

**NORTHAMPTON COUNTY PUBLIC SCHOOLS**

# 2019-2020 CODE OF CONDUCT



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

*Providing A World-Class Education*

NCPS School Board

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

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**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.

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**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).



## RESPONSIBILITIES AND RIGHTS OF STUDENTS AT NORTHAMPTON COUNTY PUBLIC SCHOOLS

The following statements summarizes 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 12<sup>th</sup> 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.



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

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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

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### 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.

The principal notifies the parent of any student involved in an alleged incident of bullying of the status of any investigation within five school days of the allegation of bullying.

#### 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. (See Policy JFHA/GBA Prohibition Against Harassment and Retaliation).

## 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 dangerous weapon or device. (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.

### 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

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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
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

## **SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY / DUE PROCESS REQUIREMENTS**

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

### **SHORT-TERM SUSPENSIONS**

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

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

The decision of the superintendent or superintendent's designee may be appealed to the School Board Discipline Committee.

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

### **LONG-TERM SUSPENSION**

A pupil may be suspended from attendance at school for more than ten days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee. The Disciplinary Committee may confirm or disapprove the suspension. If the Disciplinary Committee's decision is not unanimous, the pupil or his parent may appeal the Disciplinary Committee's decision to the full School Board. Such appeal shall be decided by the School Board within thirty days.

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

Nothing herein shall be construed to prohibit the school board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the school board for the term of such suspension.

### **EXPULSION**

#### **A. Generally**

Pupils may be expelled from attendance at school after written notice to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the school board Disciplinary Committee in accordance with the regulations of the school board.

The School Board Disciplinary Committee may confirm or disapprove the expulsion of a student. If the committee's decision is not unanimous, the pupil or his parent may appeal the committee's decision to the full school board. Such appeal shall be decided by the school board within 30 days.

The Committee confirm or disapproves of proposed expulsions regardless of whether the pupil has exercised the right to a hearing.

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

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

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

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

### **Conduct Giving Rise to Expulsion**

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

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

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

### **Firearms**

The school board shall expel from school attendance for a period of not less than one year any student whom the school board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or the school board may, however, 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 superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this policy do not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

### **Drug Offenses**

The school board shall expel from school attendance any student whom the school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, onto school property or to a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. 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. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

### **C. Procedure for School Board Disciplinary Committee Hearing**

The procedure for the Disciplinary Committee hearing shall be as follows:

- The Disciplinary Committee determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the Disciplinary Committee.
- The Disciplinary Committee may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representative). The Disciplinary Committee may,

at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the Disciplinary Committee may take the testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the Disciplinary Committee determines, in its discretion, that such action is necessary to protect the student witness.

- The parties shall produce such additional evidence as the Disciplinary Committee may deem necessary. The Disciplinary Committee shall be the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, shall be marked and made part of the record.
- The Disciplinary Committee may, by majority vote, uphold, reject or alter the recommendations.
- The Disciplinary Committee transmits its decision, including the reasons therefor, to the student, his parent(s), the principal and superintendent.

Following the decision of the Disciplinary Committee or upon expiration of the appeal period, the student's parent(s) or guardian shall be provided with written notice which includes the following:

- The terms or conditions of re-admission, if any;
- The duration of expulsion;
- A statement declaring whether the student is eligible to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after the expulsion. If neither option applies, a statement that the student may petition the School Board for readmission after one calendar year from the date of his expulsion; and
- The availability of community-based educational, training and intervention programs.

The student or his parent(s) may appeal the Disciplinary Committee's decision to the full School Board only if the decision of the Disciplinary Committee is not unanimous. Otherwise the decision of the Disciplinary Committee is final.

The appeal to the full School Board must be in writing and must be filed with the superintendent within five (5) calendar days of the committee's decision. Failure to file a written appeal within the specified time constitutes a waiver of the right to an appeal. The full School Board decides the appeal upon the record of the case within thirty (30) calendar days of the request for an appeal and communicates its decision in writing to the student and his parent, guardian, or other person having control or charge of the student. Such written notice includes any changes in: (1) the duration of the suspension or expulsion; (2) the availability of community-based educational, training, and intervention programs; and/or (3) eligibility to return to school or attend an alternative education program. No statements, witnesses or evidence may be presented at this appeal unless specifically requested by the Chairman of the Board.

#### **ALTERNATIVE EDUCATION PROGRAM**

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, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
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 pursuant to Va. Code § 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 § 22.1-277.05; or
5. expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code § 22.1-277, to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of school board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil.

#### **REPORTING**

A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the superintendent and to the principal or superintendent's designee on all incidents involving

1. the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
2. the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person, as described by Va. Code §18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
3. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medication;
4. any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
5. the illegal carrying of a firearm as defined in Va. Code §22.1-277.07 onto school property;
6. any illegal conduct involving firebombs, explosive materials or devices or hoax explosive devices, as defined in Va. Code §18.2-85, or explosive or incendiary devices, as defined in Va. Code 18.2-433.1, or chemical bombs, as described in Va. Code 18.2-87.1, on a school bus, on school property, or at a school sponsored activity;
7. any threats or false threats to bomb, as described in Va. Code 18.2-83, made against school personnel or involving school property of school buses;
8. the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor and
9. any illegal possession of weapons, alcohol, drugs, or tobacco products.

B. The superintendent and the principal or principal's designee may receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.

C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.

In submitting reports of such incidents, principals and superintendents shall accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection VII.B. of this policy.

D. The principal or principal's designee notifies the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information concerning other students.

E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent's designee.

F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

#### **RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS**

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

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the NORTHAMPTON COUNTY Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

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

No suspended student is 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 principal's designee determines that re-admission, without parent conference, is appropriate for the student.



If the parent fails to comply with this policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the school board, committee thereof, or superintendent or superintendent's designee, as the case may be at the relevant hearing, the student may re-petition the school board for admission. If the petition for admission is rejected, the school board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the school board for admission.

The school board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the school board for the term of such exclusion.

#### **DISCIPLINING STUDENTS WITH DISABILITIES**

Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

**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.

### ***Early Childhood Student Suspension/Expulsion Guidance***

In light of recent research that indicates that high-quality early learning is a critical first step to creating equity in access to early education and ensuring that all children begin kindergarten with an equal opportunity to learn, the following guidelines are implemented in Northampton schools:

All classrooms shall adhere to the following guiding principles:

1. Principals/Teachers shall communicate clearly the expectations for children and adult behavior in the educational setting.
2. Teachers shall maintain a fair and equitable application of positive behavior management and discipline practices in the educational settings.
3. Teachers shall be provided support and training for the early care and education on positive strategies to manage children's behaviors and the prevention of inappropriate or challenging behavior.

Senate Bill 170 passed by the 2018 Virginia General Assembly amends § 22.1-227.08 of the Code of Virginia to read:

*... "No student in preschool through grade three shall be suspended for more than three school days or expelled from attendance at school, unless, (i) the offense involves physical harm or credible threat of physical harm to others, or, (ii) the local school board or the division superintendent or his designee find that aggravating circumstance exist, as defined by the Department."*

To prevent the suspension or expulsion of young students, the following expectations are outlined:

#### **Teachers**

1. Set up the classroom to support young children's development;
2. Provide a nurturing environment and develop a relationship with every child;
3. Develop routines for classroom transitions;
4. Ensure materials and educational supplies are designed to support learning and are tailored to student ages;
5. Be visible in the classroom and provide clear expectations;
6. Reinforce positive behaviors at a high rate and quickly redirect inappropriate behaviors;
7. Implement effective strategies to redirect a child when exhibiting challenging behaviors; tell the child what to do instead of the challenging behavior; provide support to do it, and opportunities for the child to practice it,
8. Integrate social-emotional learning throughout the entire day, through planned activities in small and large group formats, so that academic and social-emotional development content is addressed;
9. Develop individualized behavior plans to address children's behavior challenges when they occur.

#### **Administrators**

1. Develop and implement the program's positive behavior management policies;
2. Provide resources and professional development to teachers and families on positive behavior management; and
3. Encourage and support teachers as they work to build positive relationships with families to foster open and ongoing communication.
4. Guide the process to ensure that those children who need more intensive social-emotional support through individualized activities and support receive them.

5. Ensure the use of valid assessments of children's social-emotional development to determine a child's areas of need.

### **Central Level Administration/Support**

1. Provide resources and professional development to principals.
2. Support principals as they work to establish procedures and processes to support staff and families.
3. Ensure that teachers and administrators have a solid understanding of trauma-informed care
4. Provide access to universal screening and early childhood mental health consultation.

### **Guidelines for Suspension of Students from Early Childhood Programs**

1. With prevention as the primary goal, suspension in early childhood programs should be **severely limited**.
2. Removing a child from the early childhood setting should involve transition to a more appropriate setting.
3. Expulsion from a publicly-funded early childhood program is not appropriate and shall not be warranted

### **Prevention Practices**

1. Follow the prevention practices outlined above for Teachers and Administrators.
2. Fully engage family members in the ongoing communication and monitoring of the child's behavior.
3. Administrators shall link families to professional services to provide support in addressing the child's needs, (*i.e., challenging behavior - referral to a community mental health facility, a health care professional - if there is an underlying health concern, questions about a possible disability – special education referral*).

### **Required Steps to Prevent and Severely Limit Suspension and Expulsions**

When a child exhibits or engages in challenging behaviors that are not easily resolved through evidence-based practices or seem to be escalating, further attention is warranted to ensure the safety of the child and other children and adults in the class. Teachers and administrators should do the following:

#### **Step 1: Analyze and Understand the Source of the Behavior:**

- Engage the family in a spirit of collaboration regarding how the child's behaviors may be best handled, including discussing appropriate solutions that have worked at home or in other settings.
- Work with the family and the child's primary health provider to assess the health of the child for vision, hearing, and other chronic or underlying illnesses, including social-emotional issues that may impact behavior.
- Together with the family, consider if the child may have a delay or disability and require an evaluation for supports and services through either early intervention (IDEA Part C) or early childhood special education, as well as any other appropriate community-based services (e.g., child mental health clinic) is warranted.
- If abuse or neglect is suspected, then appropriate child protection services must be informed.

- Review the adequacy of the classroom environment, curriculum, and instruction in meeting the developmental and educational needs of the child.
- Gather information about the behavior. Collect information on the events or conditions that typically occur before and after the behavior and on the times, conditions, and individuals present when problem behavior is most versus least likely to occur.
- Precisely define the problem behavior in measurable, observable, and objective terms (e.g., when asked to join the teacher at the center, student throws objects at other students and the teacher and knocks over computer monitors on the counter).
- Review data and information to identify the pattern of events that predicts when and under what circumstances the behavior is most versus least-likely to occur, what is maintaining the behavior, and what the underlying cause of the child's behavior.
- Formulate a statement regarding the likely cause of the problem behavior. The statement relates to what the data suggest the student may be communicating by engaging in a particular behavior.

Using the data gathered in step 1, develop a customized plan for the child. The plan should address the roles of supportive adults (e.g., *teachers, family members, mental health professionals*) in ensuring the child is supported at home and in school to develop positive behaviors. Teachers and administrators should do the following:

**Step 2: Focus on Intervention to Meet the Needs of the Child.**

- Develop a plan of intervention with the family for reducing and eliminating the behavior, in settings where it occurs, that includes one or more strategies to eliminate the problem behavior, one or more strategies to promote a replacement behavior, and any supplementary aids or supports required to address the behavior. Include a timeline and a process for monitoring progress.
- Implement a professional development plan for all teachers, paraprofessionals, and service providers who support the child. Provide information and support to families as well.
- Evaluate the plan and determine if the challenging behavior has been addressed. If so, continue to implement the plan, communicate with the family, and provide strategies for the family to implement at home to support the child's behavior. If the child's behavior continues to be of concern, consider revising the plan and/or refer to the next steps.

**Note:**

In very few cases, *if any*, after all other measures have been taken to prevent and address challenging behaviors, limiting early care and education services, suspending an individual child may be deemed necessary to ensure the safety of other children and adults. Expulsion of a child from a publicly-funded early childhood program is not appropriate and should not be warranted. However, whether a program allows a child to be suspended or expelled is determined by the policy or guidance of a specific program and in accordance with federal and state law.

## Consideration for an Alternative Setting

If the problem behavior **cannot** be resolved through the use of evidence-based practices and due to the seriousness of the problem, an alternate setting may be deemed necessary by program administrators and/or family.

The following behaviors and actions indicate that alternative program options may better meet the needs of the child and ensure the safety of other children and adults in the early care and education settings.

- A. The repeated behavior of the child clearly jeopardizes the physical safety of the child, his/her classmates, or the adults in the classroom.
- B. Possible interventions and supports aimed at providing a physically safe environment for the child, his/her classmates, or the adults in the classroom have been *exhausted*.
- C. Continued placement in this class and/or program clearly fails to meet the mental health and/or social-emotional needs of the child.

### Step 3: Plan for Options and Transitions

- The program administrators should develop a **transition plan** with the family, in consultation with a qualified early childhood mental health consultant, qualified special education staff, or qualified community-based mental health specialist.

The **transition plan** should address the following:

- If applicable, collaboratively identify a different private or publicly funded early care and education program in the community that is better equipped to address the behavioral concerns (e.g., therapeutic preschool programs, Head Start or Early Head Start, prekindergarten programs in the public schools that have access to additional support staff, etc.), or publicly funded supports and services for infants and toddlers with a delay or disability (i.e., early intervention) or preschoolers (i.e., early childhood special education).
- With written parent/guardian permission, the child's primary care provider should be consulted and a referral for a comprehensive assessment by a qualified mental health provider, if available, and the appropriate special education system should be initiated.

### Step 4: Monitor and Evaluate the Transition Plan.

- Administrators should,
  - Develop processes to monitor the implementation of the proposed transition plan for the child,
  - Consult with the child's new setting or placement,
  - Check in with families to assess the new placement, and
  - Collecting data to determine if the placement is continuing to meet the child's needs.
  - Document the specific steps to address the ongoing best interests of the child based on the individual plan or circumstances.

## 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.
18. Students are to conduct themselves on the bus in such a way that will not distract the driver. Distracting the driver puts everyone on the bus at risk.

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-2	Grades 3-6	Grades 7-12
<b>First Offense</b>	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.
<b>Second Offense</b>	1 day	1-5 day suspension from bus transportation.	5 day suspension from bus transportation.
<b>Third Offense</b>	2 days	10 day suspension from bus transportation.	10 day suspension from bus transportation.
<b>Fourth Offense</b>	5 days	1 year suspension from bus transportation - 365 days/Board decision	1 year suspension from bus transportation - 365 days/Board decision
<b>Fifth Offense</b>	10 days		
<b>Sixth Offense</b>	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.

\*\*Acts of fighting, physical aggression, or any other activity that distract the driver's attention from the road may result in a suspension off the bus and a suspension out of school to be imposed consecutively, as approved by Central Office administrators.



## 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

### OTHER CONDUCT WHICH IS SUBVERSIVE TO GOOD ORDER

A student shall not perform any other act which is subversive to good order and discipline in the schools. This includes, but is not limited to, violation of local school rules; violation of state and federal law; involvement in criminal gang-related behavior and/or criminal gang conduct; providing false information to school personnel; unauthorized possession or inappropriate devices and materials; loitering or trespassing, providing false information to or about school personnel, or community misconduct that would be so serious as to pose a threat to the school community.

Any student or student group who aids, abets, encourages, requests, initiates, assist, or has knowledge of any other student or student groups participation in act which violates this Code of Conduct shall be subject to disciplinary action as if the student or student group has actually committed the violation.

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.		[PK-2] [3-12]	S1 1	4 4
Excessive Absences - Excused or unexcused absences, which are felt to adversely affect the student's education.		[PK-2] [3-12]	S1 1	4 4
Skipping/Cutting Class - Failure to report to class without proper permission, knowledge, or excuse by the school, parent, or teacher.		[PK-2] [3-12]	S1 1	5 6 <small>with C/O approval)</small>
Leaving Without Permission - Failure to remain in the classroom, building, or an assigned area as requested by staff.		[PK-2] [3-12]	S1 1	5 6 <small>with C/O approval)</small>
Unauthorized Area - Student shall not be in an unauthorized area of the school without permission.		[PK-2] [3-12]	S1 1	5 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-2	3-6	7-12
	1 <sup>st</sup> Offense	Warning	Warning	Warning
	(Note sent home by an administrator)			
	2 <sup>nd</sup> Offense	1 Day	1-5 Days	5 Days
	3 <sup>rd</sup> Offense	2 Days	10 Days	10 Days
	4 <sup>th</sup> Offense	5 Days	Off the Bus	Off the Bus
	5 <sup>th</sup> Offense	10 Days		
6 <sup>th</sup> Offense	Off the Bus			
See page 23 for complete list of school bus rules and consequences.				

\*C/O Central Office

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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 - 2] [3 - 12]	1 2	S4 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><b>Inappropriate Talking/Noise</b> - Repeated, chronic, or loud talking or unnecessary noise.</p> <p><b>Throwing Objects</b> - Throwing any object inappropriately or throwing an object directly at anyone in any part of the school, bus, or school grounds.</p> <p><b>Horseplaying</b> - 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><b>Teasing</b> - Bothering classmates, wisecracking, name-calling, taunting, mocking. (See Bullying, page 36).</p> <p><b>Refusing to Remain in Seat</b> - Getting out of seat or moving one’s seat without permission.</p> <p><b>Pledge of Allegiance / Moment of Silence</b> - Any conduct that disrupts the recitation of the pledge or moment of silence.</p>	<p>[PK-2] [3-12]</p> <p>[PK-2] [3-12]</p> <p>[PK-2] [3-12]</p> <p>[PK-2] [3-12]</p> <p>[PK-2] [3-5] [6-12]</p> <p>[PK-2] [3-12]</p>	<p>S1 1</p> <p>S1 1</p> <p>S1 1</p> <p>S1 1</p> <p>S1 1 2</p> <p>S1 1</p>	<p>5 5</p> <p>5 5</p> <p>5 6 (with C/O approval)</p> <p>5 5</p> <p>5 3 5</p> <p>5 4</p>

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

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- Level 3 - Administrative Referral
- Level 4 - ISS
- Level 5 - OSS (1-5 Days)

- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term OSS (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

Insubordination (D8C)	Grade	Minimum	Maximum
Students shall comply with any oral or written instructions and requests made by school personnel. Examples of insubordination are: <b>Refusal to Work in Class</b> - includes but is not limited to: Failure to do assigned work in class, putting one's head down, sleeping in class.	[PK-2] [3-12]	S1 1	5 6 <small>(with C/O approval)</small>
Food/Beverages (D8C)	Grade	Minimum	Maximum
Students will not eat in nor carry food to unauthorized areas of school. Parents may bring food to their child only. Only authorized clear water bottles are allowed and are subject to search. (Unauthorized areas may include, but are not limited to hallways, commons area, entrance foyer, restrooms, and classrooms without the teacher's permission.)	[PK-2] [3-12]	S1 1	5 5
Cheating/Plagiarism/Misrepresentation/Inappropriate Possession (S2V, S3V)	Grade	Minimum	Maximum
Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned schoolwork or tests. <b>Cheating</b> 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. <b>Plagiarism</b> is falsely claiming authorship, including copying of language, structure, ideas, and/or thoughts of another and representing it as one's own original work. <b>Falsification</b> includes the verbal or written statement of any untruth, including the production of forgery or use of forged writing or signature. <b>Attempted</b> 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. <b>Stealing/Inappropriate Possession</b> of another person's property.	[PK-2] [3-5] [6-12]  [PK-2] [3-5] [6-12]  [PK-2] [3-5] [6-12]  [PK-2] [3-5] [6-12]  [PK-2] [3-5] [6-12]	S1 1 3  S1 1 3  S1 1 3  S1 1 3	5 5 5  5 5 5  5 5 5  5 5 5
<b>Student will receive a 0 for the assignment.</b>			
Gambling (G1B)	Grade	Minimum	Maximum
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.	[PK-2] [3 - 5] [6 - 12]	S1 1 3	5 5 5

\*C/O - Central Office

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
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- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
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- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (More than 10 Days)
- Level 8 - Expulsion

CATEGORY I OFFENSE

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, blankets and trading cards cannot be used in the classroom.</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 are allowed to possess cell phones on campus. Cell phones must be turned off, stored, and not visible upon entering the school building, during class changes in the hallway, and during instructional periods unless otherwise prescribed by the teacher. Students may use their cell phone during their lunchtime in the cafeteria only. Students may not videotape or record each other or teachers with their cell phone. Students shall not have in their possession during instructional hours a beeper, Personal Digital Assistant (PDA), or other communication devices.</p> <p>Bringing personal items such as these is strictly prohibited and the Division will not assume responsibility for lost or stolen articles.</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-2] [3-5] [6-12]</p>	<p>S1 1 1</p>	<p>5 4 6 <i>(with C/O approval)</i></p>
	<b>If student surrenders device</b>		
	<p>1<sup>st</sup> Offense</p> <p>May pick-up device at the end of the day.</p> <p>4<sup>th</sup> Offense</p> <p>Parent may pick-up device at the end of 30 days.</p>	<p>2<sup>nd</sup> Offense</p> <p>Parent may pick-up device.</p> <p>5<sup>th</sup> Offense</p> <p>Returned to student at the end of the school year.</p>	<p>3<sup>rd</sup> Offense</p> <p>Parent may pick-up device at the end of two weeks.</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-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 6 8 <i>(with C/O approval)</i></p> <p style="text-align: center;"><b>Loss of computer system privileges See pages 43-45</b></p>

\*C/O - Central Office

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
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- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (More than 10 Days)
- Level 8 - Expulsion

## CATEGORY I OFFENSE

Violation of Driving/Parking Rules	Grade	Minimum	Maximum
<b>Violation of Driving/Parking Rules</b> - The failure to comply with or follow established procedures for school parking and driving procedures.  <b>Operation of Motor Vehicles</b> - 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.	[9-12]	3	6 <i>(with C/O approval)</i>
	<i>Loss of driving privileges</i>		
	[PK-2]	S1	5 6 <i>(with C/O approval)</i>
	[3-12]	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
<b>Amorous Behavior</b> - Public display of affection, kissing, walking arm-in-arm.	PK-12	1	7

*\*C/O - Central Office*

*PK-2 Suspensions Require Central Office Approval.*

Level S1 - Verbal Warning/Reprimand

Level S2 - Teacher Intervention

Level S3 - Administrative Warning/Referral to Second Steps/Guidance

Level S4 - CST Referral/Parent Meeting

Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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 OSS

(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

### OTHER CONDUCT WHICH IS SUBVERSIVE TO GOOD ORDER

A student shall not perform any other act which is subversive to good order and discipline in the schools. This includes, but is not limited to, violation of local school rules; violation of state and federal law; involvement in criminal gang-related behavior and/or criminal gang conduct; providing false information to school personnel; unauthorized possession or inappropriate devices and materials; loitering or trespassing, providing false information to or about school personnel, or community misconduct that would be so serious as to pose a threat to the school community.

Any student or student group who aids, abets, encourages, requests, initiates, assist, or has knowledge of any other student or student groups participation in act which violates this Code of Conduct shall be subject to disciplinary action as if the student or student group has actually committed the violation.

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><b>Walking Away</b> - leaving while a staff member is talking to the student.</p> <p><b>Talking Back</b> - verbally responding to staff member in a rude manner.</p> <p><b>Displaying Rude Behavior</b> - physically or verbally displaying behavior that is uncivil, unmannerly, curt or impudent.</p> <p><b>Verbal Abuse</b> - using inappropriate language, gestures student to student.</p> <p><b>Refusing to Identify One's Self Properly</b> - includes using another student's name.</p>	<p>[PK-2]</p> <p>[3-12]</p>	<p>S1</p> <p>1</p>	<p>5</p> <p>6 <i>(with C/O approval)</i></p>
Insubordination (D8C)			
<p>Students shall comply with any oral or written instructions and requests made by school personnel. Examples of insubordination are:</p> <p><b>Defiance of Authority</b> - failure to follow any reasonable request made by a staff member. (D2C)</p> <p><b>Refusal of Detention</b> - failure to report to a detention as directed by staff member.</p> <p><b>Refusal to Participate in In-School Alternatives</b> - failure to report to in-school alternatives as directed by a staff member.</p> <p><b>Refusal to Report to In-School Suspension</b> - failure to report to In-School Suspension as directed by an administrator.</p>	<p>[PK-2]</p> <p>[3-12]</p>	<p>S1</p> <p>1</p>	<p>5</p> <p>6 <i>(with C/O approval)</i></p>

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
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- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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- Level 3 - Administrative Referral
- Level 4 - ISS
- Level 5 - OSS (1-5 Days)

- Level 6 - OSS (6-10 Days)
- Level 7 - Long-Term OSS  
(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.</p> <p>For example:  <b>Restrooms</b> - Being in the restrooms of the opposite sex.</p> <p><b>Obscene Phone Calls</b> - Sexually explicit, suggestive phone calls to students or staff members including electronic messaging.</p>	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 5</p>	<p>5 5 7</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-2] [3-12]</p>	<p>S1 1</p>	<p>5 8</p>
<p>Students must make restitution for vandalism</p>			
Physical Abuse (BU1)	Grade	Minimum	Maximum
<p><b>Physical Abuse</b> - 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 - 2] [3 - 5] [6-12]</p>	<p>3 4 4</p>	<p>6 (with C/O approval) 7 8</p>

\*C/O - Central Office

**PK-2 Suspensions Require Central Office Approval.**

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- Level 8 - Expulsion

CATEGORY II OFFENSE

Profanity/Obscenity (D4C, D6C)			
<p>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.</p> <p><b>Derogatory Written Materials</b> - Writing that conveys a vulgar, profane, obscene, abusive, or sexually suggestive message toward another individual.</p> <p><b>Directed at Another Individual</b> - Writing, saying, or making gestures that convey a vulgar, profane, obscene, abusive, or sexually suggestive message toward another individual.</p> <p><b>Technology</b> - Use of computer technology to convey an offensive message or obtain offensive materials.</p> <p><b>Obscene/Offensive Materials</b> - Possession of any materials which include nude photos, sexually explicit photos, or sexually suggestive materials, vulgar language, or offensive statements. (D4C)</p>	<p><b>Abusive and insulting language toward school personnel will be reported to police.</b></p>		
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 7</p>
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 7</p>
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 6 <small>(with C/O approval)</small></p>
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 7</p>
Posturing	Grade	Minimum	Maximum
<p>Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited:</p> <p><b>Posturing to Fight</b> - Conveying by threats, gestures, stance, raising fists, etc., the intention to fight.</p> <p><b>Incitement/Instigation</b> - Actions, comments, or written messages intended to cause others to fight or which may result in a fight is considered incitement or instigation.</p>			
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 6 <small>(with C/O approval)</small></p>
	<p>[PK-2] [3-5] [6-12]</p>	<p>S1 1 3</p>	<p>5 5 8</p>

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (More than 10 Days)
- Level 8 - Expulsion

## CATEGORY II OFFENSE

Trespassing (TR1)	Grade	Minimum	Maximum
Students and home school students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.			
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 to include any school event on or off Northampton County Public Schools property.	[PK-2] [3-12]	S1 3	5 8
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.	[PK-2] [3-5] [6-12]	S1 1 3	5 4 5
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.	[PK-2] [3-5] [6-12]	S1 2 3	5 5 7
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.	[PK-2] [3-5] [6-12]	S1 1 3	5 4 5
Tobacco (Personal Use/Possession) (TB1, T4B)	Grade	Minimum	Maximum
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)	[PK-2] [3-12]	S1 3	5 6
Incendiary Devices	Grade	Minimum	Maximum
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.	[PK-2] [3-5] [6-12]	S1 3 4	5 5 7
Electronic Cigarettes	Grade	Minimum	Maximum
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.	[PK-3] [3-5] [6-12]	S1 3 4	5 5 7

**PK-2 Suspensions Require Central Office Approval.**

Level S1 - Verbal Warning/Reprimand

Level S2 - Teacher Intervention

Level S3 - Administrative Warning/Referral to Second Steps/Guidance

Level S4 - CST Referral/Parent Meeting

Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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 OSS

(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**

Body Piercing  
 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

### OTHER CONDUCT WHICH IS SUBVERSIVE TO GOOD ORDER

A student shall not perform any other act which is subversive to good order and discipline in the schools. This includes, but is not limited to, violation of local school rules; violation of state and federal law; involvement in criminal gang-related behavior and/or criminal gang conduct; providing false information to school personnel; unauthorized possession or inappropriate devices and materials; loitering or trespassing, providing false information to or about school personnel, or community misconduct that would be so serious as to pose a threat to the school community.

Any student or student group who aids, abets, encourages, requests, initiates, assist, or has knowledge of any other student or student groups participation in act which violates this Code of Conduct shall be subject to disciplinary action as if the student or student group has actually committed the violation.

**CATEGORY III OFFENSE**

Grades PK-5			Grades 6-12 1 <sup>st</sup> Offense	Grades 6-12 2 <sup>nd</sup> Offense
Grade	Minimum	Maximum	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 1-3 days Out-of-School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension with recommendation for long term suspension or expulsion (with C/O approval)</li> </ul>
[PK-2] [3-5]	S1 3	5 6 <i>(with C/O approval)</i>		

**Extortion/Attempted Extortion (EX1)**

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)  
**Requires report to police**

1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 7-10 days Out-of-School Suspension (with C/O approval)</li> <li>• Restitution</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension (with C/O approval)</li> <li>• Restitution</li> <li>• Recommendation for long-term suspension or expulsion</li> </ul>

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (More than 10 Days)
- Level 8 - Expulsion

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 <sup>st</sup> Offense	Grades 6-12 2 <sup>nd</sup> Offense
Grade	Minimum	Maximum		
[PK-2] [3-5]	S1 3	5 6 <i>(with C/O approval)</i>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification to the offender</li> <li>• <i>Parent/Guardian notification to any student involved in an alleged incident of bullying of the status of any investigation within 5 days of the allegation of bullying.</i></li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 3-10 days Out-of-School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification to the offender</li> <li>• <i>Parent/Guardian notification to any student involved in an alleged incident of bullying of the status of any investigation within 5 days of the allegation of bullying.</i></li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension with recommendation for long term suspension or expulsion <i>(with C/O approval)</i></li> </ul>

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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 <sup>st</sup> Offense	Grades 7-8 2 <sup>nd</sup> Offense
<b>Fighting</b>			<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 3-10 days Out-of-School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 5-10 days Out-of-School</li> </ul>
Grade	Minimum	Maximum		
[PK-2]	S1	5		
[3-6]	5	8		

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

**May require report to police.**

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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

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

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion



CATEGORY III OFFENSE

<b>Inciting a Riot (RT1)</b>	
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 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
<ul style="list-style-type: none"> <li>Parent or Guardian notification</li> <li>Written notice mailed home</li> <li>Parent Conference</li> <li>7 days Out-of-School Suspension <small>(with C/O approval)</small></li> </ul>	<ul style="list-style-type: none"> <li>Parent or Guardian notification</li> <li>Written notice mailed home</li> <li>Parent Conference</li> <li>10 days Out-of-School Suspension with recommendation for long-term suspension or expulsion <small>(with C/O approval)</small></li> </ul>
<b>Incident may be reported to the police.</b>	

<b>Tobacco (TB1, T4B)</b>	
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 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
<ul style="list-style-type: none"> <li>Parent or Guardian notification</li> <li>Written notice mailed home</li> <li>Parent Conference</li> <li>7 days Out-of-School Suspension <small>(with C/O approval)</small></li> <li>Confiscate the product</li> </ul>	<ul style="list-style-type: none"> <li>Parent or Guardian notification</li> <li>Written notice mailed home</li> <li>Parent Conference</li> <li>10 days Out-of-School Suspension <small>(with C/O approval)</small></li> <li>Recommendation for long-term suspension or expulsion</li> <li>Confiscate the product</li> </ul>

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

**Theft/Attempted Theft (Stealing) (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:

**Possession of Stolen Property** - Having in one’s possession property obtained without the permission of the owner. (TF4)  
 Motor Vehicle - (TF6)

**Student Property** - Unlawfully taking and/or carrying away property belonging to another student. (TF3)

**Staff Property** - Unlawfully taking and/or carrying away property belonging to a staff member. (TF2)

**School Property** - Unlawfully taking and/or carrying away property belonging to Northampton County Public Schools. (TF1)

**Student Locker** - Removing any property from a locker other than the one assigned.

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

**Requires report to the police.**

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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 <sup>st</sup> Offense	Grades 6-12 2 <sup>nd</sup> Offense
Grade	Minimum	Maximum	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Parent Conference</li> <li>• Written notice mailed home</li> <li>• 5-10 days Out-of-School Suspension <i>(with C/O approval)</i></li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Parent Conference</li> <li>• Written notice mailed home</li> <li>• 10 days Out-of-School Suspension <i>(with C/O approval)</i></li> <li>• Recommendation for long-term suspension or expulsion</li> </ul>
[PK-2]	S1	5		
[3-5]	1	6 <i>(with C/O approval)</i>		

**Requires report to police.**

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion

CATEGORY III OFFENSE

False Allegations Against Staff	Grade	Minimum	Maximum
Any knowingly or recklessly false allegation against a staff member, written, spoken, or otherwise communicated which jeopardize the professional reputation, employment, or professional certification of a staff member, or which may impede the ability of the staff member to perform assigned duties.	[PK-2] [3-12]	S1 3	S5 8

*\*Communication with law enforcement as needed and deemed appropriate*

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 <sup>st</sup> Offense	2nd Offense
<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 5-10 days Out-of-School Suspension (with C/O approval)</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension (with C/O approval)</li> <li>• Recommendation for long term suspension or expulsion</li> </ul>

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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**

**1<sup>st</sup> Offense**

**2<sup>nd</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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

### OTHER CONDUCT WHICH IS SUBVERSIVE TO GOOD ORDER

A student shall not perform any other act which is subversive to good order and discipline in the schools. This includes, but is not limited to, violation of local school rules; violation of state and federal law; involvement in criminal gang-related behavior and/or criminal gang conduct; providing false information to school personnel; unauthorized possession or inappropriate devices and materials; loitering or trespassing, providing false information to or about school personnel, or community misconduct that would be so serious as to pose a threat to the school community.

Any student or student group who aids, abets, encourages, requests, initiates, assist, or has knowledge of any other student or student groups participation in act which violates this Code of Conduct shall be subject to disciplinary action as if the student or student group has actually committed the violation.

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**

1<sup>st</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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**

**1<sup>st</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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**

**1<sup>st</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

<b>Vandalism (VA1)</b>	
<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><b>Students must make restitution for vandalism</b></p>	
<b>1<sup>st</sup> Offense</b>	
<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension <small>(with C/O approval)</small></li> <li>• Restitution</li> <li>• Recommendation for long-term suspension or expulsion</li> </ul>	
<p><b>Requires report to police.</b></p>	

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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-2 1 <sup>st</sup> Offense	Grades 3-12 1 <sup>st</sup> Offense
<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• 5 days Out-of-School Suspension <i>with Recommendation for consideration for long term suspension or expulsion</i></li> <li>• Referral to Department of Social Services</li> </ul>	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• 10 days Out-of-School Suspension <i>(with C/O approval)</i></li> <li>• Recommendation for long term suspension or Expulsion</li> </ul>

**Requires report to police.**

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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.**

- 1<sup>st</sup> 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.

- 1<sup>st</sup> 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**

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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><b>1<sup>st</sup> Offense</b></p> <ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension <i>(with C/O approval)</i></li> <li>• Recommendation for long term suspension or expulsion</li> <li>• Report to police</li> </ul>
<p><b>Requires report to police</b></p>

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(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><b>Requires report to police</b></p>
<b>1<sup>st</sup> Offense</b>
<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension <i>(with C/O approval)</i></li> <li>• Restitution</li> <li>• Recommendation for long-term suspension or expulsion</li> </ul>

*\*C/O - Central Office*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion

## CATEGORY IV OFFENSE

**Possession/Use/Sale of Alcohol, Drugs or Drug Paraphernalia, Medication Prescribed or over the Counter (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. Students may not sell items of any type to any other student(s). (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****1<sup>st</sup> 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*

**PK-2 Suspensions Require Central Office Approval.**

Level S1 - Verbal Warning/Reprimand

Level S2 - Teacher Intervention

Level S3 - Administrative Warning/Referral to Second Steps/Guidance

Level S4 - CST Referral/Parent Meeting

Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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 OSS  
(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**

1<sup>st</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
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- 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 OSS  
(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 <sup>st</sup> Offense			Grades 3-12 1 <sup>st</sup> Offense
Grade	Minimum	Maximum	
[PK-2]	S1	5	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension (with C/O approval)</li> <li>• Recommendation for long term suspension or expulsion</li> <li>• Report to police</li> </ul>

**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**

**1<sup>st</sup> 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**

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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**

**1<sup>st</sup> 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*

***PK-2 Suspensions Require Central Office Approval.***

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS  
(More than 10 Days)
- Level 8 - Expulsion

CATEGORY IV OFFENSE

**Sexual Offenses (SB1, SB2, SB8, SX8)**

Students will not engage in sexual 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-2 1 <sup>st</sup> Offense			Grades 3-12 1 <sup>st</sup> Offense
Grade	Minimum	Maximum	
[PK-2]	S1	8	<ul style="list-style-type: none"> <li>• Parent or Guardian notification</li> <li>• Written notice mailed home</li> <li>• Parent Conference</li> <li>• 10 days Out-of-School Suspension (with C/O approval)</li> <li>• Recommendation for long-term suspension or expulsion</li> <li>• Report to police</li> </ul>
<ul style="list-style-type: none"> <li>• Report to Department of Social Services</li> </ul>			

*\*C/O - Central Office*

**PK-2 Suspensions Require Central Office Approval.**

- Level S1 - Verbal Warning/Reprimand
- Level S2 - Teacher Intervention
- Level S3 - Administrative Warning/Referral to Second Steps/Guidance
- Level S4 - CST Referral/Parent Meeting
- Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

- 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 OSS (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**

***PK-2 Suspensions Require Central Office Approval.***

Level S1 - Verbal Warning/Reprimand

Level S2 - Teacher Intervention

Level S3 - Administrative Warning/Referral to Second Steps/Guidance

Level S4 - CST Referral/Parent Meeting

Level S5 - Functional Behavior Assessment/Behavior Intervention Plan

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 OSS  
(More than 10 Days)

Level 8 - Expulsion

## DISCIPLINING STUDENTS WITH DISABILITIES

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

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

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

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

If the disciplinary action will result in a long term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

### II. Short-Term Suspensions

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

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

No MDR or IEP meeting is required for a short term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

### III. Functional Behavior Assessments and Behavior Intervention Plans

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

File: JGDA

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and a 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 made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals.

If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

#### **IV. Educational Services While Disciplined**

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

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

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

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

#### **V. Manifestation Determination Review**

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

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

- 1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and
- 2) determines that:
  - (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
  - (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

#### **VI. Disciplinary Action Following an MDR Determination that there is NO 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 students without disabilities. 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 Following MDR Determination that there is 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 through the IEP process. The IEP team must conduct or review an FBA and/or BIP as provided in Section III.

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

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

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

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

## **IX. Change of Placement by Hearing Officer**

In addition to the other options for removal, a hearing officer through an expedited due process hearing requested by the school division, 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 appropriate.

## **X. Placement During Appeals**

During the course of any appeals, the student's placement shall be in accordance with the provisions of state and federal law unless the parent and the school division agree otherwise. Students with disabilities are also entitled to the due process rights available to a non-disabled student who is subject to discipline. 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.

## **XI. Students Not Yet 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, one of the following 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; 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 that suggests the presence of a disability.

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 initial evaluation is made during the period a 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. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities which placement can include suspension or expulsion without services.

## **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.

## **XIII. Reporting of Crimes**

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

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

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File: JFG

## SEARCH AND SEIZURE

A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission. 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 belongings, 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.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property,. Searches 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.

All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be:

1. justified at its inception and
2. reasonably related in scope to the circumstances justifying the search.

An individual search is justified at its inception when a school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonable in scope when it is reasonably related to the objectives of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

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 an adult witness of the same sex present.

Strip searches involve an extreme intrusion into the rights of a student and may only be conducted when an extremely serious situation exists requiring immediate action because of an 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 superintendent's designee, unless the health or safety of the student is endangered by the delay.

### LOCKER AND DESK SEARCHES

Student lockers and desks 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 and desks 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.

## **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 and in accordance with Policy IIBEA Acceptable Computer System Use. 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.

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Legal Refs.: New Jersey v. T.L.O., 469 U.S. 325 (1985).

Constitution of the United States, Amendment IV.

Constitution of Virginia, Article I, § 10.

Code of Virginia, 1950, as amended, § 22.1-279.7.

Virginia School Search Resource Guide (Virginia Department of Education Oct. 2000).

### **Cross Refs.:**

CLA	Reporting Acts of Violence and Substance Abuse
EGAA	Reproduction and Use of Copyrighted Materials
GAB/IIBEA	Acceptable Computer System Use
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JFCD	Weapons in School
JFCF	Drugs in School
KNAJ	Relations with Law Enforcement Authorities

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.”

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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

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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.

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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

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## 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, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart phones, 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. **Unacceptable Use.**

- 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, bullying, or coercing others.
- threatening illegal or immoral acts.

4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:

- be polite.
- users shall not forge, intercept or interfere with electronic mail messages.
- use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
- users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
- users shall respect the computer system's resource limits.
- users shall not post chain letters or download large files.
- users shall not use the computer system to disrupt others.
- users shall not modify or delete data owned by others.

5. **Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs, or damages incurred by the School Board relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

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

**8. Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.

**9. Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. All electronic mail may be archived. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users may be held responsible and personally liable for the content of any electronic message they create or that is created under their account or password. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

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

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Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

Guidelines and Resources for Internet Safety in Schools, Virginia Department of Education (Second Edition October 2007)

Cross Refs:

GCPD Professional Staff Members: Contract Status and Discipline

GDPD Support Staff Members: Contract Status and Discipline

JFC Student ConductJFC-R Standards of Student Conduct



## 1:1 & MOBILE LAB EXPECTATIONS

All NCPS students have access to a computer either through the 1:1 program (Northampton Middle and High School), a mobile cart or computer lab (Occohannock and Kiptopeke Elementary Schools). Students are expected to follow the expectations listed below:

- To keep the device in good working order by following the *Mobile Lab* or *1:1 Handbook* guidelines, which are found on [www.ncpsk12.com](http://www.ncpsk12.com)
- Use the established Trouble Ticket Procedure to report any problems or malfunctions with the NCPS device assigned to you.
- To report promptly to the Instructional Technology Department any theft of, vandalism of, or damage to the NCPS device assigned to you
- To use the assigned device for school related activities only and not to lend the assigned device to anyone else.
- To pay the cost of repairing the device if, in the judgement of the Director of Instructional Technology, the repairs are not the result of normal wear and tear.
- To return the repaired device to the Instructional Technology Department no later than the last teacher workday of the current school year, or upon request of the Instructional Technology Department, or immediately upon leaving Northampton County Public Schools.
- To secure the named device in such a way as to prevent damage to and/or theft of the named device when I am not where the device is being used, or when school is not in session.

## 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)

## 1:1 & MOBILE LAB AGREEMENT

### STUDENT USER

I \_\_\_\_\_ understand and will abide by the guidelines in the *Mobile Lab or 1:1 Handbook*, which are found on [www.ncpsk12.com](http://www.ncpsk12.com). I further understand that any violation of the regulations listed is unethical and in some instances may constitute a criminal offense. If I commit any violation, my access privileges may be revoked, and if school behavior codes are involved or laws broken, school disciplinary and/or appropriate legal actions may be taken.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

### PARENT/GUARDIAN

As the parent/guardian of \_\_\_\_\_, I have read the guidelines in the *Mobile Lab or 1:1 Handbook*, which are posted on [www.ncpsk12.com](http://www.ncpsk12.com). I understand that my students' assigned device is for educational purposes only and that NCPS will monitor the use of this device and its use on the Internet. However, I recognize that it is impossible for NCPS to restrict access to all controversial materials and I will not hold the school system responsible for any vandalism that my child should commit on the Internet or for my child's failure to comply with the Terms and Conditions. I hereby give permission for my child to use the Internet and assigned computer for educational purposes.

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Name (Please Print) \_\_\_\_\_

**STATEMENT OF RECEIPT OF  
2019-2020 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)**  
**Ms. Fay Joyner (Assistant Principal)**  
(757) 678-5151 ext. 6100  
24023 Fairview Rd.  
Cape Charles, VA 23310

Occohannock Elementary  
Grades: PK-06

**Dr. Shirley Auguste (Principal)**  
**TBD (Assistant Principal)**  
(757) 678-5151 ext. 8100  
4208 Seaside Rd.  
Exmore, VA 23350

**Middle School**

Northampton Middle  
Grades: 07-08

**Mr. Ron Yorko (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)**  
**Dr. Charles King (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)**  
**TBD (Teacher)**  
(757) 678-5151 ext. 2005  
7207 Young Street  
Machipongo, VA 23405