

Code of Student Conduct

A Partnership in Responsibility

Administrators, Parents, School Board, Students, Superintendent, Teachers

Dear Parents and Guardians:

Welcome to the 2020-21 school year! As I write this, we are still navigating some uncertainty as to how exactly the educational environment will look. Regardless of that picture, I assure you that your child will be provided with new experiences, a devoted group of educators and an exciting, challenging academic program.

So that our schools and classrooms are places where all children can be successful, we must ensure they are safe and orderly. And in the era of COVID-19, the “classroom” can mean school buildings or family kitchens and living rooms. Combine that with social media and other technologies, schools can be affected far beyond physical buildings, and well before or after school hours. Consequently, everyone - from our administrators and teachers to our students and families - must partner together in this effort.

That is why I encourage you and your child to read carefully through this *Code of Student Conduct* document, which serves as a necessary resource for our families. The *Code of Student Conduct* outlines our School Board policies and expectations for student conduct - whether that be in the classroom, via a lesson conducted virtually, on the bus or at any school-related activities. It is important to understand that anyone who causes a disruption to our school day as described in this document, whether they are physically in a school building or not, will face disciplinary action as outlined in our code.

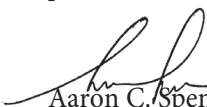
Cell phones are part of everyday life, and while they are currently allowed in our classrooms, we need to ensure they are not a distraction from learning. Please be aware that allowable use of cell phones is up to individual schools and sometimes teachers within those schools, and that the administration at each school will determine which, if any, locations other than the classroom setting that cell phones can be used during the instructional day.

We also encourage you to talk with your child about what it means to be a responsible digital citizen. Students need to understand that social media posts have the potential to exist forever, regardless of whether they are deleted or not, and that their impact can be life-altering. For example, colleges and employers now routinely conduct social media searches on applicants, and inappropriate use of social media can even cost students their scholarships to college. Also, relative to the *Code of Student Conduct*, please help your child understand that threats shared on social media are taken seriously, and could end in a range of disciplinary actions, including expulsion from school, as well as potential legal action.

I thank you in advance for your willingness to work with us in creating the best and most productive school environment possible, regardless of where the learning may happen. Please consider reading and discussing this *Code of Student Conduct* as a family and following these behavioral guidelines. Afterward, please sign, date, and return the Parent Acknowledgement Form to your child’s school by September 18, 2020.

In addition, please note that the *Code of Student Conduct* is always available on vbschools.com, under the “Students” tab on the homepage.

On behalf of our School Board, our principals, teachers, food service staff, bus drivers, and everyone here at VBSchools, we thank you for your support and extend our best wishes for a school year that is safe and productive for your family.



Aaron C. Spence, Ed.D.
Superintendent

CODE OF STUDENT CONDUCT OVERVIEW

Virginia Beach City Public Schools is committed to creating safe, supportive learning environments for all students. As a part of that commitment, the *Code of Student Conduct* is provided in order to outline major categories of behavior and state disciplinary actions that may occur as a result of student misconduct. In addition, a multi-tiered system of supports is utilized districtwide with a focus on teaching expectations for behavior, reinforcing positive behavior and addressing inappropriate behavior with interventions and disciplinary consequences. When enforcing the *Code of Student Conduct*, students and their property (including privately owned electronic devices) may be searched and/or an impairment assessment completed if there is reasonable suspicion that a law or school rule has been or is about to be broken. School staff may question or interview minor students regarding violations of the *Code of Student Conduct* and criminal matters without the consent or presence of parents or legal guardians. Metal detectors and other types of surveillance equipment will be used in the schools and at school activities for both random searches and where reasonable suspicion to search is present. Police dogs will be used on school property to detect the presences of weapons, drugs, and/or other contraband. Depending on the infraction, appropriate legal charges can be pressed against a student. Section 16.1-269.1 of the Code of Virginia permits juveniles, 14 years of age or older at the time of an alleged offense, to be prosecuted as adults for specific crimes under certain circumstances.

Parental Responsibility and Involvement: Each parent of a student enrolled in a public school in Virginia Beach has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere which is free of disruption and threat to persons or property. Parents are to be supportive of individual rights, and to pay all fees and charges levied against their children by the Virginia Beach City Public Schools, including costs associated with damage to or loss of books and other school property. [Section 22.1-279.3 of the Code of Virginia]

Faculty/Staff Responsibilities: Teachers handle the major portion of student discipline through their system of classroom management. However, teachers will refer a student for misconduct when the situation warrants. In Virginia Beach, each public school has in place a referral system for student discipline. The administrator is responsible for addressing the student's behavior after the teacher referral. The Office of Student Leadership provides administrative support for presentation of discipline cases to hearings before discipline hearing officers, School Board discipline committees, and appeals to the School Board.

School Board Policies and Regulations can be accessed via our website at vbschools.com and in each school library.

DISCIPLINARY ACTION LEVELS

The following summarizes the levels of disciplinary action which shall be enforced by school personnel with students who are in violation of school rules, *Code of Student Conduct*, *School Board Bylaws, Policies, Division Regulations*, the *Discipline Guidelines*, and/or local, state, or federal laws.

LEVEL 1 - Verbal Warning/Reprimand

The teacher/staff member will tell/remind the student not to engage in inappropriate behavior or give the student a reminder of the rule.

LEVEL 2 - Conference

Staff members may conduct a conference with the student, parent, or both.

LEVEL 3 - Intervention

Staff members may use one of the following interventions: **Referral** to school counselor, psychologist, social worker, or other; **Time-out**, the temporary removal of a student from class; **Detention**, detaining a student for disciplinary reasons before or after school hours; **Student Response Team**, a meeting of school personnel and others to consider the behavior of the student and make recommendations for improvement; **Behavioral Contract**, a written agreement between the student/parent/guardian and school listing requirements for improvement; **Restriction**, the temporary denial of the student's right to participate in designated activities; **Confiscation**, temporary possession of personal property; **Saturday School**, Session, not to exceed three hours, served on Saturday morning with permission of the parent/guardian; **Afternoon/Evening School**, Session, not to exceed three hours, served after school or in the evening with the permission of the parent/guardian; **Probation**, a written agreement with the student for a defined period of good behavior in lieu of suspension; **Mediation**, a restorative process for resolving conflicts. Mediation provides an opportunity for

willing participants to problem-solve and take responsibility for their actions in a collaborative effort. This process follows a structured protocol and is facilitated by a trained mediator; **Written Communication**, a letter, progress report, or other communication, sent to the parent/guardian; **Bus Discipline**, temporary removal or loss of bus privileges; and **Community Service**, an approved duty or activity meant to make restitution for actions and/or benefit both the student's personal growth and the school community.

LEVEL 4 - Suspension (In-School up to 3 Days) (Choices Program - Secondary) [School Board Regulation 5-21.2]

A student may be given in-school suspension (ISS) for up to three days. In ISS, a student is assigned to a classroom for the day and given work to do by qualified school personnel serving as the school's ISS coordinator. Students are then given an excused absence for all classes missed while in ISS. Refusal to attend ISS will result in out-of-school suspension (OSS) until the ISS is served.

The principal, parent/guardian, hearing officer, or School Board Discipline Committee may initiate the placement to the Choices Program as an alternative to suspension. The principal/assistant principal meets with the parent/guardian and the student to review the requirements of the Choices program to determine the acceptance of the responsibilities of this placement.

LEVEL 5 - Suspension (Out-of-School 1-5 Days) (Choices Program - Secondary) [School Board Regulation 5-21.1, B]

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for a period up to five days for engaging in prohibited conduct as outlined in the *Code of Student Conduct*. The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement. Any student who is under out-of-school suspension (OSS) and is also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. A student who is under the penalty of OSS will be provided class work and homework material, if requested by the parent and/or student, so the student may remain current with school instruction as long as enrolled in school.

LEVEL 6 - Suspension (Out-of-School 6-10 Days) (Referral to Office of Student Leadership) [School Board Regulation 5-21.1, B]

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for six to ten days with the approval of the Director of the Office of Student Leadership for engaging in prohibited conduct as outlined in the *Code of Student Conduct*.

The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement.

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DISCIPLINARY ACTION LEVELS *continued*

Any student who is under OSS and also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. A student who is under the penalty of OSS will be provided class work and homework material, if requested by the parent and/or student, so the student may remain current with school instruction as long as enrolled in school.

The principal may suspend the student and refer the student to the Office of Student Leadership for a Corrective Action Plan (CAP). The student and parent will meet with the Coordinator of Student Conduct/Services. The parent must contact the Office of Student Leadership to set up an appointment.

LEVEL 7 - Suspension (Out-of-School Over 10 Days) [School Board Regulation 5-21.1, D]

A student can be suspended for more than ten days following a hearing before a hearing officer designated by the superintendent or designee. For certain offenses or habitual offenses, a student may be suspended for the remainder of the semester, the rest of the school year, or for a calendar year. It may be determined that transfer to another school serves the best interest of the student and the school.

In the case of a recommendation for long-term suspension, the Director of the Office of Student Leadership shall arrange a time and place for the hearing before the hearing officer and notify the parent/guardian and the principal.

The student will remain on out-of-school suspension pending the hearing and written decision of the hearing officer. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The student will be provided class work and homework material, if requested by the parent and/or student, so the student may remain current with school instruction as long as enrolled in school.

LEVEL 8 - Expulsion [School Board Regulation 5-21.1, D]

A student can be expelled only by action of the school board or a discipline committee of the school board based upon recommendation of the principal and the superintendent or his/her designee. Expulsion from school excludes the student from regular school attendance until readmission by the School Board or a discipline committee of the School Board.

In the case of a recommendation for expulsion by the principal, the Director of the Office of Student Leadership shall review the recommendation, which he/she may uphold or modify. If the Director of the Office of Student Leadership upholds the recommendation of expulsion, he/she shall notify the student and his/her parent/guardian of the time and place of a hearing before a discipline committee of the school board. A hearing shall be held before the discipline committee within ten school days of the date of notice from the principal or acting principal. If the decision of the three-member committee to uphold the expulsion is unanimous, there is no right of appeal of this decision. If, however, the decision of the committee is not unanimous, the student and his/her parent(s)/guardian(s) may appeal the decision to the full School Board.

The student will remain on out-of-school suspension pending the hearing and written decision of the hearing officer or discipline committee of the school board. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The student will be provided class work and homework material, if requested by the parent and/or student, so the student may remain current with school instruction as long as enrolled in school.

DUE PROCESS [School Board Policy 5-36, B.]

With the requirements of fair and equitable treatment of all students and within the guidelines of the federal judiciary, the following shall constitute the minimum due process procedures to be followed in the detention, suspension, and expulsion of students:

1. The student shall be given written notice of the charges against him/her.
2. If he/she denies the charges, he/she must be given an explanation of the facts as known to school personnel and an opportunity to present his/her version of what occurred.
3. The student shall be informed of the conditions of the disciplinary action.
4. In the case of a suspension of more than 10 days or the case of an expulsion:
 - a. The officer, committee, or school board which hears the case must be impartial; and
 - b. The disciplinary decision must be based on evidence presented at the hearing in the presence of both parties. If the student and parent(s)/legal guardian(s) fail to appear, the hearing may be held in their absence.
 - c. A parent/guardian will be notified about the existence of community-based educational, training, and interventional programs. The cost for participation in those programs not offered by the school division is borne by the parent/guardian of the student.
5. The parent or guardian of a student or the student, if eighteen years or older, may appeal the decision as provided in School Board Policy 5-21 or 5-6 as appropriate.

If the principal or his/her designee determines that the student's presence at school creates a continuing danger to persons or property or an ongoing threat of disruption, the student may be removed from school immediately.

PROHIBITED CONDUCT

Students are subject to the *Code of Student Conduct* while on school property, while engaged in or attending a school activity, or while going to or returning home from school including while at bus stops and while riding the bus. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects the educational environment. [S. B. Policy 5-1, S. B. Policy 5-21, A., and S. B. Policy 5-35, A.]

Students may be suspended or expelled from attendance at school for sufficient cause. Prohibited conduct is any behavior incompatible with the school environment and good citizenship and includes, but is not limited to, the following:

1. **Attendance:** Tardiness, truancy, excessive absences, skipping, being in an unauthorized area and leaving the classroom, building, or assigned area without permission. [S. B. Policy 5-11 and 5-17/S. B. Reg. 5-11.1 and 5-17.1/Rule 1]
2. **Food/Beverages:** A student will not eat in nor carry food to unauthorized areas of school. [School Handbook/Rule 2]
3. **Cheating/Plagiarism/Misrepresentation:** Students are expected to perform honestly through the production of their own work and refrain from verbal or written falsification. [S. B. Reg. 5-34.2/Rule 3]

PROHIBITED CONDUCT *continued*

4. **Inappropriate Property:** The unauthorized possession or use of any type of personal property, which disrupts the educational process, is prohibited. Specifically prohibited are electronic devices when they are not authorized or being used for academic purposes (including cell phones), lighters, and other items deemed inappropriate. For specific information related to cell phones see S. B. Policy 3-65 and the *Student/Parent Guidelines for use of a Privately Owned Electronic Device* (accessible on vbschools.com). [Rule 4]
5. **Student Dress:** All students are expected to wear dress appropriate to the occasion; extreme or ostentatious apparel or appearance is to be avoided. Any article of clothing or accessory which advertises alcohol, or an illegal substance, depicts lewd graphics, displays offensive or obscene language, or is gang-related is forbidden. Dress standards shall be set by principals. Students and parents are to be advised of these standards, by letter, or other appropriate means, prior to the opening of school. Decisions regarding the appropriateness of clothing, footwear and accessories will be made by the principal or a designee. Items initially deemed inappropriate may be brought to the student's or the parent's attention for corrective action. Subsequent violations of the dress code will subject the student to suspension from school. The principal or his/her designee reserves the right to take appropriate disciplinary action with regard to any first time offense. 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, or tattoo, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior. [S. B. Policy 5-41/Rule 5]
6. **Disruption:** Any disruption, which interrupts or interferes with teaching or orderly conduct of school activities, is prohibited. Conduct, which by its nature is so extreme or offensive that it negatively impacts the school or places the student at risk either physically or educationally, will also constitute disruption. [S. B. Policy 5-2 and 5-38/Rule 6]
7. **Disrespectful Behavior:** A student will behave in a respectful manner toward teachers/staff and other students. Examples of disrespectful behavior are: walking away, talking back, refusing to identify self properly, rude behavior, spitting, and challenging authority. [S. B. Reg. 5-36.3/Rule 7]
8. **Insubordination:** A student will obey the directions of any staff member. Examples of insubordination are: failure to comply with direction or instruction of a staff member, refusal to work in class, refusal of detention, refusal to participate during in-school alternatives, and refusal to report to in-school suspension. [S. B. Policy 5-2, 5-21 and 5-38/Rule 8]
9. **Profanity/Obscenity:** Use of language, gestures or conduct that is vulgar, profane, obscene, abusive, demeaning, or disruptive to teaching or learning is prohibited. Possession of offensive materials such as nude photographs or pornographic videos as well as clothing or adornments that convey violent or sexually suggestive messages or offensive statements toward others is prohibited. [S. B. Reg. 5-36.3, C., and 5-36.9/Rule 9]
10. **Trespassing:** Students, patrons, and school personnel are expected to have appropriate authorization to be on school board property (to include vehicles, buildings and grounds). [S. B. Reg. 5-36.5 and 5-37.1/Rule 10]
11. **Unauthorized Use of Computer Technology:** Any student who fails to comply with the terms of this policy or the regulation developed by the superintendent may lose system privileges, and students may be disciplined in accordance with the *Code of Student Conduct* or other school board policies and division regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of this policy or regulation. See Acceptable Use Policy (Computer Systems) on page 5. [S. B. Reg. 5-36.9, 6-62.1 and 6-64.1/ S. B. Policy 6-62 and 6-64/Rule 11]
12. **Gambling:** A student will not play games of skill or chance for money or property or be present at the scene of gambling. [S. B. Reg. 5-37.1/Rule 13]
13. **Fighting/Aggression:** Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited: two or more parties striking each other for the purpose of causing bodily harm, threatening, posturing to fight, incitement/instigation, physical abuse, gang activity, bullying and cyberbullying. Recording fights and spitting on another individual are considered incitement. A student who is assaulted and retaliates by hitting, kicking, or any other physical means, may be disciplined for fighting. Students who haze or otherwise mistreat another student so as to cause bodily injury shall be immediately suspended from school. [S. B. Reg. 5-36.1, 5-36.3 and 5-37.1/Rule 14]
14. **Improper Vehicle Use:** Elementary and middle school students may not drive any motorized vehicle to or from school. Subject to availability of parking spaces, high school students who meet and follow parking and vehicle use regulations prescribed by their school may drive to school. Failure to adhere to such regulations could result in forfeiture of the parking privilege. In the case of a parking violation, a vehicle could be towed away at the operator's expense. [S. B. Policy 7-57 and 7-61/Rule 15]
15. **Defacing/Destroying School or Private Property:** A student will not willfully or maliciously deface, damage, or destroy property belonging to another, including school property at any time and 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 are as follows: writing on walls, mirrors, or desks; damaging another's clothing or property; and graffiti. [S. B. Policy 5-42/S.B. Reg. 5-42.1/Rule 16]
16. **Theft/Attempted Theft:** A student shall not intentionally take or attempt to take the property of another without consent. A student will not possess or attempt to possess stolen property. [S. B. Reg. 5-37.1 and 5-42.1/Rule 17]
17. **Tobacco, Tobacco Products and Nicotine Vapor or Alternative Nicotine Products:** The law requires all school buildings to be smoke free. Students are prohibited from possessing, selling or trading or offering to do so, smoking and/or using tobacco products or nicotine vapor or alternative nicotine vapor products as defined in Virginia Code §18.2-371.2 at all times while on School Board owned property, in School Board owned vehicles, in any vehicle parked on School Board property, at bus stops, at on or off site school-sponsored or school-related activities, or while going to or coming home from school. [S. B. Reg. 5-45.1/Rule 18]
18. **Alcohol, Drugs, Drug Paraphernalia or Imitations:** Students will not use, give to another, possess, or be under the influence of alcohol, marijuana, drug paraphernalia, controlled substances, or imitation controlled substances on School Board property, at school-sponsored activities, or while going to or coming from school. [S. B. Reg. 5-36.1 and 5-45.1/Rule 19]
19. **Medication:** Students are not to be in possession of medication (prescribed or over-the-counter) at any time. All medications must be taken by the parent and/or guardian to the clinic and will be administered by a parent/guardian or designated adult per guidelines and in accordance with School Board policy. Additional information is available in the clinic regarding procedures for allowing students to carry and self-administer the following: a.) inhaled medication for asthma, b.) diabetes syringes, glucose meter and insulin, and c.) epinephrine auto-injector pen for life-threatening allergies. Medications needed during field trips are likewise handled through the school clinic and require written consent from the parent and/or guardian in order to be administered by a designated adult while on a field trip. [S. B. Regs. 5-45.1, C and S. B. Policy 5-57/Rule 20]
20. **Arson/Attempted Arson:** To unlawfully and intentionally damage, or attempt to damage, any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire. [S. B. Reg. 5-36.1/Rule 21]
21. **Extortion/Attempted Extortion/Robbery and/or Larceny:** A student will not take, attempt to take, or threaten to take another person's property by force, violence, threats, or intimidation. This includes obtaining money, property, or other objects of value, either tangible or intangible. [S. B. Reg. 5-36.1/Rule 22]
22. **Mace/Mace-like Devices:** A student shall not supply, handle, use, transmit, or possess pepper gas/spray, mace, or similar substances on School Board property, on the way to or from school, or at school-sponsored activities. [S. B. Reg. 5-36.7/Rule 23]
23. **Firearms/Pneumatic Weapons/Look-alike Weapons:** Possession of an instrument or device that resembles or looks like a pistol, revolver, or any type of weapon capable of propelling a missile is prohibited. These may include, but are not limited to, a cap pistol, water pistol, or any look-alike gun. The principal may determine if a look-alike is considered a weapon. [S. B. Reg. 5-36.4 and 5-37.1/Rule 24]

PROHIBITED CONDUCT *continued*

24. **Weapons/Explosives/Fireworks:** A student will not distribute, handle, use, transmit, or possess 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. Students shall not possess, distribute, discharge, or participate in the discharge of fireworks or similar items. Examples of weapons and fireworks and other substances are as follows: bomb, knife/razor blade/box cutter, ammunition, metal knuckles, fireworks, small explosives such as firecrackers, caps, poppers, and stink bombs, the use of any object or substance that will potentially cause harm, irritation, or bodily injury to students or any other person. When a laser pen is used to threaten, intimidate, or injure, it is considered a weapon. [S. B. Reg. 5-36.1 and 5-36.4/Rule 25]
25. **Sexual Offenses:** A student will not engage in sexual or immoral behavior such as offensive touching, sexual harassment, indecent exposure, amorous behavior, obscene phone calls, inappropriate sexual behavior, or acts of sexual assault or battery. If a student believes he/she is a victim of sexual harassment, he/she may file a complaint with the school principal and/or the Title IX Coordinator in accordance with School Board Regulation 5-44.1. The contact information for the Title IX Coordinator is listed in the Non-Discrimination Policy at the end of the *Code of Student Conduct*. [S. B. Reg. 5-44.1/Rule 26]
26. **Serious Violations:** A student will not participate in any criminal acts in violation of local, state, or federal laws. A student will not engage in conduct that is dangerous to the health or safety of self, students or others. [S. B. Reg. 5-37.1/Rule 27]
27. **False Fire Alarms/Bomb Threats/911 Calls/Threats Against Persons/ Hoaxes:** Activating a fire alarm without cause, making a bomb threat, false threats, oral threats, written threats, and hoaxes (imitation infectious, biological, toxic, or radioactive substances) against students, division personnel or School Board property, communicating a threat in writing or electronically (including forwarding a text message containing a threat) or encouraging or soliciting any person to commit such a threat are prohibited. [S. B. Policy 5-43/S. B. Reg. 5-36.2 and 5-37.1/Rule 28]
28. **Unlawful Assembly:** A student will neither participate in nor instigate a public disturbance where students and/or staff are assembled involving violence, confusion, or disorder on school grounds. [S. B. Policy 5-36/S. B. Reg. 5-36.1, 5-40.1 and 5-40.2/Rule 29]
29. **Harassment or discrimination based on race, color, sex, disability, national origin, ethnicity, religion or sexual orientation:** A student will not harass or discriminate against another person based upon that person's race, color, sex, disability, national origin, ethnicity, religion or sexual orientation. If a student believes he/she has been discriminated against as listed, he/she may file a complaint with the principal or the Director of the Office of Student Leadership. Disability-based harassment or discrimination complaints may be made with the principal and/or Division Section 504 Coordinator, whose contact information is listed in the Non-Discrimination Policy at the end of the *Code of Student Conduct*. [S. B. Policy 5-7/Rule 31]

For a full explanation of these offenses, please consult the cited policies and regulations, and the rules referenced in the *Discipline Guidelines*.

MANDATORY EXPULSION

Any student committing any of the following offenses while on school property or at school-sponsored or related activities, shall, except for a first-time simple drug or alcohol possession or drug paraphernalia possession offense at the discretion of the principal as provided in S. B. Reg. 5-45.1 (I)(A), be automatically recommended by the principal to the superintendent for expulsion of at least one calendar year and, when appropriate, referred for criminal prosecution. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects the educational environment.

1. Arson or attempted arson
2. Assault and battery on an employee or student
3. Possession, use or sale of a firearm, pneumatic weapon or dangerous weapon
4. Use, possession, being under the influence of, selling, bringing, giving, distributing or passing to another individual or possessing with intent to sell, give, or distribute alcohol, marijuana, controlled substances or imitation controlled substances, and inhalants
5. Extortion, attempted extortion, robbery, burglary, motor vehicle theft, and/or larceny
6. Sex Offenses: sexual battery, inappropriate sexual behavior, obscene phone calls, and sexual assault
7. Hazing: initiation of another student into a club, group, or any other organization through abuse and humiliation so as to cause bodily injury
8. Kidnapping or other serious criminal violations
9. Possession, use, distribution, sale, lighting or discharge of explosive devices
10. Homicide
11. Malicious wounding of an employee or student
12. And other good and just causes as determined by the superintendent

AFTER-SCHOOL ACTIVITIES

1. Students are subject to conditions of the *Code of Student Conduct* while attending and participating in after-school student activities and athletic events as provided in S.B. Policy 5-1. Regulations outlined in the *Code of Student Conduct* apply at all after-school activities (such as athletic events, club meetings, dances, etc.) and the like.
2. Students are not allowed to loiter in concession areas.
3. Students must be seated during athletic activities (when seating is available).
4. Students are expected to leave school grounds at the conclusion of the activity.
5. Students waiting for a ride should meet their ride at the school's designated student drop-off/pick-up location.
6. Metal detectors are utilized at after-school activities and special events in order to ensure the safety of students and spectators.
7. Parental involvement is encouraged at all school-related activities.
8. If parents are not attending a school-sponsored event, a plan should be made to pick up their child at the conclusion of the event.

If the principal or his/her designee determines that the student's presence at any after-school activity creates a continuing danger to persons or property or creates an ongoing threat of disruption, the student may be removed from the activity immediately.

BRING YOUR OWN DEVICE (BYOD)

Students are allowed to use privately owned electronic devices to access the VBCPS wireless network. This wireless access provided to the devices is designed to enhance the students' educational experience and outcomes. Connecting to the VBCPS Wi-Fi network with personal devices is a privilege, not a right. Permission to bring and use privately owned devices is contingent upon adherence to VBCPS guidelines. If a privately owned device is used by a student to disrupt the educational environment, in the sole opinion of VBCPS, that student's privileges may be limited or revoked. The school division reserves the right to examine the privately owned electronic device and search its contents if there is reason to believe that school division policies or local, state and/or federal laws have been violated. Devices are brought to school at the students' and parents' own risk. In the event that a privately owned device is lost, stolen or damaged, VBCPS is not responsible for any financial or data loss. Students and parents should read the *Student/Parent Guidelines for use of a Privately Owned Electronic Device* thoroughly. The guidelines and answers to frequently asked questions can be found on the division's website at vbschools.com.

ACCEPTABLE USE POLICY (COMPUTER SYSTEMS)

The School Board provides computer systems to promote educational excellence, resource sharing, innovative instruction and communication, and to prepare students to live and work in the 21st century. Computer systems include, but are not limited to, all computers, electronic tablets, electronic readers, servers, network devices, telecommunication devices, multifunction devices, printers, scanners, peripheral equipment, local and wide area networks, Internet access, software, apps, application systems, web resources, data and digital content. Misuse of computer systems may result in disciplinary action including long-term suspension and/or expulsion. Computer systems shall not be used to conduct illegal activities or to send, receive, view, or download illegal materials. Any authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications, information technology, and related technologies; or involvement in willful acts that cause physical, financial, or other harm in any manner, is prohibited and may result in a recommendation for expulsion. Any authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications, information technology, and related technologies, which disrupts or interferes with the education of students in any manner is prohibited and may result in a recommendation for expulsion. Any student who fails to comply with the terms of the Acceptable Use Policy (6-64) or the regulations developed by the superintendent may lose system privileges, and students may be disciplined in accordance with the *Code of Student Conduct* or other School Board policies and division regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of these policies or regulations. [School Board Policies 6-62 and 6-64] [School Board Regulations 6-62.1 and 6-64.1]

BULLYING AND CYBERBULLYING

Virginia Beach City Public Schools is committed to providing an educational atmosphere free from harassment, intimidation, or bullying. Students who threaten to cause harm or harass others will be referred to the principal or assistant principal for appropriate disciplinary action, which may include suspension and/or recommendation for long-term suspension or expulsion. (This includes actions in school, on school property, at a bus stop, on a school bus, at any school activity and/or actions that cause a disruption to the educational process at school.)

Virginia Code §22.1-276.01 defines bullying as “any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. Bullying includes cyberbullying. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict.” Cyberbullying is using information and communication technologies, such as cell phone text messages and pictures, internet email, social networking websites, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile behavior intended to harm others.

Should a student or parent/guardian be aware of any act of bullying or cyberbullying committed by another student, he or she should immediately report this incident to the administration. Strong partnerships and communication between students, parents/guardians and schools is crucial in identifying and addressing instances of bullying, preventing future incidents and providing support for victims of bullying.

Understanding how emotionally painful bullying and cyberbullying can be to a child, Virginia Beach City Public Schools’ staff remain committed to preventing this type of harmful activity during the school day and at school-related activities. There are numerous initiatives and programs in place to create a culture that embraces respect for one another.

In addition to being familiar with the school division’s policies, please review the following Virginia legal codes with your child:

Virginia Code Ann. §18.2-152.7:1 states, “If any person, with the intent to coerce, intimidate, or harass any person, shall use a computer or computer network to communicate obscene, vulgar, profane, lewd, lascivious, or indecent language, or make any suggestion or proposal of an obscene nature, or threaten any illegal or immoral act, he shall be guilty of a Class 1 misdemeanor.”

Virginia Code Ann. §18.2-60 states that if a threat is written, signed or unsigned, and contains a threat to kill or to do bodily injury to an individual or member of his/her family, it is a Class 6 felony. (This would include written threats to kill or to do bodily harm that are communicated via electronic communication.)

[S.B. Regulation 5-36/Code of Va. §22.1-276.01] [S.B. Policies 6-62 and 6-64]
[S.B. Regulations 6-62.1 and 6-64.1] [Virginia Code Ann. §18.2-152.7:1]
[Virginia Code Ann. §18.2-60]

THE CHOICES PROGRAM *(Secondary Schools Only)*

The principal, parent/guardian, hearing officer, Coordinator of Student Conduct/ Services or School Board Discipline Committee may initiate a student’s placement in the Choices Program as an alternative to suspension.

Choices is an instructional program designed to serve students who consistently demonstrate inappropriate behaviors, excluding truancy, that interfere with learning. Students placed in this program have not successfully implemented the behavioral interventions put in place by the school. The Choices curriculum provides students with information and activities to develop skills necessary to make appropriate choices and understand the impact of anti-social behavior on their lives and the lives of their families and communities.

SUBSTANCE ABUSE INTERVENTION PROGRAM

The Substance Abuse Intervention Program (SAIP) is designed for students in middle and high school. SAIP is a ten-day substance abuse education and prevention program offered by the school division tuition-free. All absences associated with completion of SAIP are excused and should not be counted when determining excessive absences of a student. Transportation to and from the program is provided by the school division.

SAIP may be assigned to a student as a disciplinary consequence for an offense related to the possession, use or distribution of a controlled substance. If a student is assigned to the program as a result of a disciplinary infraction, then the student is considered to be under out-of-school suspension (OSS). The student will be restricted/excluded as a participant in or spectator of any extracurricular activity until reinstated in his/her school.

SAIP may be accessed on a voluntary basis based on parent and/or student requests, in absence of reasonable suspicion or other conduct which alone would subject the student to discipline, due to concern for a substance abuse problem. In these cases, the student’s participation is not deemed a disciplinary placement. The student is permitted to remain in school and may participate in activities. Parents/students should contact their school for additional information.

DISCIPLINARY ACTION FOR CONDUCT NOT RELATED TO SCHOOL ACTIVITIES

The School Board may require any student who has been: (i) charged with an offense relating to the Commonwealth’s laws, or with a violation of School Board policies on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty, adjudicated delinquent, 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; or (iii) expelled for certain drug offenses, convictions or adjudication of delinquency to attend an alternative education program, including, but not limited to, night school, adult education or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. The School Board may impose this requirement regardless of where the crime occurred.
[S. B. Regulation 5-36.1/Code of Va. §22.1-277.2/Rule 30]

SUSPENSION APPEAL PROCEDURES

For your convenience, information on how to contact the Office of Student Leadership is included at the bottom of the following page.

In-school Disciplinary Actions [S. B. Reg. 5-6.1]

Should a parent disagree with an in-school disciplinary action of the school, the parent may appeal the school's decision using the following guidelines.

1. Appeal the school decision to the school principal in writing within three (3) school days of the incident.
2. School principal will meet with a parent/legal guardian and respond in writing within five (5) school days of the receipt of the appeal.
3. The school principal may assign a designee to meet with a parent/legal guardian and to respond in writing within five (5) days of the receipt of the appeal if the principal will be absent pursuant to authorized leave during the entire five (5) day appeal period as set forth in this section.
4. The decision of the school principal shall be final.

OSS Ten Days or Fewer [S. B. Reg. 5-6.1] [S. B. Reg. 5-21.1]

Level I

- a. Appeal the school decision to the school principal in writing within three (3) school days of the incident.
- b. School principal will meet with a parent/legal guardian and respond in writing within five (5) school days of the receipt of the appeal.
- c. The school principal may assign a designee to meet with a parent/legal guardian and to respond in writing within five (5) school days of the receipt of the appeal if the principal will be absent pursuant to authorized leave during the entire five (5) day appeal period as set forth in this section.

Level II

- a. Appeal principal's or designee's decision to the Office of Student Leadership in writing within three (3) school days of the receipt of the principal's or designee's decision.
- b. The appropriate coordinator in the Office of Student Leadership will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal.

Level III

- a. Appeal the coordinator in the Office of Student Leadership's decision to the director of the Office of Student Leadership in writing within three (3) school days of receipt of the coordinator's decision.
- b. The director of the Office of Student Leadership acting as the Superintendent's designee will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal.
- c. Acting as the Superintendent's designee, the decision of the director of the Office of Student Leadership shall be final.

Long-term Suspensions (more than ten days) [S. B. Policy 5-21/Reg. 5-21.1, 5-21.3]

Following a hearing before a hearing officer, the parent may appeal the decision to a discipline committee of the School Board as follows:

1. Such requests to appeal must be filed in writing by the parent with the director of the Office of Student Leadership, within five (5) school days of receipt of the decision, or the right to appeal is waived. The discipline committee will consider the appeal within thirty (30) calendar days and may confirm, amend, or disapprove the suspension.
2. If the decision of the three-member discipline committee is not unanimous, the parent may appeal the decision to the full School Board. The appeal must be in writing and must be filed by the parent with the director of the Office of Student Leadership within five (5) school days of receipt of the decision or the right to appeal is waived. The School Board will consider the appeal within thirty (30) calendar days.
3. Students remain subject to compulsory attendance laws while on suspension. If the student fails to enroll in an education program offered by VBCPS during the suspension, the student and/or parent/legal guardian are responsible for otherwise complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children or with the division's Section 504 Coordinator, whomever is applicable, for educational service options.

Expulsions [S. B. Policy 5-21/Reg. 5-21.1, 5-21.3]

Following the superintendent's or his/her designee's recommendation for expulsion, a hearing will be held by a discipline committee of the School Board, and the committee may confirm or disapprove the expulsion. If the decision of the three-member discipline committee is not unanimous, the parent may appeal the decision to the full School Board. The appeal must be in writing and must be filed by the parent with the director of the Office of Student Leadership within five (5) school days of receipt of the decision or the right to appeal is waived. The School Board will consider the appeal within thirty (30) calendar days. Students remain subject to compulsory attendance laws while on suspension. If the student fails to enroll in an education program offered by VBCPS during the suspension, the student and/or parent/legal guardian are responsible for otherwise complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children or with the division's Section 504 Coordinator, whomever is applicable, for educational service options. Students who are expelled from VBCPS remain subject to compulsory attendance laws.

Reinstatement

The School Board may require students who have been expelled by the School Board or a discipline committee of the School Board to provide a written request for readmission to school after one calendar year from the date of expulsion. Such a request should be accompanied by evidence that the student has corrected inappropriate behaviors and has established acceptable patterns of conduct.

REGULATIONS FOR PASSENGERS RIDING SCHOOL BUSES

MEETING THE SCHOOL BUS [SCHOOL BOARD POLICY 5-34/ SCHOOL BOARD REGULATION 5-34.1]

- Students are subject to all conditions of the *Code of Student Conduct* while at the bus stop, going to and from the bus stop, or riding the bus.
- Parents or their designee should accompany their children to and from the school bus stop.
- Students must be on time. It is recommended that students be at their stop five minutes before the scheduled arrival time of the bus.
- Students must not stand on the traveled portion of the roadway or on private property while waiting for a bus.
- While waiting at a bus stop, students must respect the property of homeowners in the area.
- Students must not run alongside a moving bus, but must wait until it has stopped, then walk to the front door.

CONDUCT ON THE SCHOOL BUS [SCHOOL BOARD POLICY 5-34/ SCHOOL BOARD REGULATION 5-34.1]

- Students must obey the driver and be courteous to him/her and to fellow students. The driver is in charge of the bus and students and has the authority to assign seats to maintain discipline or promote safety.
- Students must never mar or deface the bus. Willful or careless damage must be paid for by the student performing the act.
- Students must not extend arms, legs, or heads out of the bus.
- Students must not talk to the driver while the bus is in motion except in an emergency.
- Students must not tamper with the emergency door.
- Students must not wave or shout at pedestrians or passengers in other vehicles.
- Students must not throw objects about the bus or from a window.
- Books, book bags, band instruments, or other loose objects must not be placed in the aisle or at the front of the bus on the floor. These items will be permitted aboard ONLY if they can be held in the student's lap and not encumber another student.
- Eating, drinking, or selling any commodity on the bus is prohibited.
- Students must not open windows without permission from the driver.
- Items that are prohibited at school will not be permitted on the bus. This includes but is not limited to: live animals, glass objects, skateboards, scooters, surf/boogie boards, and other items that do not directly support the educational process.
- Portable communication devices, including cell phones, may be displayed, activated or used on the school bus by students while being transported to and/or from school.
- The bus driver has the right to refuse transportation to any student who has an unsafe object (matches, knives, firearms, etc.) in his/her possession.
- Students must provide written request from their parents to go home any other way than their regular route, subject to the approval of their school administrator.
- No change will be made in the location of bus stops or bus routing without the approval of the Office of Transportation Services, (757) 263-1545.
- Students must use the bus to which they are assigned. No change in a bus may be made without the permission of the school principal.

LEAVING THE SCHOOL BUS [SCHOOL BOARD POLICY 5-34/ SCHOOL BOARD REGULATION 5-34.1]

- Students must remain seated until the bus comes to a full stop.
- Students must leave the bus at their regular stops.
- If students must cross a highway, they are to do so at the front of the bus and at a distance of at least ten feet in front of the bus. They must not cross until the driver has signaled that it is safe to do so.
- Riding a school bus is a privilege. Should any child be reported to the school principal, the principal will be responsible for the disciplinary action including loss of the privilege of bus transportation.
- If you need help with problems relative to transportation, please contact the school principal or the Office of Transportation Services, (757) 263-1545.

How to contact the Office of Student Leadership

Virginia Beach City Public Schools
1413 Laskin Road, Virginia Beach, Virginia 23451
Phone: (757) 263-2020 Fax: (757) 263-2022
vbschools.com

The Virginia Beach City Public Schools, in partnership with the entire community, will empower every student to become a life-long learner who is a responsible, productive and engaged citizen within the global community.

Aaron C. Spence, Ed.D., *Superintendent*
2512 George Mason Drive, P. O. Box 6038, Virginia Beach, VA 23456-0038

Visit our website - **vbschools.com** -
for a complete listing of School Board Policies and Regulations.

Notice of Non-Discrimination Policy

Virginia Beach City Public Schools does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, childbirth or related medical condition, disability, marital status, age, genetic information or veteran status in its programs, activities, employment, or enrollment, and provides equal access to the Boy Scouts and other designated youth groups. School Board policies and regulations (including, but not limited to, Policies 2-33, 4-4, 5-7, 5-19, 5-20, 5-44, 6-33, 6-7, 7-48, 7-49, 7-57 and Regulations 4-4.1, 4-4.2, 5-44.1, 7-11.1, 7-17.1 and 7-57.1) provide equal access to courses, programs, enrollment, counseling services, physical education and athletic, vocational education, instructional materials, extracurricular activities and employment.

Title IX Notice: Complaints or concerns regarding discrimination on the basis of sex or sexual harassment should be addressed to the Title IX Coordinator, at the VBCPS Office of Student Leadership, 1413 Laskin Road, Virginia Beach, Virginia 23451, (757)263-2020, Mary.Dees@vbschools.com (student complaints) or the VBCPS Department of Human Resources, Office of Employee Relations, 2512 George Mason Drive, Municipal Center, building 6, Virginia Beach, Virginia, 23456 (757) 263-1133, Edie.Rogan@vbschools.com (employee complaints). Additional information regarding Virginia Beach City Public Schools' policies regarding discrimination on the basis of sex and sexual harassment, as well as the procedures for filing a formal complaint and related grievance processes, can be found in School Board Policy 5-44 and School Board Regulations 5-44.1 (students), School Board Policy 4-4 and School Board Regulation 4-4.3 (employees), and on the School Division's website. Concerns about the application of Section 504 of the Rehabilitation Act should be addressed to the Section 504 Coordinator/Executive Director of Student Support Services at (757) 263-1980, 2512 George Mason Drive, Virginia Beach, Virginia, 23456 or the Section 504 Coordinator at the student's school. For students who are eligible or suspected of being eligible for special education or related services under IDEA, please contact the Office of Programs for Exceptional Children at (757) 263-2400, Laskin Road Annex, 1413 Laskin Road, Virginia Beach, Virginia, 23451.

Alternative formats of this publication which may include taped, Braille, or large print materials are available upon request for individuals with disabilities. Call or write: Michael B. McGee, Director, Office of Student Leadership, Virginia Beach City Public Schools, 1413 Laskin Road, Virginia Beach, Virginia 23451, Telephone: (757) 263-2020 Fax: (757) 263-2022



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