Deem what is appropriate for use of personal computers on District property or on the division network.
5. Remove the user's access to the network and suspend the right to use the privately owned device in District facilities at any time it is determined that the user is engaged in unauthorized activity or is violating the Acceptable Use Policy.

Violation of the Acceptable Use Policy on personal computers may also result in disciplinary action in coordination with policies set forth by division School Board or by school administrators. This may include but is not limited to removal of all access rights to the division network.

This form is available online for electronic signature.

**Nottoway County Public Schools
Personally Owned Computing/Network Device
Acceptable Use and Device Agreement Permission Form**

I, _____ agree to allow _____
(Name of Parent or Guardian) (Name of Student)

to bring his/her personally owned computing device for instructional use in Nottoway County Public Schools (NCPS). I understand the student named above will be permitted to use his/her personally owned device subject to the conditions in this document.

I understand that by agreeing to allow my child to use his/her own device that Nottoway County Public Schools is not responsible for any data loss, data charges, theft, damage, or other associated costs of replacement or repair incurred during the school day or at home as a result of participating in this program. I understand that NCPS staff will not support, repair, restore or troubleshoot student owned devices. The student named above will take full responsibility for the device and will appropriately secure the device at all times.

NCPS uses technological measures such as Internet filtering of content to promote Internet safety and to abide by the Children's Internet Protection Act. Access through cellular networks does not provide the same measures of filtering. Students should only use the NCPS network (not private cellular service) for Internet access while on NCPS property.

I have verified my student is aware that all aspects of Nottoway County Public Schools Acceptable Use Policy applies to the use and care of his/her personal device while on NCPS property or while involved in any NCPS sponsored event.

I understand that the purpose of allowing my child to use his/her own device is to participate in teacher approved activities in support of the NCPS curriculum. Use of devices for non-instructional activities unrelated to the NCPS educational program is prohibited while on NCPS property.

Parent/Guardian Signature

Date

Student Acceptance:

I agree to adhere to the AUP guidelines. I will utilize the device identified below for instructional purposes only while at any NCPS school, on NCPS property or NCPS sponsored activity, or while on the NCPS network.

Student Signature

Student ID

Date

To be filled out by the Parent/Guardian:

Device Type (Make and Model) _____

Serial Number _____



This form is available online for electronic signature.

Nottoway County Public Schools Mobile Device Agreement 2025-2026 School Year

Dear Student and Parent(s):

Nottoway County Public Schools is providing a mobile device to students to promote anytime, anywhere learning. This mobile device is an important part of your school's curriculum. You can also take the device home when you and your parent/guardian read and agree to the terms on this form. If you and your parent/guardian do not agree, you will use the device in school, but you will leave the device at school at the end of the school day.

Terms of Student Usage Agreement

- Students will abide by all policies outlined in the Code of Responsible Student Conduct (School Board policy JFC) and the Acceptable Computer System Use policy (School Board policy IBEA). You and your parents receive and sign this document at the start of each school year.
- Students acknowledge that any issued device is the property of Nottoway County Public Schools. It is yours to use, but it is owned by the school division. You will return the device to Nottoway County Public Schools upon your withdrawal from the school division, at announced collection times, or immediately upon the request of a teacher, administrator or other school division official. Failure to return the Chromebook, for any reason, when requested to do so, or when withdrawing from Nottoway County Public Schools will result in a **\$280** charge. Students will not be issued a new Chromebook until the fine is paid or the original Chromebook is returned.
- Students will adhere to these terms each time the device is used, including when not on school grounds.
- Students will make available for inspection by any school administrator or teacher any messages or files sent or received on their NCPS-issued device.
- Students will report to responsible school personnel any incidents of inappropriate electronic communications transmitted in any form using NCPS-owned technology.
- Students will not, in any way, deface the device, mark the device, or attach any non-NCPS issued stickers.
- Students will bring their NCPS-issued device, fully charged, with them to school each day.
- Students will not disassemble any part of the Chromebook or attempt any repairs. All repairs must be done via the school/division technology department.

If loss or damage occurs, students and their parent or guardian agree to any applicable charges outlined below. The charges are intended to promote good habits and responsible handling of NCPS-issued mobile devices. Devices reported as stolen outside of school require that parents notify police and send an official police report to their school administration.

- I. First incident: No charge for accidental damage to mobile device; letter to parents. Full price of repair or replacement for an intentionally damaged or lost mobile device and a parent/guardian meeting with the administrator required. No charge for stolen mobile device, provided a police report has been filed, and a parent/guardian meeting with principal required. Charge of **\$25** for lost, stolen or damaged AC adapter. Replacement adapters must be obtained through the school Help Desk.
- II. Second and subsequent incidents: Charges as above. Multiple incidents of damage may result in loss of right to take home the mobile device.

I acknowledge the following:

- Receipt of this Mobile Device Agreement Form. I understand and agree that if I do not honor all the terms in this agreement, I may be denied access to the internet and other electronic media, my NCPS-issued mobile device may be confiscated, and I may be subject to disciplinary action.
- I certify that my child would be unable to sufficiently participate in remote learning and/or complete internet-based homework assignments if a Chromebook or other comparable device was not provided by Nottoway County Public Schools.
- Receipt of the Nottoway County School Board's Code of Responsible Student Conduct (School Board policy JFC) and the Acceptable Computer System Use policy (School Board policy IBEA). You received and signed these as part of the student handbook at the beginning of the school year.
- My signature below only signifies receipt and review of the documents. By signing this statement of receipt, I am not waiving but expressly reserving my rights protected by the Constitution or laws of the United States or Commonwealth of Virginia and my right to express disagreement with the school's or school division's policies or decisions.

**This form must be completed annually by
elementary, intermediate, middle and high school students.**



This form is available online for electronic signature.

**PARENTAL STATEMENT OF
RECEIPT OF NOTICE OF REQUIREMENTS
OF VA CODE §22.1-279.3 AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

1. I am the parent of the below named child and, by my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the Code of Virginia (on pages 52-54) entitled "Parental Responsibility and Involvement Requirements," and a copy of the Nottoway County School Board's Policy JFC "Student Conduct" (on pages 64-67).
2. That I have reviewed the content of the Code of Student Conduct with my child.

By signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school's or school division's policies or decisions.

Date: _____

Parent's Signature: _____

Parent's Name (Printed): _____

Name of Child: _____

NOTICE TO PARENT

By signing the above statement of receipt, you shall not be deemed to waive, and you expressly reserve, your rights protected by the constitution of laws or the United States or the Commonwealth, and you have the right to express disagreement with the school's or school division's policies or decisions.



Gun Free School Requirements

Link: [PUBLIC LAW 107-110, NO CHILD LEFT BEHIND ACT OF 2001, TITLE IV, PART A, SECTION 4141, GUN-FREE REQUIREMENTS](#)

SEC. 4141. GUN-FREE REQUIREMENTS.

(a) SHORT TITLE - This subpart may be cited as the *Gun-Free Schools Act*.

(b) REQUIREMENTS -

1. IN GENERAL - Each State receiving Federal funds under any title of this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing.
2. CONSTRUCTION - Nothing in this subpart shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.
3. DEFINITION - For the purpose of this section, the term firearm has the same meaning given such term in section 921(a) of title 18, *United States Code*.

(c) SPECIAL RULE - The provisions of this section shall be construed in a manner consistent with the *Individuals with Disabilities Education Act*.

(d) REPORT TO STATE - Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under any title of this Act shall provide to the State, in the application requesting such assistance -

(1) An assurance that such local educational agency is in compliance with the State law required by subsection (b); and

(2) A description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including -

- (A) the name of the school concerned;
- (B) the number of students expelled from such school; and
- (C) the type of firearms concerned.

(e) REPORTING - Each State shall report the information described in subsection (d) to the Secretary on an annual basis.

(f) DEFINITION - For the purpose of subsection (d), the term school means any setting that is under the control and supervision of the local educational agency for the purpose of student activities approved and authorized by the local educational agency.

(g) EXCEPTION - Nothing in this section shall apply to a firearm that is lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by the local educational agency and the local educational agency adopts appropriate safeguards to ensure student safety.

(h) POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL -

(1) IN GENERAL - No funds shall be made available under any title of this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.

(2) DEFINITION - For the purpose of this subsection, the term school has the same meaning given to such term by section 921(a) of title 18, *United States Code*.

Definitions of "Other Firearms"

Firearms other than handguns, rifles, or shotguns as defined in Section 921, Title 18 of the *United States Code*. According to Section 921, the following are within the definitions:

1. any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile from the action of any explosive
2. the frame or receiver of any weapon described above
3. any firearm muffler or firearm silencer
4. any destructive device, which includes:
 - (a) any explosive, incendiary, or poison gas
 - (1) Bomb,
 - (2) Grenade,
 - (3) Rocket having a propellant charge of more than four ounces,
 - (4) Missile having an explosive or incendiary charge of more than one-quarter ounce,
 - (5) Mine, or
 - (6) Similar device.
 - (b) any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.
 - (c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Note: This definition does not apply to items such as toy guns, cap guns, bb guns, and pellet guns. According to Section 921, antique firearms are not included in the definition.

File JFC: STUDENT CONDUCT

Generally

The NOTTOWAY School Board establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards of Student Conduct and a list of possible actions for violations of those Standards.

This Policy and the Standards of Student Conduct apply to all NOTTOWAY school students. They are enforced when the student's conduct occurs when the student is:

- On school property.
- Traveling to school or from school.
- Traveling to, at, and from bus stops.
- In School Board vehicles.
- In attendance at any school-sponsored activity.
- Off school property if the conduct disrupts the learning environment.

The School Board and superintendent biennially review the model student conduct code developed by the Virginia Board of Education to incorporate into policy and the Standards of Student Conduct a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Parental Involvement and Responsibility

Each parent of a student enrolled in NOTTOWAY schools has a duty to assist in enforcing this policy, the Standards of Student Conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of this policy, the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review this policy, the Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress.

The school principal or principal's designee notifies the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory school attendance requirements when such violation is likely to result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice states (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations district court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education as described in Policy CLA Reporting Acts of Violence and Substance Abuse.

If a parent fails to comply with the requirements of this Policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

A parent, guardian or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records.

Prevention, Intervention, and Treatment Activities and Programs

Any student involved in a reportable drug or violent incident, as described in Policy CLA Reporting Acts of Violence and Substance Abuse, participates in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

Prohibited Conduct

The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

Bullying and Cyberbullying

Bullying is prohibited. Cyberbullying, including cyberbullying incidents that may occur outside of school property but between students enrolled in the school division, is prohibited.

"Bullying" means 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.

"Cyberbullying" means bullying that occurs through the use of technology, including through cell phones and other electronic devices or technology capable of accessing the internet.

The principal or principal's designee notifies the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying.

Any student who is a victim of cyberbullying or a witness to an instance of cyberbullying will be provided protections designed to ensure that such student is not deterred from reporting or seeking support for fear of retaliation, social alienation or rejection, or other negative treatment.

Any student who is a victim of cyberbullying is provided with a list of support services and resources available through the student's school relating to reporting and seeking support after experiencing cyberbullying.

Gang Activity

Gang activity, as defined in Policy JFCE Gang Activity or Association, is prohibited.

Harassment

As provided in Policy JFHA/GBA Prohibition Against Harassment and Retaliation, students are prohibited from harassing other students, school staff, volunteers, student teachers or any other person present in school facilities or at school functions.

Hazing

Hazing is prohibited.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

Self-defense

Whether a student acted in self-defense is considered when the student's conduct is evaluated for disciplinary action.

Threats: Intimidation

Students are prohibited from making any verbal, written or physical threat of bodily injury to another person.

Trespassing

Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property.

Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs

Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

Students are prohibited from attempting to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

Students are prohibited from being under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, nicotine vapor products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

In addition to any other consequences which may result, a student who is a member of a school

athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

Use of Profane or Obscene Language and Conduct

Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

Vandalism

Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person.

The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property pursuant to Policy ECAB Vandalism.

Adopted: July 10, 2025

Legal Refs.: Code of Virginia, 1950, as amended, §§ 16.1-260, 18.2-56, 18.2-308.1, 18.2-308.7, 22.1-23.3, 22.1-78, 22.1-200.1, 22.1-253.13:7; 22.1-254, 22.1-276.01, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6, 22.1-288.2.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EB	School Crisis, Emergency Management and Medical Emergency Response Plan
	EBB	Threat Assessment Teams
	ECAB	Vandalism
	IIBEA/GAB	Acceptable Computer System Use
	JECB	Admission of Nonpublic Students for Part-Time Enrollment
	JFCC	Student Conduct on School Buses
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFCM	Student Cell Phone and Smart Device Possession and Use
	JFG	Search and Seizure
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JM	Restraint and Seclusion of Students
	JN	Student Fees, Fines and Charges
	JRCA	School Service Providers' Use of Student Personal Information
	LBD	Home Instruction

"Providing opportunities that enable students to
enjoy life, contribute to others' well being, and
become responsible, productive citizens in a global
community."