

NORTHAMPTON COUNTY PUBLIC SCHOOLS

2016-2017 CODE OF CONDUCT



**INSPIRING LEARNERS FOR LIFE
THROUGH ACHIEVEMENT AND SUCCESS**

Providing A World-Class Education

NCPS School Board

Dr. Paul E. Bibbins, Jr.
 Ms. Shannon Dunham
 Mr. Mickey Merritt
 Mrs. Jo Ann Molera
 Mr. William Oakley, Chair
 Mr. Randall Parks, Vice Chair
 Mrs. Regina Taylor

Charles E. Lawrence, Superintendent

TABLE OF CONTENTS

| | |
|---|-----------|
| Index of Code Violations..... | 4 |
| Non-Discrimination Notice | 5 |
| Annual Notification Regarding Compulsory Attendance | 5 |
| Inspection of Instructional Materials | 5 |
| Annual Notification to Parents Regarding Directory Information | 6 |
| Annual Notification to Parents Regarding Administration of Surveys/Questionnaires | 6 |
| FERPA Rights..... | 6-7 |
| Rights and Responsibilities of Students..... | 8 |
| Student Conduct (Board Policy/Regulation) | 9-17 |
| Due Process | 18 |
| Appeal of Due Process Violation | 18 |
| Alternative Education..... | 18-19 |
| Disciplinary Action Levels | 19-21 |
| Factors Considered in Determining Expulsion | 22 |
| School Bus Conduct..... | 23 |
| Overview of Discipline Category 1 | 24 |
| Attendance | 25 |
| Bus Discipline..... | 25 |
| Student Dress..... | 26 |
| Disruptive Behavior | 26 |
| Insubordination | 27 |
| Food/Beverages..... | 27 |
| Personal Property/Educational Nuisance | 27 |
| Cheating/Plagiarism/Misrepresentation..... | 28 |
| Violation of Computer Acceptable Use Agreement..... | 28 |
| Gambling..... | 28 |
| Violation of Driving/Parking Rules..... | 29 |
| Outward Display of Affection..... | 29 |
| Overview of Discipline Category 2 | 30 |
| Disrespectful Behavior..... | 31 |
| Insubordination | 31 |
| Sexual Offenses | 32 |
| Defacing School Property | 32 |
| Physical Abuse | 32 |

| | |
|--|-----------|
| Profanity/Obscenity | 33 |
| Posturing | 33 |
| Trespassing | 34 |
| Tobacco | 34 |
| Incendiary Devices | 34 |
| Electronic Cigarettes | 34 |
| Overview of Discipline Category 3 | 35 |
| Bullying/Harassment | 36 |
| Extortion/Attempted Extortion | 37 |
| Fighting/Assault (Student Directed) | 38 |
| Profanity/Obscenity (Staff Directed) | 39 |
| Inciting a Riot | 40 |
| Tobacco | 40 |
| Theft (Stealing) | 41 |
| Threats (Student Directed) | 42 |
| Unlawful Entry | 43 |
| Vandalism | 44 |
| Overview of Discipline Category 4 | 45 |
| Fighting/Assault/Intimidation/Threatening (Staff Directed) | 46 |
| Homicide/Kidnapping | 47 |
| Assault & Battery | 48 |
| Vandalism | 49 |
| Weapons/Explosives/Fireworks | 50 |
| Arson/Attempted Arson | 51 |
| Refusal to Comply with Reasonable Search | 51 |
| Gang Activity | 52 |
| Robbery and or Larceny | 53 |
| Possession/Use/Sale of Alcohol, Drugs, Drug Paraphernalia | 54 |
| Threats (Staff Directed) | 55 |
| False Alarms/Bomb Threats/911 Calls | 56 |
| Mace/Mace-Like Devices | 56 |
| Breaking & Entering/Burglary | 57 |
| Sexual Offenses | 58 |
| Criminal Acts | 59 |
| Disciplining Students with Disabilities Policy | 60-63 |
| Search and Seizure Policy | 64-65 |
| Weapons in School Policy | 66-67 |
| Drugs in School Policy | 68-69 |
| Acceptable Use Policy | 70-71 |
| Acceptable Use Agreement to be Signed by Student & Parent/Guardian | 72 |
| Directory Information Form to be Signed by Parent/Guardian | 73 |
| Administration of Surveys/Questionnaires to be Signed by Parent/Guardian | 73 |
| Receipt of Information Form to be Signed by Student & Parent/Guardian | 73 |
| Northampton County Public School Contact Information | 74 |

Adopted: October 2005, Revised August 1, 2007; August 18, 2009; July 17, 2013

INDEX OF CODE VIOLATIONS

| | | | |
|--|----|---|----|
| Absenteeism | 25 | Insubordination..... | 31 |
| Alcohol | 54 | Kidnapping..... | 47 |
| Ammunition | 50 | Kissing | 29 |
| Arson/Attempted Arson | 51 | Knife | 50 |
| Assault | 50 | Larceny..... | 53 |
| Bomb Threat..... | 56 | Leaving School without Permission | 25 |
| Bomb..... | 56 | Lewd Behavior | 58 |
| Box Cutter | 50 | Mace | 56 |
| Breaking and Entering..... | 57 | Minor Sexual Offenses..... | 32 |
| Bullying..... | 36 | Moment of Silence..... | 26 |
| Bus Discipline | 25 | Outward Display of Affection | 29 |
| Cell Phones | 27 | Personal Property/Educational Nuisance | 27 |
| Cheating..... | 27 | Physical Abuse | 32 |
| Combustible Devices | 50 | Plagiarism..... | 27 |
| Computer Use Violation..... | 28 | Pledge of Allegiance | 26 |
| Criminal Acts | 59 | Posturing to Fight..... | 33 |
| Defacing School Property | 32 | Profanity/Obscenity..... | 33 |
| Defiance of Authority | 32 | Profanity/Obscenity (Staff Directed) | 39 |
| Destructive Devices..... | 50 | Razor Blade..... | 50 |
| Display of Affection (Inappropriate) | 29 | Refusal to Comply with Reasonable Search..... | 51 |
| Disrespectful Behavior | 31 | Refusal to Work..... | 27 |
| Disruptive Behavior | 26 | Refusal of Detention | 31 |
| Dress Violation | 26 | Restrooms..... | 32 |
| Driving/Parking Violations | 29 | Robbery | 53 |
| Drug Paraphernalia | 54 | Rude Behavior..... | 31 |
| Drugs..... | 54 | Sexual Assault/Sexual Harassment..... | 58 |
| Electronic Cigarettes | 34 | Sexual Offenses | 58 |
| Electronic Devices | 27 | Skiping | 25 |
| Explosives | 50 | Stalking..... | 38 |
| Extortion/Attempted Extortion | 37 | Stolen Property, Possession | 41 |
| Falsification..... | 27 | Swearing | 39 |
| Fighting (Student Directed) | 38 | Talking Back..... | 31 |
| Fighting (Staff Directed) | 46 | Talking/Noise | 26 |
| Fire Alarm (False)..... | 56 | Tardiness..... | 25 |
| Firearm (Look-Alike)..... | 50 | Teasing..... | 26 |
| Firearms..... | 50 | Theft (Stealing | 41 |
| Fireworks..... | 50 | Theft Attempted..... | 41 |
| Food/Beverages | 27 | Threats (Student Directed)..... | 42 |
| Gambling | 28 | Threats (Staff Directed) | 55 |
| Gang Activity | 52 | Throwing Objects..... | 26 |
| Gestures (Obscene, Offensive) (Student)..... | 33 | Tobacco (Personal Use/Possession) | 34 |
| Gestures (Obscene, Offensive) (Staff) | 39 | Tobacco (Distribution) | 40 |
| Graffiti | 49 | Touching (Offensive)..... | 58 |
| Harassment | 36 | Trespassing | 34 |
| Hazing | 52 | Unauthorized Area..... | 25 |
| Homicide | 47 | Unlawful Entry | 43 |
| Horse-playing | 26 | Vandalism..... | 44 |
| Incendiary Devices | 34 | Vandalism (Defacing/Graffiti) | 49 |
| Incitement/Instigation of Fight..... | 33 | Verbal Abuse | 31 |
| Inciting a Riot | 40 | Walking Away | 31 |
| Indecent Exposure | 58 | Weapons | 50 |
| Insubordination (Refusal to work)..... | 27 | Written Materials (Obscene, Offensive) | 33 |

NON-DISCRIMINATION NOTICE

Educational programs and services shall be designed to meet the varying needs of all students and shall not discriminate against any individual for reasons of race, gender, religion, color, sexual orientation, national origin, political affiliation, age, marital status, or disability.

Further, no student shall, on the basis of sex, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any educational program or activity conducted by the Division. The Human Resources Director is designated as the responsible person regarding assurances of non-discrimination and the Director of Special Programs is designated as the responsible person regarding 504 compliance.

Melinda Phillips
 Director of Academic Services/Title IX Coordinator
 7207 Young St.
 Machipongo, VA 23405
 757-678-5151 ext. 2013

Keren Plowden
 Director of Special Programs
 7207 Young St.
 Machipongo, VA 23405
 757-678-5151 ext. 2011

ANNUAL NOTIFICATION REGARDING COMPULSORY ATTENDANCE

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the Division Superintendent or provide for home instruction of such child.

Any student who fails all of the Standards of Learning assessments for the relevant grade level in grades three through eight shall be required to attend a summer school program or participate in another form of remediation. Such summer school program or other form of remediation shall be chosen by the School Division to be appropriate to the academic needs of the student.

When a student is required to participate in a remediation program pursuant to this policy, the Superintendent may seek immediate compliance with the compulsory school attendance laws if reasonable efforts to seek the student's attendance, including direct notification of the parents or guardian, have failed.

INSPECTION OF INSTRUCTIONAL MATERIALS

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with Board policy.

ANNUAL NOTIFICATION TO STUDENTS/PARENTS REGARDING DIRECTORY INFORMATION

The Northampton County Public Schools hereby notify parents and eligible students what information, Northampton County School Division has designated as directory information, the right to refuse to let the Division designate any or all of such information as directory information and the period of time to refuse, in writing, the directory information designation in accordance with FERPA.

This information is provided to military recruiters on request unless parent or eligible student notifies Northampton County Public Schools that the information is not to be disclosed without their prior written consent.

Directory information includes, but is not limited to, the following data:

- name of student in attendance or no longer in attendance
- address
- date and place of birth
- birth certificate serial number
- telephone listing
- dates of attendance
- participation in officially recognized activities and sports
- height and weight, if member of athletic team
- awards and honors received
- photographs
- video surveillance tape (images)
- other similar information.

ANNUAL NOTIFICATION TO STUDENTS/PARENTS REGARDING ADMINISTRATION OF SURVEYS & QUESTIONNAIRES

Participation in Surveys and Evaluations

No students shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning the following without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent:

1. political affiliations or beliefs of the student or the student's parent,
2. mental or psychological problems of the student or the student's family,
3. sexual behavior or attitudes,
4. illegal, anti-social, self-incriminating, or demeaning behavior,
5. critical appraisals of other individuals with whom respondents have close family relationships,
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
7. religious practices, affiliations, or beliefs of the student or student's parent, or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right to inspect and review the student's education records within 45 days of the day the Division receives a request for access.

Parents or eligible students should submit to the Executive Director of Curriculum and Instruction a written request that identifies the record(s) they wish to inspect. The Executive Director of Curriculum and Instruction will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the Division to amend a record that they believe is inaccurate. They should write the Executive Director of Curriculum and Instruction, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the Division decides not to amend the record as requested by the parent or eligible students, the Division will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the Division as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the Division has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school Division in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Northampton County School Division to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

If additional information is needed, please contact Ms. Annette Gray, Associate Superintendent, Northampton County Public Schools, 7207 Young Street, Machipongo, Virginia 23405, (757) 678-5151 ext. 2003.

RESPONSIBILITIES AND RIGHTS OF STUDENTS AT NORTHAMPTON COUNTY PUBLIC SCHOOLS

The following statements summarize students' rights and responsibilities. In exercising their rights, students shall not disrupt the educational process or violate, endanger, or deny others of their rights.

Education

Right

The rights of all students, including those guaranteed by the Constitutions of the United States and the Commonwealth of Virginia, and by applicable federal, Virginia, and local statutes, and the right to an education are and shall be recognized without regard to race, religion, sex, creed, ability to pay, national origin, disability, or intellectual ability. Students have a right to a public education beginning with kindergarten and extending through the 12th grade.

Responsibility

Student responsibilities include regular school attendance, conscientious effort in classroom work, conformance to school rules and regulations, and the responsibility not to interfere with the education of fellow students or the orderly operation of the school.

Learning Environment

Right

Students have the right to expect a safe school environment in which to learn and a climate within the school that is conducive to learning.

Responsibility

Students have a responsibility to help the school staff in operating a safe school by abiding at all times by the laws of the United States, the Commonwealth of Virginia, the County of Northampton, the regulations of the Northampton County School Board, and the individual school. Students have a responsibility to notify school staff members of behavior that might endanger the safety and well-being of themselves or others.

Respect

Right

Students have a right to expect courtesy, fairness, and respect from members of the school staff and other students.

Responsibility

Students have the responsibility to respect the rights and authority of teachers, support staff, administrators, and all others included in the educational process. Students have the responsibility to respect the rights of other students.

Property

Right

Students have a right to expect that other students and school personnel will respect their personal property.

Responsibility

Students have the responsibility to respect personal property rights of other students, teachers, and administrators as well as the public's property, including equipment and school buildings. Students are responsible for the personal property that they take to school, on a school-sponsored function such as a field trip, or on a school bus.

Participation

Right

Students who comply with all rules and regulations will have the opportunity to participate in school activities.

Responsibility

Students have a responsibility to comply with all rules and regulations for student behavior at all school functions.

Expression

Right

Students have the right to exercise freedom of expression and to address policies publicly, privately, in writing, in visual form, or orally. Students may advocate change in any law, policy, or regulation.

Responsibility

Students have a responsibility to see that expressions do not interfere with the educational program. Students have a responsibility not to use statements and/or visual imagery that are obscene, slanderous, or libelous; not to use disruptive tactics; and not to advocate violation of the law or school regulations.

Complaint

Right

Students have the right to complain to school staff members regarding decisions made by staff members that are considered not to be in the students' best interests.

Responsibility

Students have the responsibility to follow the complaint procedures.

Conflict Resolution

Right

Students have a right to resolve disputes with other students, or staff members, in a way that is non-threatening for all parties and that promotes positive relationships. This right does not extend to prohibited conduct that would result in disciplinary action.

Responsibility

Students are responsible for resolving disputes in an appropriate and nonviolent manner. Students may choose to use conflict resolution or peer mediation skills on their own or request help from teachers or counselors; this does not extend to prohibited conduct that would result in disciplinary action.

File: JFC

STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of **NORTHAMPTON COUNTY**. It is the responsibility of the **NORTHAMPTON COUNTY** 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. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members, and parents are provided the opportunity to become familiar with this policy.

The superintendent issues Standards of Student Conduct, and a list of possible corrective actions for violation of the Standards of Conduct. 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. 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 also 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 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 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. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself 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.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. 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.

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 such a petition. The notice shall state (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 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.

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.

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.

File: JFC

Students are subject to corrective action for any misconduct that occurs:

- in school or on school property;
- on a school vehicle;
- while 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: (1) notification pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260 or (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities, or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including including marijuana, and anabolic steroids, or drug paraphernalia;
- selling drugs;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats, including false threats, against school personnel or school property;
- use or possession of explosives (see Policy JFCD Weapons in School);
- possession of weapons or firearms (see Policy JFCD Weapons in School);
- extortion, blackmail, or coercion;
- driving without a license on school property;
- homicide;
- burglary;
- sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation);
- malicious mischief;
- shooting;
- any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs;
- stabbing, cutting or wounding;
- unlawful interference with school authorities including threats;
- unlawful intimidation of school authorities; and
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Any student involved in a reportable drug or violent incident shall participate 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.

The superintendent issues regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

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

File: JFC

Page 3

Cross Ref.: CLA Reporting Acts of Violence and Substance Abuse
ECAB Vandalism
IIBEA/GAB Acceptable Computer System Use
IIBEA-R/GAB-R Acceptable computer System Use
JFHA/GBA Prohibition Against Harrassment 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
JN Student Fees, Fines and Charges

© 2/15 VSBA NORTHAMPTON COUNTY SCHOOLS

STANDARDS OF STUDENT CONDUCT

The following are standards of student conduct established by the School Board for all students. The consequences of any act are determined on the basis of the facts presented in each situation in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Assault and Battery

A student shall not assault or commit battery upon another person on school property, on school buses or during school activities on or off school property.

An assault is a threat of bodily injury.

A battery is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

2. Attendance; Truancy

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See Policy JED Student Absences/Excuses/Dismissals.)

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.

3. Bomb Threats

Students shall not engage in any illegal conduct involving 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.

4. 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.

"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.

5. Bus-Related Offenses

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.

6. Cheating

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- cheating on a test or assigned work by giving, receiving, offering and/or soliciting information
- plagiarizing by copying the language, structure, idea and/or thoughts of another
- falsifying statements on any assigned schoolwork, tests or other school documents

7. Communication Devices

Elementary students shall not have in their possession beepers, cellular telephones, smart phones, tablets, Personal Digital Assistants (PDAs) or other communications devices. If a student possesses such a device, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

High school students shall not have in their possession during instructional hours beepers, cellular telephones, smart phones, personal tablets, Personal Digital Assistants (PDAs) or other communications devices. These devices must be stored in a student's locker or car. If a student possesses such a device, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

At no time may any device be used with an unfiltered connection to the Internet.

The division is not liable for devices brought to school or school activities.

If a student possesses or uses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

8. Defiance of the Authority of School Personnel

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by Board policies and regulations.

9. Disruptive Conduct

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

10. Electronic Cigarettes

Students shall not possess electronic cigarettes on school premises, on school buses or at school sponsored activities.

11. Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

12. 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.

13. Fighting

Exchanging mutual physical contact between two or more persons by pushing, shoving or hitting with or without injury is prohibited.

14. Gambling

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, on school buses or during any school related activity.

15. Gang Activity

Gang-related activity is not 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). (See Policy JFCE Gang Activity or Association.)

16. Harassment

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.

File: JFC-R

17. Hazing

Students shall not engage in hazing.

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.

The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

18. Internet Use

Students shall abide by the NORTHAMPTON COUNTY School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA Acceptable Computer System Use.)

19. Laser Pointers

Students shall not have in their possession laser pointers.

20. Other Conduct

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

21. Possession or Use of Weapons or Other Dangerous Articles

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. (See Policy JFCD Weapons in School.)

22. Profane, Obscene or Abusive Language or Conduct

Students shall not use vulgar, profane or obscene language or gestures or engage in conduct that is vulgar, profane, obscene or disrupts the teaching and learning environment.

23. Reports of Conviction or Adjudication of Delinquency

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.

24. Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

25. Student Dress

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

Clothing should fit, be neat and clean, and conform to standards of safety, good taste and decency. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back,

clothing constructed of see-through materials and head coverings unless required for religious or medical purposes.

Additionally, disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students not complying with this policy will be asked to cover the noncomplying clothing, change clothes or go home.

26. Theft

A student shall not intentionally take or attempt to take the personal property of another person by force, fear or other means.

27. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

28. Trespassing

Students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

29. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs

A student shall not possess, use, or distribute any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

A student shall not attempt 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.

A student shall not be 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 and 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.

The School Board may require any student who has been found in possession of, or under the influence of, drugs or alcohol in violation of School Board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

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.

File: JFC-R

30. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events.

CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. The facts and circumstances of each offense are considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of privileges, including access to the School Division's computer system
5. Parental conferences
6. Modification of student classroom assignment or schedule
7. Student behavior contract
8. Referral to student assistance services
9. Removal from class
10. Initiation of child study process
11. Referral to in-school intervention, mediation, or community service programs
12. Tasks or restrictions assigned by the principal or his designee
13. Detention after school or before school
14. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
15. In-school suspension
16. Out-of-school suspension
17. Referral to an alternative education program
18. Notification of legal authority where appropriate
19. Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event and recommendation for expulsion for having brought a controlled substance, imitation controlled substance, or marijuana, onto school property or to a school sponsored activity
20. Evaluation for alcohol or drug abuse
21. Participation in a drug, alcohol or violence intervention, prevention or treatment program

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7.C.3, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.6, 46.2-323, 46.2-334.001.

Student Code of Conduct Policy Guidelines (Virginia Board of Education October 2013).

Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008).

| | | |
|--------------|---------------|--|
| Cross Refs.: | CLA | Reporting Acts of Violence and Substance Abuse |
| | ECAB | Vandalism |
| | GAB/IIBEA | Acceptable Computer System Use |
| | GAB-R/IIBEA-R | Acceptable Computer System Use Regulation |
| | GBECA | Electronic Cigarettes |
| | IEA | Pledge of Allegiance |
| | IGAG | Driver Education |
| | JED | Student Absences/Excuses/Dismissals |
| | JFC | Student Conduct |
| | JFCD | Weapons in School |

File: JFC-R

| | |
|----------|--|
| JFCE | Gang Activity or Association |
| JFCF | Drugs in School |
| 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 |
| JHCD | Administering Medicines to Students |
| JN | Student Fees, Fines and Charges |

© 2/15 VSBA NORTHAMPTON COUNTY SCHOOLS

DUE PROCESS

With the requirements of fair and equitable treatment of all students and within the requirements of the Code of Virginia, the following shall constitute the minimum due process procedures to be followed in the detention, suspension, and expulsion of students.

1. The student shall be apprised of the nature and facts of the alleged misconduct.
2. The student shall be given opportunity to explain the circumstances of the alleged misconduct and to present witnesses on his/her behalf.
3. The student shall be informed of the conditions of the disciplinary action.
4. In the case of a suspension of more than 10 days or in the case of an expulsion:
 - a. The School Board Discipline Committee must hear each case.
5. The parent or guardian of a student or the student, if eighteen years or older, may appeal the decision (if applicable) as provided in School Board Policy JGD/JGE-R.

APPEAL OF DUE PROCESS VIOLATION

A parent may appeal the decision of a building administrator to suspend a student by notifying the Division Superintendent's designee (Administrative Services Specialist) in writing within 3 days of the building administrator's decision.

An appeal involves a review of due process and appropriate assignment of disciplinary action. During the appeal process, the student continues to serve the suspension. If the appeal finds fault with due process and/or assignment of disciplinary action, the decision may be overturned and the student's record expunged.

The decision of the Administrative Services Specialist is final and binding.

The Code of Virginia provides that, upon request the School Board has the option to agree to review an expulsion after one calendar year (365 days). Students who are expelled for one year or longer who wish to return to school must apply in writing to the Division Superintendent for re-admittance into school at least 60 days prior to the end of the expulsion.

ALTERNATIVE EDUCATION PROGRAM (Tech Center)

The School Board may require any student who has been (1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person; (2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or 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 Va. Code sec. 16.1-260.G; (3) found to have committed a serious offense or repeated offenses in violation of School Board policies; (4) suspended pursuant to Va. Code sec. 22.1-277.05; or (5) expelled pursuant to Va. Code sections. 22.1-277.06, 22.1-277.08 or subsection B of Va. Code sec. 22.1-277, to attend such an alternative education program. The School Board may require any student who has been found to have been in possession or, under the influence of drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program. 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/her suspension shall be borne by the parent of the student.

Offenses are listed in four categories, from least to most serious. Any student who accrues five or more violations (for the year) resulting in OSS (Out-of-School Suspension) may be referred for placement in the Alternative Education program at the Tech Center. Students who accrue five violations or more of OSS may be brought before the School Board Discipline Committee to determine an appropriate consequence which could include recommendation for long-term suspension or expulsion if they are not referred to the Tech Center due to capacity limits.

Students who return to Northampton County Public Schools from an alternative setting such as a detention home or a residential facility will re-enter the public school setting through the Tech Center program. The length of time the student will remain at the Alternative School (Tech Center) will be determined by the students academic and behavioral progress.

Students who enroll in Northampton County Public Schools from outside of the district will be placed at the Alternative School (Tech Center) if they are currently attending an alternative placement setting such as a detention home, residential facility or diversion program at the time of enrollment. The length of time the student will remain at the Alternative School (Tech Center) will be determined by the students academic and behavioral progress.

DISCIPLINARY ACTION LEVELS

Level 1 - Reminder/Verbal Warning/Reprimand

Staff members will remind student of rule, give a warning that such conduct is inappropriate, reprimand student for misbehavior. Every effort should be made to do so privately.

Level 2 - Teacher Corrective Interventions

Teachers should exhaust all corrective interventions prior to referral to an administrator.

- Conference with student
- Praise/Rewards/Incentives for appropriate behavior
- Loss of privileges (computer use, free-time)
- Parent/Guardian contact by phone or counter signed note
- Removal of student from activity (time-out)
- Removal of student from classroom (time-out in another supervised classroom)
- Referral to mediator, counselor, or behavioral specialist
- Parent/Guardian conference (with or without counselor)
- Behavioral Contract with student/parent/teacher
- Classroom detention (lunch, or after-school with parent notification)
- Behavior checklist
- Referral to Child Study

Level 3 - Referral to Administrator / Administrative Action

The administrator will review teacher's corrective actions prior to taking disciplinary action.

- Administrator may use one or more of above interventions
- Assignment to in-school suspension room
- Assignment to Saturday school (middle school and high school)
- Assignment to after-school detention
- Probation: student must behave or face suspension
- Overnight suspension - parent conference required prior to returning to school next day
- Parent partnership - parent or other adult agrees to come to school with the student and monitor his/her behavior for a period of time
- Removal from extracurricular activities

Level 4 - In-School Suspension (ISS) - (where available)

An administrator may assign a student in-school suspension (ISS) for up to three days. During a period of ISS, a student is given class work by qualified school personnel serving as the school's ISS coordinator. Students are released from ISS only after successfully completing such work. Students must also complete a behavioral modification plan to be signed by his/her parent and teacher so that misbehavior will not continue. Refusal to attend ISS will result in out-of-school suspension until the ISS is served.

Students who misbehave in in-school suspension will serve their suspension out-of-school (or at an alternative site).

Short-Term Suspension 1 to 10 days

A student may be suspended out-of-school for violations of the *Code of Conduct*. For out-of-school suspensions of 10 days or less, the school administrator shall inform the student of the specific violation and provide the student with opportunities to respond to the charges. The student may present the student's version of what occurred. When the school suspends a student, the school shall 1) notify the student of the right to appear; 2) make a reasonable effort to notify the student's parent of the suspension, inform the parent that a copy of the rules governing suspensions and the procedures for appeal are being sent home with the student, and make arrangements for the student's return home, and 3) send written notification to the parent informing the parent of the suspension, of its reason, the length of the suspension, the right to appeal, the student's right to return to school, and any conditions for that return.

Level 5 - Suspension (Out-of-School 1-5 Days)

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for a period up to five days for engaging in prohibited conduct as outlined in the *Code of Student Conduct*. The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement.

Level 6 - Suspension (Out-of-School 6-10 Days)

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for six to ten days for engaging in prohibited conduct as outlined in the *Code of Student Conduct* after conferring with Central Office staff. The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement.

Any student who is under OSS and also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days shall include notification of the length of the suspension, the rules governing suspension and the procedures for appeal, information regarding the availability of community-based educational programs, alternative educational 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 educational 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.

Level 7 - Suspension (Out-of-School Over 10 Days)

A student can be suspended for more than ten days following a hearing before the School Board Discipline Committee. For certain offenses or habitual offenses, a student may be suspended for the remainder of the semester, the rest of the school year, or for a calendar year.

In the case of a recommendation for long-term suspension, the Office of the Superintendent shall arrange a time and place for the hearing before the School Board Discipline Committee and notify the parent/guardian and the principal.

Level 8 - Expulsion

Students may be expelled from attendance at school after written notice to the pupil and his/her parent of the proposed action and the reasons therefore and of the right to a hearing before the School Board Disciplinary Committee.

Such committee may confirm or disapprove the expulsion of a student. Any such committee of the School Board shall be composed of at least three members. If the committee's decision is not unanimous, the pupil or his/her

parent may appeal the committee's decision to the full School Board. Such appeal shall be decided by the School Board within 30 days.

Confirmation or disapproval of the proposed expulsion by the Committee may occur regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the student and his/her parent shall include notification of the length of the expulsion and shall provide information to the parent of the student concerning the availability of community-based educational, training, and intervention programs. The notice shall also state whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative educational program approved by the School Board, or an adult educational 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/her expulsion shall be borne by the parent of the student.

The School Board may permit or require students expelled to attend an alternative educational 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 educational program or an adult educational program in the School Division, the written notice shall also advise 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/her expulsion, and the conditions, if any, under which readmission may be granted.

Factors Considered in Determining Expulsion

Recommendations for expulsion shall be 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 educational placement or program and/or;
- other appropriate matters.

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

Note: Students may not participate in school activities or be on property owned by the Northampton County Public Schools while serving a suspension or an expulsion unless granted permission by the Division Superintendent.

SCHOOL BUS CONDUCT

In view of the safety factors involved in student transportation, the driver is in full authority over the bus and its passengers. Students are required to follow bus rules and respond to the requests of the driver or face possible loss of bus riding privileges and/or other appropriate discipline code dispositions as designated for the various offenses. It takes total cooperation of the driver, students, and parents to make a safe transportation program. **All offenses listed in the uniform discipline code are applicable to behavior on the school buses.** In addition, the following instructions and rules are incorporated and applied within this discipline code:

Students must ride their assigned buses. Changes are made only for emergency situations. No student will be allowed to leave a school bus from the point at which he/she normally gets on the bus until he/she is discharged at the school in which he/she is enrolled. The pupil will be permitted to leave the school bus if he/she has written permission of the parent and/or guardian as approved by the principal or his/her designee.

1. Parents or their designees are requested to accompany their pre-school children to and from the designated bus stop.
2. Students must be at the designated bus stop at the designated time.
3. In approaching the stopping place for the bus, walk toward the traffic.
4. While waiting for the bus, students should not play on the street, sidewalk or highway.
5. Objects should not be thrown while waiting for or riding the bus.
6. Students should get on the bus in an orderly manner and avoid crowding and disturbing others.
7. Students should stay in their assigned seat during the entire trip. "Moving about" on the bus is prohibited.
8. Normal conversation is accepted; however, students should not engage in loud talk.
9. Students must keep their heads, arms, and hands inside the bus.
10. Students are not permitted to talk to the driver while the bus is in motion unless it is an emergency or requested by the driver.
11. Eating, chewing gum, drinking, and littering are not permitted.
12. Objects that may be used to damage school property or cause bodily harm are not permitted.
13. Balloons and glass containers are not permitted.
14. Audio and video equipment are not allowed on the school bus. On field trips or athletic travel, Principal approval may be granted.
15. Students are not permitted to play cards or gamble.
16. All objects other than normal school property and materials must be checked and approved by the driver before being admitted on the bus.
17. Cell phones must remain off while on the bus.

The driver must report to the principal or his/her designee all student misbehavior. It is the responsibility of the principal or his/her designee to decide upon the disciplinary action to be taken in accordance with the Code of Conduct. Off-the-bus suspension may be used in addition to or instead of out-of-school suspension in some cases.*

Misbehavior on the school bus will not be tolerated:

| | Grades PK-3 | Grades 4-6 | Grades 7-12 |
|-----------------------|--|--|--|
| First Offense | Driver submits written report to school administration. An administrator will hold a warning conference with student. A written warning note will be sent home for parent signature. | Driver submits written report to school administration. An administrator will hold a warning conference with student. A written warning note will be sent home for parent signature. | Driver submits written report to school administration. An administrator will hold a warning conference with student. A written warning note will be sent home for parent signature. |
| Second Offense | 1 day | 1-5 day suspension from bus transportation. | 5 day suspension from bus transportation. |
| Third Offense | 2 days | 10 day suspension from bus transportation. | 10 day suspension from bus transportation. |
| Fourth Offense | 5 days | 1 year suspension from bus transportation - 365 days/Board decision | 1 year suspension from bus transportation - 365 days/Board decision |
| Fifth Offense | 10 days | | |
| Sixth Offense | 1 year suspension from bus transportation - 365 days/Board decision | | |

*The Special Education Supervisor is to be notified prior to any decision regarding the suspension of a student identified as having a disability from public school transportation.

OVERVIEW

Discipline Category 1

Category 1 behaviors are those behaviors that are disrespectful or cause minor disruptions to the academic environment that interfere with the learning of self and others. Category 1 behaviors result in classroom level disciplinary responses that may elevate to administrative interventions.

Category 1 - Behaviors

Behavior

Issues of Attendance
 Bus Infractions
 Student Dress Code Violations
 Minor Disruptive Behaviors
 Minor Insubordination
 Food/Beverage Violations
 Cell Phones/Personal Property
 Cheating/Plagiarism/Misrepresentation
 Violation of Acceptable Use Agreement
 Gambling
 Violation of Driving/Parking Rules
 Outward Display of Affection

Behavior Discipline Response

Verbal redirection by teacher
 Teacher/student conference (1-10 minutes)
 Parent contact in writing or by phone
 Teacher/parent conference
 Temporary removal of student from classroom
 Referral to administration
 Administrative Warning
 In-school disciplinary action
 Behavior intervention
 Out-of-school suspension

CATEGORY I OFFENSE

| Attendance (A1T) | | Grade | Minimum | Maximum |
|--|-------------------------|-------------|-------------|---|
| Students shall not be absent from or report late to class or school without appropriate parental permission, school permission, or an otherwise valid excuse. A student of compulsory age (until age 18), who does not attend school, is considered to be truant and is in violation of the law; the student and his/her parent/guardian are subject to its penalties. | | | | |
| Tardiness - Failure to report to place of instruction at the assigned time without a valid excuse. (See Student Handbook) | | PK-12 | 1 | 4 |
| Excessive Absences - Excused or unexcused absences, which are felt to adversely affect the student's education. (See Student Handbook) | | PK-12 | 1 | 4 |
| Skipping/Cutting Class - Failure to report to class without proper permission, knowledge, or excuse by the school, parent, or teacher. | | PK-12 | 1 | 6 <small>with C/O approval</small> |
| Leaving Without Permission - Failure to remain in the classroom, building, or assigned area without proper permission. | | PK-12 | 1 | 6 <small>with C/O approval</small> |
| Unauthorized Area - Student shall not be in an unauthorized area of the school without permission. | | PK-12 | 1 | 4 |
| Bus Discipline | Incident | Grade | Grade | Grade |
| Students shall not behave in a disruptive manner or otherwise violate the <i>Code of Conduct</i> while waiting for a school bus, while on a school bus, or after being discharged from a school bus. The driver of the bus has the authority to maintain order and the responsibility for providing a safe environment. The school served by the driver will render discipline assistance when the driver issues a bus discipline referral. It is important to note that riding a school bus is a privilege. Students who do not behave at the bus stop or on the school bus may have the privilege of riding revoked for a specified time or permanently. | | PK-3 | 4-6 | 7-12 |
| | 1 st Offense | Warning | Warning | Warning (Note sent home by an administrator) |
| | 2 nd Offense | 1 Day | 1-5 Days | 5 Days |
| | 3 rd Offense | 2 Days | 10 Days | 10 Days |
| | 4 th Offense | 5 Days | Off the Bus | Off the Bus |
| | 5 th Offense | 10 Days | | |
| | 6 th Offense | Off the Bus | | |
| See page 23 for complete list of school bus rules and consequences. | | | | |

*C/O Central Office

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

| Student Dress (S1V) | Grade | Minimum | Maximum |
|---|---|---|--|
| 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 should follow the Standard Dress Policy (JFCK) approved by the School Board.) | PK - 5 6 - 12 | 1 2 | 4 5 |
| Disruptive Behavior (D2C, D3C, D5C) | Grade | Minimum | Maximum |
| <p>Students shall not engage in conduct that is disruptive of any school activity, function, or process of the school or is dangerous to the health or safety of students or others. Any physical or verbal disturbance within the school setting or during related activities, which interrupts or interferes with teaching and orderly conduct of school activities is prohibited.</p> <p>Inappropriate Talking/Noise - Repeated, chronic, or loud talking or unnecessary noise.</p> <p>Throwing Objects - Throwing any object inappropriately or throwing an object directly at anyone in any part of the school, bus, or school grounds.</p> <p>Horseplaying - Rough or noisy play or pranks, including running in hallways, playful slapping, body slamming, tussling, or wrestling. (See Fighting/Assault, pages 38/46).</p> <p>Teasing - Bothering classmates, wisecracking, name-calling, taunting, mocking. (See Bullying, page 36).</p> <p>Refusing to Remain in Seat - Getting out of seat or moving one’s seat without permission.</p> <p>Pledge of Allegiance / Moment of Silence - Any conduct that disrupts the recitation of the pledge or moment of silence.</p> | <p>[PK-12]</p> <p>[PK-12]</p> <p>[PK-12]</p> <p>[PK-12]</p> <p>[PK-5] [6-12]</p> <p>[PK-12]</p> | <p>1</p> <p>1</p> <p>1</p> <p>1</p> <p>1 2</p> <p>1</p> | <p>5</p> <p>5</p> <p>6 <i>(with C/O approval)</i></p> <p>5</p> <p>3 5</p> <p>4</p> |

*C/O - Central Office

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

| Insubordination (D8C) | Grade | Minimum | Maximum |
|--|--|---|--|
| <p>Students shall comply with any oral or written instructions and requests made by school personnel. Examples of insubordination are:</p> <p>Refusal to Work in Class - includes but is not limited to: Failure to do assigned work in class, putting one's head down, sleeping in class.</p> | [PK-12] | 1 | 6 <small>(with C/O approval)</small> |
| Food/Beverages (D8C) | Grade | Minimum | Maximum |
| <p>Students will not eat in nor carry food to unauthorized areas of school. (Unauthorized areas may include, but are not limited to hallways, commons area, entrance foyer, restrooms, and classrooms without the teacher's permission.)</p> | [PK-12] | 1 | 5 |
| Personal Property /Cell Phones Educational Nuisance (C1M, C2M, C3M) | Grade | Minimum | Maximum |
| <p>Items that interrupt the educational process including, but not limited to, electronic devices, video games, cameras, radios, audio players, CD's, toys, stuffed animals and trading cards cannot be used in the classroom. Bringing personal items such as these is strictly prohibited and the Division will not assume responsibility for lost or stolen articles. Unauthorized use of such items will result in the item(s) being confiscated and held for pick up by the parent/legal guardian at the end of the school year. Items not claimed will be donated to charity.</p> <p>Elementary students shall not have in their possession a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device. If a student possesses such a device, the device will be confiscated and returned only to the student's parent as outlined in the offense code. Failure by the student to surrender such a device to school administrators and/or staff will result in further disciplinary sanctions.</p> <p>High school students shall not have in their possession during instructional hours a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device. These devices must be stored in a student's locker or car. If a student possesses such a device, the device will be confiscated and returned only to the student's parent at the end of the school year. Failure by the student to surrender such a device to school administrators and/or staff will result in further disciplinary sanctions.</p> <p>Instructional times include: while on a bus, during and between classes, lunch or any time during the instructional day until 3:30 pm. Cell phones are not to be in use during fire drills, bomb threats, or other emergency drills or situations.</p> | <p>[PK-5]</p> <p>[6-12]</p> | <p>1</p> <p>1</p> | <p>4</p> <p>6 <small>(with C/O approval)</small></p> |
| | <p>If student surrenders device</p> <p>1st Offense</p> <p>Parent may pick-up device 2 weeks after incident</p> | <p>2nd Offense</p> <p>Parent may pick-up device at the end of the semester</p> | <p>3rd Offense</p> <p>Parent may pick-up device at the end of the school year</p> |

***C/O - Central Office**

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

| Cheating/Plagiarism/Misrepresentation/Inappropriate Possession (S2V, S3V) | Grade | Minimum | Maximum |
|---|--|--|---|
| <p>Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned schoolwork or tests.</p> <p>Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.</p> <p>Plagiarism is falsely claiming authorship, including copying of language, structure, ideas, and/or thoughts of another and representing it as one’s own original work.</p> <p>Falsification includes the verbal or written statement of any untruth, including the production of forgery or use of forged writing or signature.</p> <p>Attempted completion of any act described above would constitute a violation and may be punishable to the same extent as if the act had been completed.</p> <p>Stealing/Inappropriate Possession of another person’s property.</p> | <p>[PK-5] [6-12]</p> <p>[PK-5] [6-12]</p> <p>[PK-5] [6-12]</p> <p>[PK-5] [6-12]</p> <p>[PK-5] [6-12]</p> | <p>1 3</p> <p>1 3</p> <p>1 3</p> <p>1 3</p> <p>1 3</p> | <p>5 5</p> <p>5 5</p> <p>5 5</p> <p>5 5</p> <p>5 5</p> |
| <p>Student will receive a 0 for the assignment.</p> | | | |
| Violation of the Acceptable Use Agreement | Grade | Minimum | Maximum |
| <p>Unauthorized or illegal use of computers, software, computer networks, telecommunications and related technologies; or involvement in willful acts that cause physical, financial, or other harm, or which disrupts information technology in any manner is prohibited. Any attempt to “hack” into a network, program or computer of another student or personnel of Northampton County Schools is prohibited. Students may also be the subject of appropriate legal action for violation of this policy or its regulations.</p> <p>T1C - Unauthorized use of technology or information T2C - Causing/attempting to cause damage to computer hardware/software/files T3C - Violation of acceptable use policy T4C - Violation of internet policy</p> | <p>PK - 5 6 - 12</p> | <p>1 3</p> | <p>6 8</p> <p><i>(with C/O approval)</i></p> <p>Loss of computer system privileges See pages 43-45</p> |
| Gambling (G1B) | Grade | Minimum | Maximum |
| <p>Students will not play games of skill or chance for money or property or be present at the scene of gambling. This includes shooting dice whether or not gambling is involved.</p> | <p>PK - 5 6 - 12</p> | <p>1 3</p> | <p>5 5</p> |

***C/O - Central Office**

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

| Violation of Driving/Parking Rules | Grade | Minimum | Maximum |
|--|-------------------------------------|---------|---------------------------------|
| Violation of Driving/Parking Rules - The failure to comply with or follow established procedures for school parking and driving procedures. | 9 - 12 | 3 | 6 <i>(with C/O approval)</i> |
| | <i>Loss of driving privileges</i> | | |
| Operation of Motor Vehicles - The operation of mini bikes, mopeds, go carts or ATVs are not permitted on school property; operation of a motor vehicle without a license is not permitted on school property. | PK - 12 | 3 | 6 <i>(with C/O approval)</i> |
| | <i>May require report to police</i> | | |
| Outward Display of Affection (SB1, SB2, SB8, SX8) | Grade | Minimum | Maximum |
| Amorous Behavior - Public display of affection, kissing, walking arm-in-arm. | PK-12 | 1 | 7 |

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

OVERVIEW

Discipline Category 2

Category 2 behaviors are those infractions that are to be addressed by the principal and his/her administrative staff. Teacher prevention and intervention is a necessary requirement. Proactive intervention measures must be initiated by the teacher prior to the situation escalating to an office referral. Disciplinary actions may result in either in-school alternatives or suspension by the principal and/or his/her administrative staff, shall be optional.

Category 2 - Behaviors

Behavior

Disrespectful Behaviors
 Insubordination
 Defacing School Property
 Tobacco (Personal Use/Possession)
 Minor Sexual Offenses
 Profanity/Obscenity
 Posturing to Fight
 Trespassing
 Incendiary Devices
 Electronic Cigarettes
 Physical Abuse

Behavior Discipline Response

Verbal redirection by teacher
 Teacher/student conference (1-10 minutes)
 Parent contact in writing or by phone
 Teacher/parent conference
 Temporary removal of student from classroom
 Referral to administration
 Administrative Warning
 In-school disciplinary action
 Behavior Intervention
 Out-of-school suspension

CATEGORY II OFFENSE

| Disrespectful Behavior (D1C) | Grade | Minimum | Maximum |
|---|-------------|---------|---------------------------------|
| <p>Students will behave in a respectful manner toward teachers, staff and other students. Examples of disrespectful behavior are:</p> <p>Walking Away - leaving while a staff member is talking to the student.</p> <p>Talking Back - verbally responding to staff member in a rude manner.</p> <p>Displaying Rude Behavior - physically or verbally displaying behavior that is uncivil, unmannerly, curt or impudent.</p> <p>Verbal Abuse - using inappropriate language, gestures student to student.</p> <p>Refusing to Identify One's Self Properly - includes using another student's name.</p> | [PK-12]-ALL | 1 | 6 <i>(with C/O approval)</i> |
| Insubordination (D8C) | | | |
| <p>Students shall comply with any oral or written instructions and requests made by school personnel. Examples of insubordination are:</p> <p>Defiance of Authority - failure to follow any reasonable request made by a staff member. (D2C)</p> <p>Refusal of Detention - failure to report to a detention as directed by staff member.</p> <p>Refusal to Participate in In-School Alternatives - failure to report to in-school alternatives as directed by a staff member.</p> <p>Refusal to Report to In-School Suspension - failure to report to In-School Suspension as directed by an administrator.</p> | [PK-12]-ALL | 1 | 6 <i>(with C/O approval)</i> |

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY II OFFENSE

| Sexual Offenses (SB1, SB2, SB8, SX8) | Grade | Minimum | Maximum |
|--|--|----------------------|---|
| <p>Students will not engage in sexual or immoral behavior. For example:</p> <p>Restrooms - Being in the restrooms of the opposite sex.</p> | <p>[PK - 5] [6 - 12]</p> | <p>1 5</p> | <p>5 7</p> |
| <p>Obscene Phone Calls - Sexually explicit, suggestive phone calls to students or staff members including electronic messaging.</p> | <p>[6-12]</p> | <p>5</p> | <p>8</p> |
| Defacing School Property (VA1) | Grade | Minimum | Maximum |
| <p>Students will not willfully or maliciously deface, damage, or destroy property to the school at any time while the student is under the school's jurisdiction. A student or parent/guardian will be held financially responsible, as allowed by Virginia law, for willful or malicious destruction of school property. Examples of vandalism include but are not limited to:</p> <p>Defacing or writing on school property (ex. writing on walls, writing on desks) (VN1)</p> | <p>[PK - 12]</p> | <p>1</p> | <p>8</p> |
| <p>Students must make restitution for vandalism</p> | | | |
| Physical Abuse (BU1) | Grade | Minimum | Maximum |
| <p>Physical Abuse - Intentionally hitting, shoving, scratching, biting, kicking, blocking the passage of or throwing objects at a person who does not reciprocate.</p> <p>Requires report to police</p> | <p>[PK - 3] [4 - 5] [6-12]</p> | <p>3 4 4</p> | <p>6 <i>(with C/O approval)</i> 7 8</p> |

*C/O - Central Office

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY II OFFENSE

| Profanity/Obscenity (D4C, D6C) | | | |
|--|---|---------|--|
| Students shall not use language or gestures, or engage in conduct that is vulgar, profane, obscene or abusive or which disrupts teaching or learning. It also includes actions or displays of an obscene nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements toward school personnel and/or students, i.e., vulgar language. | Abusive and insulting language toward school personnel will be reported to police. | | |
| Derogatory Written Materials - Writing that conveys a vulgar, profane, obscene, abusive, or sexually suggestive message toward another individual. | [PK-5] [6-12] | 1 3 | 5 7 |
| Directed at Another Individual - Writing, saying, or making gestures that convey a vulgar, profane, obscene, abusive, or sexually suggestive message toward another individual. | [PK-5] [6-12] | 1 3 | 5 7 |
| Technology - Use of computer technology to convey an offensive message or obtain offensive materials. | [PK-5] [6-12] | 1 3 | 5 6 <small>(with C/O approval)</small> |
| Obscene/Offensive Materials - Possession of any materials which include nude photos, sexually explicit photos, or sexually suggestive materials, vulgar language, or offensive statements. (D4C) | [PK-5] [6-12] | 1 3 | 5 7 |
| Posturing | Grade | Minimum | Maximum |
| Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited: | | | |
| Posturing to Fight - Conveying by threats, gestures, stance, raising fists, etc., the intention to fight. | PK - 5 6 - 12 | 1 3 | 5 6 <small>(with C/O approval)</small> |
| Incitement/Instigation - Actions, comments, or written messages intended to cause others to fight or which may result in a fight is considered incitement or instigation. | [PK-5] [6-12] | 1 3 | 5 8 |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY II OFFENSE

| Trespassing (TR1) | Grade | Minimum | Maximum |
|---|------------------|---------|---------|
| <p>Students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.</p> | | | |
| <p>Any student who has been suspended or expelled from attendance may be considered a trespasser if he/she appears on any Northampton County Public Schools' property during the suspension or expulsion.</p> | PK-12 | 3 | 8 |
| <p>Students who arrive at school before school opens or remain after the close of their school day without specific need or appropriate supervision may be considered trespassers.</p> | PK-5 6-12 | 1 3 | 4 5 |
| <p>Any student who is requested by an administrator to leave school property is expected to do so immediately. Failure to do so may be considered trespassing.</p> | PK-5 6-12 | 2 3 | 5 7 |
| <p>No student may attend or visit another Northampton County Public School as a guest during the regular school day without authorization from the school's administration.</p> | PK-5 6-12 | 1 3 | 4 5 |
| Tobacco (Personal Use/Possession) (TB1, T4B) | Grade | Minimum | Maximum |
| <p>Students are prohibited from using and/or possessing tobacco products at all times while on School Board owned property, in School Board owned vehicles, in any vehicle parked on School Board property, at school-sponsored or school-related activities, or while going to or coming home from school. (TC1, TC2, TC3)</p> | [PK-12] | 3 | 7 |
| Incendiary Devices | Grade | Minimum | Maximum |
| <p>Students are prohibited from possessing a lighter, matches, or other incendiary devices at all times while on School Board owned property, in School Board owned vehicles, in any vehicle parked on School Board property, at school-sponsored or school-related activities, or while going to or coming home from school.</p> | [PK-5] [6-12] | 3 4 | 5 7 |
| Electronic Cigarettes | Grade | Minimum | Maximum |
| <p>Students are prohibited from possessing or using electronic cigarettes while on school property, in school owned vehicles, in any vehicle parked on school grounds, at school-sponsored or school-related activities, at the bus stop, or while going to or coming home from school.</p> | [PK-5] [6-12] | 3 4 | 5 7 |

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

OVERVIEW

Discipline Category 3

Category 3 behaviors are those material and substantial disruptions that are to be addressed by the principal and/or his/her administrative staff and for which suspension shall be mandatory. Further disciplinary action including a recommendation to the Superintendent for expulsion is an option.

Category 3 - Behaviors

Behavior

Bullying/Harassment
 Extortion/Attempted Extortion
 Fighting/Assault
 Profanity/Obscenity
 Inciting a Riot
 Tobacco
 Theft/Attempted Theft
 Threat (Student Directed)
 Reckless Vehicle Use
 Unlawful Entry
 Vandalism

Behavior Discipline Response

3-5 days Out-of-School Suspension
 5-7 days Out-of-School Suspension
 10 days Out-of-School Suspension (with C/O approval)
 Loss of privileges

CATEGORY III OFFENSE

Bullying/Harassment

Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited:

Bullying / Harassment - Intimidating behaviors, either physical or mental, or through the use of technology such as e-mail, text messages, or Web sites to defame or harm others. Behaviors may include but are not limited to threats, remarks or actions intended to demean a person’s appearance, race, religion, gender, sexual orientation, national origin, disability, or intellectual ability. (BU1, HR1)

Requires report to police

| Grades PK-5 | | | Grades 6-12 1 st Offense | Grades 6-12 2 nd Offense |
|-----------------|---------|--------------------------------------|--|--|
| Grade | Minimum | Maximum | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 3-10 days Out-of-School Suspension | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension with recommendation for long term suspension or expulsion (with C/O approval) |
| [PK-2] [3-5] | 3 3 | 5 6 <i>(with C/O approval)</i> | | |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

| Extortion/Attempted Extortion (EX1) | |
|--|--|
| <p>Students will not take, attempt to take, or threaten to take another person’s property by force, violence, threats, or intimidation. This includes, but is not limited to, obtaining money, property, or objects of value, either tangible or intangible. Extortion (ET1) Attempted (ET2)</p> <p>Requires report to police</p> | |
| 1 st Offense | 2 nd Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 7-10 days Out-of-School Suspension <small>(with C/O approval)</small> • Restitution | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <small>(with C/O approval)</small> • Restitution • Recommendation for long-term suspension or expulsion |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

Fighting/Assault (Student Directed)

Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited:

Hazing - Mistreatment of another student as part of an initiation. (H1Z)

Stalking - Conduct that places another person in reasonable fear of physical harm to that person or a member of his/her family or members of household. (ST1)

Fighting: Fighting involves two or more parties in conflict when mutual blows (hitting, kicking, etc.) may cause harm or injury to either party, bystanders, or school property. A student that is assaulted and retaliates by hitting/kicking/etc. will be disciplined for fighting. (See also Horse-playing, page 30) (FA 1 - with injury) (FA 2 - without injury) (F1T - minor altercation)

May require report to police

| Grades PK-6 | | | Grades 7-8 1 st Offense | Grades 7-8 2 nd Offense |
|-----------------|---------|---------|--|---|
| Fighting | | | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 3-10 days Out-of-School Suspension | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 5-10 days Out-of-School |
| Grade | Minimum | Maximum | | |
| [PK-3] | 2 | 5 | | |
| [4-6] | 5 | 8 | | |

| | | | Grades 9-12 1 st Offense | Grades 9-12 2 nd Offense |
|--|--|--|---|---|
| | | | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <small>(with C/O approval)</small> | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <small>(with C/O approval)</small> • Recommendation for long-term suspension or expulsion |

May require report to police.

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

Profanity/Obscenity (Staff Directed) (D4C, D6C)

Students shall not use language or gestures, or engage in conduct that is vulgar, profane, obscene or abusive or which disrupts teaching or learning. It also includes actions or displays of an obscene nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements toward school personnel and/or students, i.e., vulgar language.

Swearing (To Staff) - Saying anything that conveys a vulgar, profane, obscene, abusive, or sexually suggestive message. (D6C)

Obscene/Offensive Gestures - Making any sign that conveys a vulgar, profane, obscene, abusive, or sexually suggestive message.

| 1 st Offense | 2 nd Offense |
|--|--|
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Administrative Warning • 10 days Out-of-School Suspension <small>(with C/O approval)</small> | <ul style="list-style-type: none"> • Required Parent or Guardian notification • Written notice mailed home • 10 days Out-of-School Suspension with recommendation for long-term suspension or expulsion <small>(with C/O approval)</small> • Parent Conference |

Depending upon the nature of the incident, the police may be notified.

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

| Inciting a Riot (RT1) | |
|---|---|
| Unlawful use of force or violence that seriously jeopardizes the public safety, peace, or order. Three or more people acting together (ex: Food Fight, Verbal Confrontation in Cafeteria, Classroom, Hallway, etc.). (RG1, RG2) | |
| 1 st Offense | 2 nd Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 7 days Out-of-School Suspension <i>(with C/O approval)</i> | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension with recommendation for long-term suspension or expulsion <i>(with C/O approval)</i> |
| Incident may be reported to the police. | |

| Tobacco (TB1, T4B) | |
|---|---|
| Students are prohibited from selling, giving away, sharing or dealing tobacco products at all times while on School Board owned property, in School Board owned vehicles, in any vehicle parked on School Board property, at school-sponsored or school-related activities, or while going to or coming home from school. (TC1, TC2, TC3) | |
| 1 st Offense | 2 nd Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 7 days Out-of-School Suspension <i>(with C/O approval)</i> • Confiscate the product | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <i>(with C/O approval)</i> • Recommendation for long-term suspension or expulsion • Confiscate the product |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

| Theft/Attempted Theft (Stealing) (TH1, TH2) | |
|---|---|
| <p>Students shall not intentionally take or attempt to take the property of another without consent. Students will not possess or attempt to possess stolen property. Examples include:</p> <p>Possession of Stolen Property - Having in one’s possession property obtained without the permission of the owner. (TF4) Motor Vehicle - (TF6)</p> <p>Student Property - Unlawfully taking and/or carrying away property belonging to another student. (TF3)</p> <p>Staff Property - Unlawfully taking and/or carrying away property belonging to a staff member. (TF2)</p> <p>School Property - Unlawfully taking and/or carrying away property belonging to Northampton County Public Schools. (TF1)</p> <p>Student Locker - Removing any property from a locker other than the one assigned.</p> | |
| 1 st Offense | 2 nd Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension (with C/O approval) • Restitution | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension (with C/O approval) • Recommendation for long-term suspension or expulsion • Restitution |
| <p>Requires report to the police.</p> | |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

Threats (Student Directed) (TI2)

Students will not make an oral/physical threat (including by cell phone) to kill or do bodily injury to any student of any school while on a school bus, on school property, or at school-sponsored or related activity. Students violating this rule shall be reported to police and may be guilty of a Class I misdemeanor.

Students will not make written threats (including by electronic technology such as internet), which cause a reasonable apprehension of death or bodily harm, against any person or persons, who are on the way to or from school, on school property, at any school-sponsored or related activity, on a school bus, or while at a school bus stop. A student shall be in violation of this rule regardless of whether the person(s) receives the threat.

Requires report to police

| PK-6 | | | Grades 6-12 1 st Offense | Grades 6-12 2 nd Offense |
|--------|---------|---------------------------------|---|---|
| Grade | Minimum | Maximum | <ul style="list-style-type: none"> • Parent or Guardian notification • Parent Conference • Written notice mailed home • 5-10 days Out-of-School Suspension <i>(with C/O approval)</i> | <ul style="list-style-type: none"> • Parent or Guardian notification • Parent Conference • Written notice mailed home • 10 days Out-of-School Suspension <i>(with C/O approval)</i> • Recommendation for long-term suspension or expulsion |
| [PK-2] | 1 | 5 | | |
| [3-6] | 1 | 6 <i>(with C/O approval)</i> | | |

Requires report to police.

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

| Unlawful Entry (BR1) | |
|---|---|
| <p>Students shall not enter school property without consent.</p> <p>Breaking and Entering (BR1)</p> <p>Requires report to police</p> | |
| 1 st Offense | 2nd Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 5-10 days Out-of-School Suspension <small>(with C/O approval)</small> | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <small>(with C/O approval)</small> • Recommendation for long term suspension or expulsion |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

Vandalism (VA1)

Students will not willfully or maliciously deface, damage, or destroy property belonging to another. This includes school property at any time and any private property while the student is under the school’s jurisdiction. A student or parent/guardian will be held financially responsible, as allowed by Virginia law, for willful or malicious destruction of school property. Examples of vandalism include but are not limited to:

Damaging another’s clothing or property (VN2)

Students must make restitution for vandalism

1st Offense

2nd Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 7-10 days Out-of-School Suspension *(with C/O approval)*
- Restitution

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension *(with C/O approval)*
- Recommendation for long-term suspension or expulsion
- Restitution

May require police report.

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

OVERVIEW

Discipline Category 4

Category 4 behaviors are those behaviors that are material and substantial disruptions that are to be addressed by the principal and/or his/her administrative staff and for which suspension is mandatory. Further disciplinary action including making a recommendation to the Superintendent for expulsion is an option.

Category 4 - Behaviors

Behavior

Fighting/Physical Attack/Intimidation (Staff Directed)
 Homicide/Kidnapping
 Assault & Battery
 Weapons/Explosives/Fireworks
 Arson/Attempted Arson
 Gang Activity
 Robbery and/or Larceny
 Possession/Sale of Alcohol, Drugs or Paraphernalia
 Threats (Staff Directed)
 False Alarms/Bomb Threats
 Mace/Mace Like Devices
 Breaking & Entering/Burglary
 Sexual Offenses
 Vandalism
 Refusal to Comply with Reasonable Search

Behavior Discipline Response

3-5 days Out-of-School Suspension
 10 days Out-of-School Suspension (with C/O approval)
 Long Term Suspension
 Expulsion
 Report to the Police

CATEGORY IV OFFENSE

Fighting/Physical Attack/Intimidation/Threatening (Staff Directed)

Students will not threaten to use or use physical force or violence against any staff member to include tearing clothes or threatening to seize or strike a staff member. (Assault on staff member - see page 52)

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension (with C/O approval)
- Recommendation for long term suspension or expulsion

Requires report to police

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

Homicide/Kidnapping

Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited:

Homicide - The killing of one person by another (HO1, HO2, HO3, HO4)

Kidnapping - Unlawfully seizing, transporting, and/or detaining a person against their will which includes hostage-taking. (KI1)

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension (with C/O approval)
- Recommendation for long term suspension or expulsion

Report to Police Immediately

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

Assault & Battery

Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited:

Physical Assault/Physical Battery - Intentional, unprovoked physical violence directed towards another student that results in serious injury. (BA3 - with weapon) (BA4, BA5 - without weapon)

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension *(with C/O approval)*
- Recommendation for long-term suspension or expulsion

Requires report to police.

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

| Vandalism (VA1) | |
|--|--|
| <p>Students will not willfully or maliciously deface, damage, or destroy property belonging to another. This includes school property at any time and any private property while the student is under the school’s jurisdiction. A student or parent/guardian will be held financially responsible, as allowed by Virginia law, for willful or malicious destruction of school property. Examples of vandalism include but are not limited to:</p> <p>Defacing or damaging school property (ex. writing on walls, ripping bus seats, carving desks) (VN1)</p> <p>Graffiti (Ex. spray painting, marking walls, tile, etc.) (VN3)</p> <p>Students must make restitution for vandalism</p> | |
| 1st Offense | |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <small>(with C/O approval)</small> • Restitution • Recommendation for long-term suspension or expulsion | |
| <p>May require police report.</p> | |

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

Weapons/Explosives/Fireworks (WP1, WP2, WP4, WP9, WP0, WT1, WS1)

Students will not distribute, handle, use or transmit a weapon or any object that is designed or used to inflict bodily injury or place a person in fear of bodily injury or any object, which can reasonably be considered a weapon. (All weapons/instruments/objects described below will be confiscated and relinquished to the police.) Students shall not possess, distribute, discharge, or participate in the discharge of fireworks or similar items capable of producing a combustible or explosive reaction by fire, friction, concussion, percussion, or detonation, including, but not limited to firecrackers. For example: Firearm, Pistol, Revolver, and Gun.

Combustible Devices, Fireworks, Small Explosives - Possession of firecrackers, any small explosive device including caps (excludes poppers) or any other destructive device that may cause harm. (W9P)

Bomb - Any device brought to school that contains combustible material or combustible material and a fuse. (WP6, WP7)

Knife/Razor Blade/Box Cutter - Possession of a knife including blades or other sharp devices used for cutting without school authorization. (WP5, WP9, W8P)

Ammunition - Possession of any bullets or shells or any objects that could be considered to be ammunition or resemble ammunition. (W1P)

Other Destructive Devices - Possession of any object or substance that could cause injury including but not limited to slingshots, ice picks, multi-fingered rings, heavy chains, metal knuckles, clubs, stun guns, stink bombs, itching powder, martial arts objects, chemical bombs, laser pens, the use of any object or any substance that will potentially cause harm, irritation, or bodily injury to students or any other persons included but not limited to, giving a dangerous liquid, pill, or substance that causes illness. (WP9)

Look-alike: Possession of an instrument or device that resembles or looks like a pistol, revolver, or any type of weapon not capable of propelling a missile. May include but not be limited to a cap pistol, water pistol, or any look-alike gun. Principal may determine if a look-alike is a weapon by considering the following: (W3P)

- Whether it is reasonable that a person would mistake the object for a weapon.
- Whether the object was used for the purpose of threatening, intimidating, harassing, or harming another person; and/or
- Whether it was the intent of the student who possessed, handled, used or distributed the object to cause another person, or other persons, to believe that the object was, in fact, a weapon.

| Grades PK-3 1 st Offense | Grades 4-12 1 st Offense |
|---|--|
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • 5 days Out-of-School Suspension • Referral to Department of Social Services | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • 10 days Out-of-School Suspension <small>(with C/O approval)</small> • Recommendation for long term suspension or Expulsion |

Requires report to police.

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

Arson/Attempted Arson (AR1)

Students will not possess, or use any material, which starts or is intended to start a fire on school property unless specifically authorized by school officials. (AS1, AS2, AS3)

Requires report to police

- 1st Offense**
- Parent or Guardian notification
 - Written notice mailed home
 - Parent Conference
 - 10 days Out-of-School Suspension (with C/O approval)
 - Recommendation for long term suspension or expulsion

Refusal to Comply with a Reasonable Search

Students will refrain from refusing to comply with reasonable search requests. In an effort to maintain a safe and orderly environment, the school administration has the right to search any student who may be in possession of a weapon or any illegal substance on campus. The administration must have reasonable suspicion that a violation has occurred to pursue the search. This includes, lockers, cars, bookbags, and other areas deemed appropriate by school administration. School-wide searches may be conducted periodically by school administration.

- 1st Offense**
- Parent or Guardian notification
 - Written notice mailed home
 - Parent Conference
 - 10 days Out-of-School Suspension (with C/O approval)
 - Recommendation for long term suspension or expulsion

***C/O - Central Office**

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

| Gang Activity (GA1) |
|---|
| <p>Gang activity is defined as:</p> <p>Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang.</p> <p>Committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang.</p> <p>Using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang; (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and (d) inciting other students to act with physical violence.</p> <p>Inappropriate congregating, bullying, harassment, intimidation, degradation, and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.</p> |
| <p>1st Offense</p> |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension (with C/O approval) • Recommendation for long term suspension or expulsion • Report to police |
| <p>Requires report to police</p> |

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

| Robbery and/or Larceny (RO1) |
|--|
| <p>Students will not take, attempt to take, or threaten to take another persons property by force, violence, threats, or intimidation. This includes, but is not limited to, obtaining money, property, or objects of value, either tangible or intangible.</p> <p>Robbery - Taking anything of value by force or threat of violence. Actual (RB1) Attempted (RB2)</p> <p>Requires report to police</p> |
| 1st Offense |
| <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension <i>(with C/O approval)</i> • Restitution • Recommendation for long-term suspension or expulsion |

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

Possession/Use/Sale of Alcohol, Drugs or Drug Paraphernalia (AL1, DR1, DR2, DR3, DR4, DR5)

Students will not use, give/sell, distribute to another, have in their possession, or be under the influence of alcohol, marijuana, drug paraphernalia, controlled substances, prescribed or imitation controlled substances on School Board property, at school-sponsored activities, or while going to or coming from school. (AC1, AC2, AC3, DG1, DG2, DG7, DG8, D20, D15, D16, D17, DG3, DG9, D19, D10, D11, D12)

Medication: Students are not to be in possession of medication (prescribed or over-the-counter) at any time, unless the student meets the requirements outlined for students diagnosed with diabetes (see below). Medications must be taken by a parent or guardian or other responsible adult and given to the school nurse or Principal and administered pursuant to guidelines in accordance with School Board policy. (Secondary students may bring medication, but must bring it to the nurse upon arrival to school.) Information regarding inhaled medication for asthma is available in the school clinic. Medications needed during field trips are likewise handled through the school clinic. (D4G, D5G, D6G)

Students who are diagnosed with diabetes are eligible to self-carry diabetes supplies and equipment and to self-check blood glucose levels (with parental consent and written approval from a physician).

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension (with C/O approval)
- Recommendation for long term suspension or expulsion
- Report to police

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

Threats (Staff Directed) (TI1)

Students will not make an oral/physical threat (including by cell phone) to kill or do bodily injury to any employee of any school while on a school bus, on school property, or at school-sponsored or related activity. Students violating this rule shall be reported to police and may be guilty of a Class I misdemeanor.

Students will not make written threats (including by electronic technology such as internet), which cause a reasonable apprehension of death or bodily harm, against any person or persons, who are on the way to or from school, on school property, at any school-sponsored or related activity, on a school bus, or while at a school bus stop. A student shall be in violation of this rule regardless of whether the person(s) receives the threat.

Requires report to police

1st Offense

- Parent or Guardian notification
- Parent Conference
- Written notice mailed home
- 10 days Out-of-School Suspension *(with C/O approval)*
- Recommendation for long-term suspension or expulsion

Requires report to police

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

False Fire Alarms/Bomb Threats/911 Calls (BB1)

Activating a fire alarm without cause, making a bomb threat, including false threats against Division personnel or School Board Property, calling 911 without cause, or encouraging, inciting, enticing, or soliciting any person to commit such a threat is unlawful and forbidden. (BO1, BO2, BO3, BO4)

Requires report to police

| Grades PK-2 1 st Offense | | | Grades 3-12 1 st Offense |
|--|---------|---------|--|
| Grade | Minimum | Maximum | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension (with C/O approval) • Recommendation for long term suspension or expulsion • Report to police |
| [PK-2] | 1 | 5 | |

Mace/Mace-Like Devices

Students shall not supply, handle, use, transmit, or possess pepper gas, mace, chemical stink bomb (glass capsule), or similar substances on School Board property, on the way to or from school, or at school-sponsored or related activities.

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension
- Recommendation for long-term suspension or expulsion
- Report to police

***C/O - Central Office**

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

Breaking & Entering/Burglary (TH1, TH2)

Students shall not intentionally take or attempt to take the property of another without consent. Students will not possess or attempt to possess stolen property. Examples include:

Breaking and Entering (BR1)

Burglary - Unlawfully entering or attempting to enter a building with the intent to commit a crime. **Burglary - (BK1)**
Attempted Burglary - (BK2)

Requires report to police

1st Offense

- Parent or Guardian notification
- Written notice mailed home
- Parent Conference
- 10 days Out-of-School Suspension *(with C/O approval)*
- Recommendation for long term suspension or expulsion
- Report to police

**C/O - Central Office*

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

CATEGORY IV OFFENSE

Sexual Offenses (SB1, SB2, SB8, SX8)

Students will not engage in sexual or immoral behavior. For example:

Sexual Harassment - Unwanted, verbal or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation. (SX0)

Offensive Touching - Unwanted/inappropriate touching of another person’s body, especially but not limited to a person’s private parts, against that person’s wishes. Against Staff (SX1) Against Student (SX2)

Indecent Exposure - Intentional exposure of private parts of one’s body including “mooning.” (SX7)

Lewd Behavior (Sexual Intercourse) - Sexual contact or other unlawful sexual behavior or conduct. (SX7)

Sexual Assault - Includes Rape/Sodomy Against Staff (SX3, SX5) Against Student (SX4, SX6)

Requires report to police

| Grades PK-3 1 st Offense | | | Grades 4-12 1 st Offense |
|---|---------|---------|--|
| Grade | Minimum | Maximum | <ul style="list-style-type: none"> • Parent or Guardian notification • Written notice mailed home • Parent Conference • 10 days Out-of-School Suspension (with C/O approval) • Recommendation for long-term suspension or expulsion • Report to police |
| [PK-3] | 5 | 8 | |
| <ul style="list-style-type: none"> • Report to Department of Social Services | | | |

**C/O - Central Office*

- Level 1 - Verbal warning/reprimand
- Level 2 - Teacher intervention
- Level 3 - Administrative Referral
- Level 4 - ISS

- Level 5 - OSS (1-5 Days)
- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

Criminal Acts

Students will not participate in any criminal acts in violation of local, state, or federal laws.

Student Charged with Offense: If a petition or warrant has been filed or is pending against a student regardless of the crime, including but not limited to:

Being 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.

Being found guilty or not innocent of a crime which resulted in or could have resulted in injury to others or of a crime for which the disposition ordered by a court is required to be disclosed to the Superintendent pursuant to the Virginia Code.

Being previously expelled or suspended for more than thirty (30) days from attendance at school by a School Board or a private school in Virginia or another state for an offense related to the destruction of school property or privately-owned property, weapons, alcohol or drugs, or the willful infliction of injury upon another individual.

May result in assignment to an alternative school program

Level 1 - Verbal warning/reprimand
 Level 2 - Teacher intervention
 Level 3 - Administrative Referral
 Level 4 - ISS

Level 5 - OSS (1-5 Days)
 Level 6 - OSS (6-10 Days)
 Level 7 - Long-Term Out-of-School-Suspension (More than 10 Days)
 Level 8 - Expulsion

File: JGDA

Page 1

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 -- Change in Placement

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

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) there is a series of removals 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,
 - (c) the total time the student is removed, and
 - (d) the child's behavior is substantially similar to the child's behavior in previous incidents.

If the disciplinary action will result in a change of placement for a student with a disability then that student's parents must be sent notice that same day of the recommendation for discipline and be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

II. Short-Term Suspension

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 up to 10 school days cumulative in a school year to the extent that such removal would be applied to students without disabilities and for additional short-term suspensions provided no pattern exists.

III. Functional Behavior Assessments and Behavior Intervention Plans

If the school administration, the parent, and the relevant Individualized Education Program (IEP) 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 a 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 agree to a change in placement when reviewing or modifying the BIP. Without this agreement, the student must return to the placement from which the student was removed.

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) progress toward meeting the goals set out in the student's IEP.

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

V. Manifestation Determination

When a disciplinary action is proposed that will result in a change of placement, a manifestation determination review 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 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 had 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.

If a manifestation is found, the student cannot be disciplined beyond any permissible short term removal that may be available. A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. The student will remain in the interim alternative education setting pending the decision of the hearing officer or the expiration of a forty-five school day removal.

VI. Disciplinary Action for Behavior that is Determined Not to be a Manifestation

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to nondisabled students. Following a removal which constitutes a change in placement, the student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the discipline.

VII. Disciplinary Action and/or Alternative Placement for Behavior That Is Determined To Be a Manifestation

A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may also be removed to a more restrictive placement by following change in placement procedures. The IEP team must conduct or review a FBA and/or BIP as provided in Section III.

VIII. Interim Alternative Educational Settings for Weapons and Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess a weapon to or at school, 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, JFCF or JGDB and may be placed in an interim alternative educational setting for up to forty-five school days. This option is available without regard to whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

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, a FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

In addition to the other options for removal, a hearing officer may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45) school day removals may be authorized by the hearing officer as necessary.

X. Placement During Appeals

Students with disabilities are entitled to the due process rights available to a non-disabled student. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended and any state procedures. During the course of any appeals, the student's placement shall be in accordance with the provisions of federal law unless the parent and the school division agree otherwise.

XI. Students Not Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if before the behavior that precipitated the disciplinary action occurred:

(1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or

- (2) the parent requested an evaluation of the student for special education eligibility through formal evaluation procedures; or
- (3) the student's teacher or other school personnel had expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division.

A school division would not be found to have knowledge of a student's disability if:

- (1) the parents refused to allow an evaluation of the student or refused special education services; or
- (2) the student was evaluated and found not eligible for special education services.

If a request for an evaluation is made during the period such student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting, in compliance with the procedures for suspended and expelled students with disabilities. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities.

XII. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act, and who are currently engaging in the illegal use of drugs or alcohol, may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

Legal Refs.: 20 U.S.C. § 1415(k).
29 U.S.C. § 705(20)(C)(iv)

34 C.F.R. 300.530-300.536.

Cross Ref.:

JFC Student Code of Conduct

JFCD Weapons in School

JFCF Drugs in School

JGD/JGE Student Suspensions/Expulsions

JGDB Discipline of Students With Disabilities for Infliction of Serious Bodily Injury

© 5/11 VSBA NORTHAMPTON COUNTY SCHOOLS

File: JFG

SEARCH AND SEIZURE

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

Student desks and lockers are the property of the school, and may be used for the storage of permitted student belongings only. School officials retain locker combinations and reserve the right to search desks and lockers as well as to open lockers at any time for repairs. A general search of lockers or desks may be conducted to repossess school property or to locate illegal materials. A random, systemic, non-selective search of student classrooms, desks, lockers or automobiles may be conducted by school officials in accordance with a pre-determined search formula. Students are responsible for the contents of their assigned locker at all times. The student's individual right to privacy and freedom from unreasonable search and seizure is balanced by the school's responsibility to protect the health, safety, and welfare of all persons within the school community. Should illegal materials be found during a search, law enforcement officials should be notified.

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 function.

PERSONAL SEARCHES

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched by a school official whenever the official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation.

A personal search may include requiring a student to be scanned with a metal detector.

A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with a same sex adult witness.

Strip searches may only be used when an extremely serious situation exists requiring immediate action. Such a search should be used only in the context of imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary, the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent threat of death or great bodily injury to the student or another person. If a strip search must be conducted by a school official, it must be by a same sex official with a same sex adult witness, and the school official must have the prior approval of the Superintendent or his designee, unless the health or safety of the student is endangered by the delay.

LOCKER SEARCHES

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation, or that illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

SEIZURE OF ILLEGAL MATERIALS

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

COMPUTER SEARCHES

School computers, software and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school. School officials may search school computers, software and internet access records at any time for any reason and without student consent.

CONSENT SEARCHES

If a student gives a school official consent for a search, the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive himself at risk of punishment for refusing to grant permission for the search.

SEIZURE OF ILLEGAL MATERIALS

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

File: JFCD

WEAPONS IN SCHOOL**I. Generally**

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action.

A student who has possessed a firearm, on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who possessed a firearm or destructive device as defined in Va. Code § 22.1-177.07 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 Student Suspension/Expulsion. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Disciplinary proceedings for violation of this policy will be initiated promptly.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in Va. Code § 22.1-277.07 designed or intended to propel a projectile of any kind, including a rifle
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- 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, nun chuck, nunchaku, shuriken, or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, explosives, and
- destructive devices as defined in Va. Code § 22.1-277.07 or other dangerous articles.

II. 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 Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a weapons violation.

1. In addition to the authority granted in subsection A above, a student with a disability may also 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 carries or possesses a weapon to or at school, on school premises, or to 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.

2. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition:

“a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.”

Legal Refs.: 18 U.S.C. § 930(g)(2).
20 U.S.C. § 1415(k)(1)(G)(i).

Code of Virginia, §§ 15.2-915.4, 18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 277.07:1.

Wood v. Henry County Public Schools, 255 Va. 85, 495 S.E.2d 255 (1998)

8 VAC 20-81-10

JGD/JGE Student Suspension/Expulsion

JFC Student Conduct

JGDA Disciplining Students with Disabilities

JGDB Discipline of students with Disabilities for Infliction of Serious Bodily Injury

© 5/15 VSBA NORTHAMPTON COUNTY SCHOOLS

File: JFCF

DRUGS IN SCHOOL

I. Generally

Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code § 18.2-247, on school property or at a school-sponsored activity is prohibited.

A. Expulsion

A student who is determined to have brought a controlled substance or marijuana onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The Superintendent may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate. Any such disciplinary action shall be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in NORTHAMPTON COUNTY school division's drug and violence prevention plan.

The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

C. Required Reporting to Parents and Local Law Enforcement

The Principal shall report a violation of this policy to parents and local law enforcement as required by Policy CLA.

II. 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 Disciplining Students with Disabilities 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.

1. 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.

2. For purposes of this forty-five (45) school day removal, "illegal drugs" and "controlled substance" are defined as follows

a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202c.

b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Legal Refs: 20 U.S.C. §§1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).
21 U.S.C. § 812(c).

Code of Virginia, 1950, as amended, § 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

Cross Refs: CLA Reporting Acts of Violence and Substance Abuse
JGD/JGE Student Suspension/Expulsion
JFC Student Conduct
JFC-R Standards of Student Conduct
JGDA Disciplining Students With Disabilities

© 2/15 VSBA NORTHAMPTON COUNTY SCHOOLS

ACCEPTABLE USE POLICY

All use of the Northampton County School Division's computer system shall be consistent with the School Board's goal of promoting 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 any other internal or external network.

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. **Prohibited Conduct/Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:
 - 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.
 - intimidating, harassing, or coercing others.
 - threatening illegal or immoral acts.
4. **Internet Safety.** Northampton County Public Schools will implement an Internet Safety Curriculum called **I-Safe** starting with the 2007-2008 school year and continuing indefinitely. This will incorporate education in the proper use of the Internet in the areas of Personal Safety, Cyber Community Issues, Predator Identification, Cyber Security, Intellectual Property and Effective outreach.
 - users shall participate in the Internet Safety curriculum (**I-Safe**).
 - users shall not post personal contact information, including names, home, school or work addresses, telephone numbers or photographs of/about themselves or others.
5. **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 limitations. 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.

6. **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.
7. **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.
8. **Vandalism.** Intentional destruction of or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.
9. **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.
10. **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.
11. **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.**

Student disciplinary action may include one or more of the following:

- Short term suspension up to but not more than 10 days from school
- Referral to the Superintendent for disciplinary action by the School Board
- Legal action when deemed necessary and appropriate by the Code of Virginia

Employee disciplinary action may include one or more of the following:

- Letter of reprimand from principal or supervisor
- Referral to the Superintendent for a face-to-face meeting followed by a letter of reprimand
- Recommendation by the Superintendent to the School Board to place the employee on Leave Without Pay for a period of time
- Termination of Employment from Northampton County Public School Division
- Legal and criminal action when deemed necessary and appropriate by the Code of Virginia

ACCEPTABLE USE AGREEMENT

Each student and his or her parent/guardian must sign this Agreement before being granted use of the School District's computer system. Read this Agreement carefully before signing.

Prior to signing this Agreement, read GAB-R/IIBEA-R, Acceptable Use Policy. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School District's Acceptable Use Policy. I understand that the School District 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, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Signature _____

Date _____

I have read the Acceptable Use Policy GAB-R/IIBEA-R. I understand that access to the computer system is intended for educational purposes and the Northampton County School District has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School District to restrict access to all inappropriate material and I will not hold the School District 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 and for the School District to issue an account for my student.

Parent/Guardian Signature _____

Date _____

Parent/Guardian Name _____

(Please Print)

**STATEMENT OF RECEIPT OF
2016-2017 NORTHAMPTON COUNTY PUBLIC SCHOOLS
CODE OF CONDUCT**

PLEASE KEEP THE COPY OF THE CODE OF BEHAVIOR AND RETURN THIS FORM

Student Name _____ School _____ Grade _____

I have received, read, and understand the annual notifications regarding 1) Non-Discrimination; 2) Compulsory School Attendance; 3) Right to Inspect Instructional Materials; 4) Directory Information; 5) Surveys and Questionnaires; 6) FERPA; 7) Code of Conduct. I agree to assume full responsibility for my child's behavior while in school and also while riding a bus. My signature does not waive any rights I have under the constitution, federal or state law. I understand that I have the right to express disagreement with the School Divisions policies and decisions.

Date

Signature of Parent or Guardian

Date

Signature of Student

Code of Conduct (received, read, & understand)

Optional

I do not wish to have directory information released regarding my child _____. This includes any posting of awards or competitions from when he/she may have received recognition, whether it be in printed form or on the school website.

Date

Signature of Parent or Guardian

I do not wish my child _____ to participate in any survey/questionnaire, etc. described on page 5 of this handbook.

Date

Signature of Parent or Guardian

NOTE:

*THIS FORM SHOULD BE SIGNED AND RETURNED TO YOUR CHILD'S SCHOOL WITHIN TEN (10) DAYS.
THANK YOU FOR YOUR COOPERATION AND SUPPORT.*

DISTRICT ADMINISTRATION OFFICE
Mr. Charles E. Lawrence, Superintendent
757-678-5151 ext. 2002
7207 Young Street
Machipongo, VA. 23405

Elementary

Kiptopeke Elementary
 Grades: PK-06

Ms. Subrina Parker (Principal)
Mr. Harold Sullivan (Assistant Principal)
 (757) 678-5151 ext. 6100
 24023 Fairview Rd.
 Cape Charles, VA 23310

Occohannock Elementary
 Grades: PK-06

Mr. Ron Yorke (Principal)
Mrs. Michelle Buell (Assistant Principal)
 (757) 678-5151 ext. 8100
 4208 Seaside Rd.
 Exmore, VA 23350

Middle School

Northampton Middle
 Grades: 07-08

Mr. Laurel Crenshaw (Principal)
 (757) 678-5151
 16041 Courthouse Rd.
 Eastville, VA 23347

High School

Northampton High
 Grades: 09-12

Mr. Michael Myers (Principal)
Mrs. Heather Marsh (Assistant Principal)
Mr. Keith Bell (Assistant Principal)
 (757) 678-5151 ext. 4100
 16041 Courthouse Rd.
 Eastville, VA 23347

Alternative

The T.E.C.H. Center **Ms. Melinda Phillips**
(Central Office Liaison)
Mr. Gary Giddens (Teacher)
 (757) 678-5151 ext. 2005
 7207 Young Street
 Machipongo, VA 23405