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DINWIDDIE COUNTY  
PUBLIC SCHOOLS

**DEEP ROOTS • GREAT HEIGHTS**

Elementary  
Code of Conduct  
2022 - 23

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# DISTRICT INFORMATION

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## Equity in Dinwiddie County Public Schools

Equity is central to the DCPS core values and mission. As defined in the division's [Educational Equity Policy DAB](#), *the concept of educational equity is not the same as equality. Equity refers to fostering a barrier-free environment whereby by all students, regardless of race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, or genetic information, have the opportunity to benefit from the establishment of high standards and the provision of access, support, effective and inclusive learning environments and resources required for a high-quality education.* To achieve this mission, we must promote practices, policies, and interventions that advance diversity, equity, and full inclusion of all students, families, and school communities in proactive discipline approaches and understandings.

DCPS will continue to work to promote equity and reduce disparities based on *race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, socio-economic status, or genetic information* where they might exist in discipline. There is a longstanding and pressing challenge regarding overuse of exclusionary discipline (e.g., office discipline referrals, suspensions) for students of color and students with disabilities, we recognize the critical role that race has played historically in contributing to persistent inequities in discipline. Moreover, many common efforts to address the problem have not been shown to enhance equity in school discipline. DCPS is committed to confronting and addressing inequitable discipline practices and procedures where they exist through integrating an equity lens into all aspects of discipline and implementing Positive Behavioral Interventions and Supports (PBIS), aligned with equity.

Specifically, some of the actions taken by DCPS are:

- Adopting [Educational Equity Policy DAB](#)
- Implementing the DCPS Equity Strategy Team
- Requiring Culturally Responsive Practices training for all staff members
- Partnering [Office of Strategic Engagement](#) at Virginia Commonwealth University to continue to build capacity for implementing strategies based on best practices in education
- Working collaboratively with internal and external stakeholders to lead, communicate and support our division's equity priorities

## DCPS School Board Members

[Dinwiddie County Public Schools – School Board](#)

## Important Contact Information

To contact DCPS employees with questions or concerns:

- Call us at (804) 469-4190
- email the Superintendent;
- communicate with the School Board; or
- visit us in person at one of our schools or administrative offices

Contact information for specific departments can be found on [www.dinwiddie.k12.va.us](http://www.dinwiddie.k12.va.us) under [Contact Us](#). We ask that you please discuss specific situations with your child's school prior to contacting the division office.

## CODE OF CONDUCT

### BEHAVIOR INTERVENTION AND RESPONSE

DCPS is committed to creating and maintaining safe, equitable, culturally responsive and supportive learning environments for all students. As a part of that commitment, the *Code of Conduct* is provided in order to outline behavioral expectations, categories of behavior and disciplinary actions that may occur as a result of student misconduct. Responses to student behavior are progressive in nature; that is, the level of response increases as the number of instances of similar inappropriate behavior increases. In addition, [Positive Behavioral Interventions and Supports \(PBIS\)](#) is a multi-tiered system of supports that is utilized district-wide with a focus on teaching expectations for behavior, reinforcing positive behavior and addressing inappropriate behavior with interventions and disciplinary consequences.

Creating and maintaining our learning environments is a collaborative effort that requires commitment from parents/ legal guardians, students and DCPS staff. These stakeholders have the following rights and responsibilities in order to support the expectations and requirements outlined in the *Code of Student Conduct*:

## Parents/Legal Guardians

Parents'/Legal Guardians' **rights** regarding the Code of Student Conduct include, but are not limited to:

- Being treated courteously, fairly, and respectfully by all DCPS staff and students.
- Being actively involved in their children's education.
- Receiving information about the policies and procedures of DCPS that relate to their children's education.
- Receiving regular reports from school staff regarding their children's academic progress or behavior, including but not limited to progress reports, report cards, and conferences.
- Receiving information and prompt notification of inappropriate or disruptive behaviors by their children and any disciplinary actions taken by administrators or school staff.
- Receiving information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals.
- Receiving information from school staff about ways to improve their children's academic or behavioral progress.
- Receiving information about services for students with disabilities and English language learners, when applicable.
- Receiving communication to meet language needs through provided translators.
- Advocating for their children, to include requesting a conference with school staff and reporting concerns or unfair treatment to a person of authority.

Parents'/Legal Guardians' **responsibilities** regarding the *Code of Student Conduct* include, but are not limited to:

- Having their children regularly attend school on time and communicating reasons for absences and tardiness.
- Informing DCPS staff about any concerns and/or complaints in a polite and timely manner.
- Partnering with school administrators and teachers to address any academic or behavioral issues.
- Supporting DCPS by communicating with their children about acceptable and expected school behavior.
- Becoming familiar and complying with DCPS policies, rules and regulations.
- Paying all fees and charges levied against their children by DCPS, including costs associated with damage to or loss of books, technology and other school property (Section 22.1-279.3 of the Code of Virginia).
- Providing and maintaining updated contact information to DCPS and their children's individual school(s).
- Supporting student completion of homework and participation in offered academic support programs.
- Being polite and courteous to staff, other parents/legal guardians and students, while respecting individual differences, cultural diversity and the property of others.

## Students

Students' **rights** regarding the *Code of Student Conduct* include, but are not limited to:

- Being treated courteously, fairly, and respectfully by DCPS staff, visitors and other students.
- Learning in a safe, equitable, culturally responsive and respectful learning environment that respects all students as valued members of the school community and accepts and supports various pedagogies.
- Receiving an education that allows for academic as well as social and emotional growth and development.
- Being provided access to appropriate supports and services to meet with success in school.
- Expanding educational experiences and growth through extracurricular activities.
- Continuing student privacy, security and protection. (Note: 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.)
- Being informed of potential disciplinary action and being given an opportunity to present their explanation.
- Participating in meetings/conferences by providing input regarding decisions being made to support their academic, behavioral, and social and emotional growth.

Students' **responsibilities** regarding the *Code of Student Conduct* include, but are not limited to:

- Expressing self and opinion appropriately through an educational environment while respecting individual differences, cultural diversity and the property of others.
- Understanding and following acceptable school behavior by being knowledgeable of DCPS policies, rules and regulations.
- Ensuring behavior is appropriate and does not intimidate, harass, discriminate against, or harm another student, visitor or DCPS staff.
- Behaving in a way that does not disrupt the learning environment.
- Demonstrating respect to all DCPS staff, visitors and other students.
- Attending, being prepared and actively participating in all academic classes.
- Completing assignments entirely and in a timely manner while working toward one's full potential.
- Advocating for oneself and education.
- Maintaining integrity of one's academic assignments.
- Communicating to teachers, counselors, or other DCPS staff of unsafe or concerning situations that include but not limited to: bullying, discrimination, harassment, detrimental to student safety, etc.

## DCPS Staff

DCPS Staff's **rights** regarding the *Code of Student Conduct* include, but are not limited to:

- Being treated courteously, fairly, and respectfully by students, parents/legal guardians and other school staff.
- Working in a safe and welcoming environment.
- Receiving support from parents/legal guardians, students and other DCPS staff while creating and maintaining a school environment that is safe, equitable, culturally responsive and supportive.
- Receiving appropriate professional learning and training, especially as it relates to social emotional learning, restorative practices, and positive behavior interventions.
- Working in an environment free from intimidation, harassment, or discrimination by staff or students on school property or at school sponsored events, functions, or activities.
- Promptly receiving information and notification of disciplinary actions taken by school administrators regarding student referrals for inappropriate behaviors.
- Receiving information about necessary accommodations and services for students with disabilities or 504 plans, or are English language learners, as applicable.
- Attending and participating in student meetings and conferences by providing input on decisions made to support their academic, behavioral, and social and emotional growth.

DCPS Staff's **responsibilities** regarding the *Code of Student Conduct* include, but are not limited to:

- Implementing well-planned, differentiated, rigorous, and engaging daily learning plans according to the standards for professional practice.
- Providing proper supervision and classroom management by using restorative practices, positive behavior interventions, and following the *Code of Student Conduct*.
- Ensuring a safe, equitable, culturally responsive and respectful learning environment.
- Referring students to the appropriate staff for behavioral intervention programs or academic support.
- Communicating proactively, regularly and timely with parents/legal guardians about student progress, DCPS policies, behavior expectations.
- Being polite and courteous to students, parents/legal guardians and other staff, serving as role models for students.
- Welcoming parents/legal guardians as valued partners in their children's learning by creating opportunities for regular, two-way communication and active participation at problem-solving meetings and working to accommodate schedules and meet language needs.
- Being knowledgeable about the policies of the DCPS School Board and other applicable laws and regulations and applying them fairly and consistently.
- Being knowledgeable about federal and state laws, as well as, regulations about the disciplinary process for students with disabilities; and, implementing necessary accommodations and services for students with disabilities.

## ACCEPTABLE USE OF 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             | • Telecommunication devices    | • Software            |
| • Electronic tablets    | • Printers                     | • Apps                |
| • Electronic readers    | • Scanners                     | • Application systems |
| • Servers               | • Peripheral equipment         | • Web resources       |
| • Network devices       | • Local and wide area networks | • Data                |
| • Multifunction devices | • Internet access              | • 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, or
- disrupt or interfere with the education of students in any manner

are prohibited and may result in a recommendation for expulsion.

Any student who fails to comply with the terms of the [Acceptable Use Policy](#) 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 Policy IIBEA-E](#).



## VIRTUAL LEARNING

Virtual learning may take place as a result of an adjustment in a student's academic setting, inclement weather, or a necessary response to a crisis (such as a health pandemic or natural disaster).

Students are under school jurisdiction while participating in virtual learning and remain subject to all DCPS rules and regulations. Disciplinary action will be taken and may be adjusted to align with a virtual format (e.g., virtual detention, suspension from synchronous learning).

Students are reminded of the following online etiquette:

1. Only teachers and instructional staff are permitted to initiate conferences/virtual sessions. Students are not allowed to create their own video conferences/virtual sessions with other students.
2. Students are required to follow school guidelines regarding activation of their cameras when in a video conference/virtual session.
3. Students are required to follow school guidelines regarding use of their real names when in a video conference/virtual session.
4. Students are not allowed to take pictures or post details of video conference/virtual sessions on social media.
5. Students are always expected to operate under the *Code of Student Conduct* while engaged in online learning.
6. All student usage/activity on school issued Chromebooks is tracked, even while students are at home. Chromebooks issued to students are the property of DCPS; as a result, students are expected to follow the same rules for acceptable technology use as if they were in school. Students may be disciplined in accordance with the *Code of Student Conduct* for violation of these rules.

Helpful Tips:

1. **Set (and stick to) a schedule.** Your schedule should reflect the school schedule and consider your circumstances at home (work schedules, sleep schedules, chores, etc.). Help your student create a visual schedule with all meeting codes included to keep near his/her work station. If school schedules or home circumstances change, make sure to update the schedule and discuss as a family the adjustments needed to stay on a routine.
2. **Make sure your student has the necessary materials to complete all assignments.** Stable Wi-Fi connection, paper, pencil, and any other resources that help with learning should be readily available.

3. **Provide an environment conducive to learning.** Set up a workstation for your student. Desks are great, but kitchen tables work nicely too! Learning from bed is distracting to other students during synchronous learning and is highly discouraged. Make sure the background behind the workstation is free of distractions. There should never be anything visible that students are prohibited from bringing to school (weapons, drug paraphernalia, inappropriate posters or drawings, etc.). Light background noise and music may help some students stay focused when microphones are off or during asynchronous activities.
4. **Avoid teaching your student (this is not home-schooling) but help them understand concepts, practice, or review skills if you are able.**
5. **Follow up with your student to make sure all work is completed.** Parent Portal is a useful tool so make sure you have signed up for access to view your student's grades. Check at least once a week to make sure there are no missing assignments. Create an environment at home that helps student's feel comfortable with making mistakes and have open communication with your student about grades and progress. If you see any discrepancies in gradebooks, respectfully reach out to your student's teachers.
6. **Encourage Self-advocacy skills with your student.** Have your student check messages from teachers daily and to respond if a response is warranted. Encourage your child to ask questions and seek help when needed. Most teachers have opportunities for help sessions, tutoring, office hours, etc. to further support the needs of your child.

## **BRING YOUR OWN DEVICE (BYOD)**

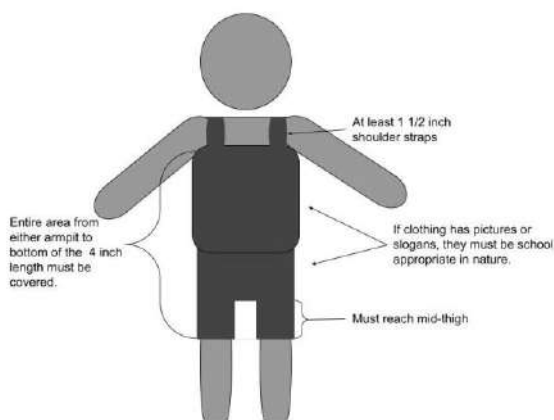
Students are allowed to use privately owned electronic devices to access the DCPS wireless network. This wireless access provided to the devices is designed to enhance the students' educational experience and outcomes. Connecting to the DCPS Wi-Fi network with personal devices is a privilege, not a right. Permission to bring and use privately owned devices is contingent upon adherence to DCPS guidelines. If a privately owned device is used by a student to disrupt the educational environment, in the sole opinion of DCPS, 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 a 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'/legal guardians' own risk. In the event that a privately owned device is lost, stolen or damaged, DCPS is not responsible for any financial or data loss.

## STUDENT DRESS CODE

The purpose of the DCPS Dress Code is to help ensure that the educational environment is inclusive, safe and free of distractions from learning so that all students are able to learn to their full intellectual potential, develop appropriate and acceptable social/emotional skills, and become productive members of the community and society as a whole.

The primary responsibility for a student's choices resides with the student and parent(s)/legal guardian(s). DCPS expects that all students will choose to dress or carry on or about their person only items/images that are appropriate for the school day or for any school-sponsored event. Student choices should respect DCPS' intent to sustain a community that is inclusive of a diverse range of identities, must not contribute to a hostile or intimidating atmosphere for any student or staff, and must not interfere with the health or safety of any student or staff.

The school district and individual schools are responsible for seeing that a student's attire does not interfere with the health or safety of any student or staff and that a student's attire does not contribute to a hostile or intimidating atmosphere. It is recommended that missed instructional time due to Dress Code violations be kept to a minimum, when possible. It is the responsibility of the principal or designee to determine if a student is dressed appropriately under the DCPS Dress Code. When enforcing the Dress Code, all students will be treated equitably regardless of race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type so as not to reinforce or increase marginalization or oppression of any group. For those schools with student uniform requirements, enforcement must be equitable, with no group experiencing disproportionate enforcement, specifically based on gender, sexual orientation, race, religion, or body type.



The administration of each school has the authority to notify students and parents of modifications to the dress code for spirit days and other school celebrations, as particular items pose a disruption, or as other circumstances arise. The new dress code is aiming to be inclusive of all genders, body types, cultures, and ethnicities. Specific questions should be directed to administrators of each building.

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/vapor devices, or drug paraphernalia or clothing that contains threats such as gang symbols (i.e. bandanas) are prohibited.

1. The front and back of the body, from the armpit down to mid-thigh, all skin must be covered. Shirt straps<sup>1</sup> must be 1½ inch or wider.
2. Messages on clothing, chains, jewelry, and personal belongings that pertain to drugs, alcohol, tobacco/vapor devices, sex, gangs, vulgarity, or that could cause a substantial disruption to the learning environment are not allowed.
3. All clothing must cover undergarments at all times on school property.
4. Sheer and see-through clothing must have solid material underneath that follow the box as seen above.
5. All shoes must contain a sole; slippers and shoes with wheels “Heelys” are not allowed. For safety reasons, elementary students are encouraged to wear athletic shoes or closed toe shoes with a rubber sole and should wear such shoes for Physical Education and recess.
6. Only prescription glasses may be worn in the building.
7. No hats or hoods allowed unless required for cultural, religious or medical reasons.
8. During school hours, grooming products must remain in a book bag, including but not limited to; combs and brushes.

#### **Clarifications/Definitions**

1. The piece of the garment that allows it to be hung on a hanger.
2. Shirt strap widths are different based on the age and maturity level of the group.

## **REGULATIONS FOR PASSENGERS RIDING SCHOOL BUSES**

### **MEETING THE SCHOOL BUS**

- 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/legal guardians 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 school 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**

- 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.
- 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, 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/legal guardians 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, (804) 469-4580.
- 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**

- 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, (804) 469-4680.

## 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. 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/legal guardians 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.

## STUDENT BEHAVIOR CATEGORIES

The following behavior categories have been developed by the state and are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness of students' social-emotional development and emphasize the importance of helping students achieve academically and develop SEL (Social-Emotional Learning) competencies.

### **Behaviors that Impede Academic Progress (BAP)**

These behaviors impede academic progress of the student or of students. They are typically indicative of the student's lack of self-management or self-awareness. Sometimes, the student may need help in understanding how the behavior impacts others so training in social awareness may also be indicated.

### **Behaviors Related to School Operations (BSO)**

These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social awareness skills.

### **Relationship Behaviors (RB)**

These behaviors create a negative relationship between two or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.

### **Behaviors that Present a Safety Concern (BSC)**

These behaviors create unsafe conditions for students, staff, and visitors to the school. The underlying reasons for this type of behavior may lie in any of the social-emotional competencies so the administrator should investigate the underlying motivation for the student's behavior. Training in social awareness and decision-making are usually indicated in any behavior that creates a safety concern.

### **Behaviors that Endanger Self or Others (BESO)**

These behaviors endanger the health, safety, or welfare of either the student or others in the school community. Behaviors that rise to this level of severity are often complex. While they are indicative of poor decision-making skills, students who exhibit these behaviors may also have developmental needs in the other social-emotional competencies.

### **Persistently Dangerous Behaviors (PD)**

These behaviors are deemed as persistently dangerous by the state.

## STUDENT BEHAVIOR DESCRIPTIONS

The following section outlines specific behavior descriptions and examples of behaviors that fall under each of the six behavior categories (outlined in the [previous section](#)). For additional information or clarification regarding a specific incident, please contact the student's school. *Note: The following behavior codes have been removed by the state and are not listed below: BSC 20, BSC 23, BESO 8, and BESO 14.*

### **Behaviors that Impede Academic Progress (BAP)**

*of the student or other students*

BAP 1: Interfering with learning in the classroom (e.g., inappropriate talking, excessive noise, off-task, out of seat, horse playing, making rude noises, and possession of items that distract)

BAP 2: Interfering with learning outside of the classroom (e.g., excessive noise, interrupting a class, inappropriate talking, horse playing, and making rude noises)

BAP 3: Scholastic dishonesty (e.g., cheating, giving or receiving any unauthorized aid or assistance or unfair advantage on any form of academic work; and plagiarism, falsely claiming authorship, to include copying of language, structure, idea, and/or thought of another and representing it as one's own original work)

BAP 4: Unexcused tardiness to class

BAP 5: Unexcused tardiness to school

### **Behaviors Related to School Operations (BSO)**

*interfere with the daily operation of school procedures*

BSO 1: Altering an official document or record

BSO 2: Giving false information, misrepresentation (to include verbal or written statements, counterfeit money, imitation alcohol and drug look-alike)

BSO 3: Refusal to comply with requests of staff in a way that interferes with the operation of school (to include refusal to work in class, minor insubordination, improper vehicle use and repeated refusals to comply or display appropriate behavior)

BSO 5: Failure to attend assigned disciplinary setting (e.g., detention, In-School Suspension, afternoon/evening school, Saturday school)

BSO 6: Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building

BSO 7: Dress code violation

BSO 8: Gambling (playing or being present at the scene of games of skill or chance for money, property or profit; to include shooting dice)



BSO 9: Possessing items that are inappropriate for school (e.g., toys, literature, lighters, tobacco-free dip, and electronic devices); items will be confiscated and turned over to the parent/legal guardian at a reasonable time convenient to the school

BSO 10: Possession of stolen items (property obtained without permission of owner)

BSO 11: Unauthorized use of school electronic or other equipment

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

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 (including social networks), telecommunications, information technology, and related technologies which disrupts or interferes with the learning environment, students or staff members in any manner; or involvement in willful acts that cause physical, financial, social, emotional or other harm in any manner is prohibited and may result in a recommendation for expulsion

BSO 12: Violation of the Acceptable use of Technology/Internet Policy

BSO 13: Violation of school board policy regarding the possession or use of portable communication devices (e.g., cell phones)

BSO 14: Vandalism, graffiti or other damage to school or personal property

A student or parent/legal guardian will be held financially responsible, as allowed by state law, for willful or malicious destruction of school property.

BSO 15: Not going to class as assigned

BSO 16: In an unauthorized area of the campus.

## **Relationship Behaviors (RB)**

*create a negative relationship between two or more members of the school community*

*(no physical harm)*

RB 1: Bullying with no physical injury.

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 does not include ordinary teasing, horseplay, argument, or peer conflict.

RB 2: Cyberbullying 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*.

RB 3: Posting, distributing, displaying, or sharing inappropriate material or literature, including using electronic means (to include nude or explicit photos)

RB 4: Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature (to include obscene phone calls and sexual harassment)

**Sexual Harassment** *Unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment.*

RB 5: Stealing money or property without physical force (to intentionally take or attempt to take the property of another without consent)

RB 6: Speaking to another in an uncivil, discourteous manner (e.g., talking back)

RB 7: Teasing, taunting, engaging in a verbal confrontation

RB 8: Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)

RB 9: Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identify, gender expression, sexual orientation or disability

RB 10: Failure to respond to questions or requests by staff (e.g., walking away, refusing to identify self properly, challenging authority)

RB 11: Unwanted or inappropriate physical contact (improper physical contact against a student or staff that is offensive, undesirable, and/or unwanted as determined by the victim)

### **Behaviors of a Safety Concern (BSC)**

*create unsafe conditions for student, staff, and/or visitors to the school*

BSC 1: Alcohol: Possessing, using, or being under the influence of alcohol

Students will not use, have in their possession, have dominion and/or control of, or be under the influence of alcohol on School Board property, at school-sponsored activities, or while going to or from school

BSC 2: Alcohol: Distributing alcohol to other students. Students will not distribute alcohol on School Board property, at school-sponsored activities, or while going to or from school

BSC 3: Drugs: Possessing drug paraphernalia Students will not use, have in their possession, have dominion and/or control of drug paraphernalia (pipes, etc.) on School Board property, at school-sponsored activities, or while going to or from school

BSC 4: Drugs: Violating school board non-prescription (over-the-counter medication or look-alike drug policy) Students are not to be in possession of medication (prescribed or over-the-counter) at any time (see [Health Services & Student Medication](#))

BSC 5: Tobacco: Possessing/Using/Distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment

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 products as defined in [Virginia Code §18.2-371.2](#), as amended, at all times while on School Board owned or leased property, in School Board vehicles, in any vehicle parked on School Board property, at on or off site school-sponsored or school-related activities, or while going to or coming home from school.

BSC 6: Bullying Behavior without physical injury that continues after intervention.

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 does not include ordinary teasing, horseplay, argument, or peer conflict.

BSC 7: Cyberbullying that continues after intervention 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*

BSC 8: Harassment: Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment

A student will not harass or discriminate against another person based upon that person's race, color, sex, disability, national origin, ethnicity, religion, or any other protected class/category as outlined in [School Board Policy JFH](#), as amended. Harassment or discrimination consists of verbal or physical conduct or other action relating to a person's race, color, sex, disability, national origin, ethnicity, or religion when one or more apply:

1. The conduct is sufficiently severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment.
2. The conduct had the purpose or effect of substantially or unreasonably interfering with a student's academic performance or another person's employment or participation in school activities.
3. The conduct otherwise adversely affects a student's learning opportunities.

Examples include, but are not limited to:

- a. Written or spoken language or graffiti containing offensive language or graphic depictions;
- b. Name calling, jokes or rumors;
- c. Threatening or intimidating conduct directed at another person;
- d. Notes or drawings/illustrations;
- e. Slurs, negative stereotypes, hostile acts; or
- f. Physical acts of aggressive conduct such as assault, theft, or damage to property.

BSC 9: Distracting the bus driver (e.g., inappropriate talking, horseplay, making rude noises)

BSC 10: Endangering the safety of others on the bus (e.g., throwing item from moving bus)

BSC 11: Falsely activating a fire or other disaster alarm (to include false calls to 911)

BSC 12: Possessing items that could be used to set or cause a fire or produce large amounts of smoke (to include smoke bombs) 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

BSC 13: Engaging in reckless behavior the creates a risk of injury to self or others

A student shall not engage in conduct that is dangerous to the health or safety of self, students or others. (e.g., failure to come under control during altercation, adding a foreign substance to another person's food or drink)

BSC 14: Fighting that result in no injury as determined by the school administration

Fighting involves two or more parties in conflict when they are striking each other for the purpose of causing harm or injury. This may extend to mutual shoving, wrestling, or other aggressive actions that may result in the danger of harm or injury to participants, bystanders, or school property. A student that is assaulted and retaliates by hitting/ kicking/etc., may be disciplined for fighting.

BSC 15: Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students

**Inciting a Riot** is the unlawful use of force or violence that seriously jeopardized the public safety, peace, or order; typically, three or more people acting together.

**Substantial Disturbance** Actions and/or statements (written or verbal), including threats to school, that result in a substantial disturbance to the operation of school.

BSC 16: Throwing an object that has the potential to cause a disturbance, injury, or property damage

BSC 17: Shoving, pushing, striking, biting another student with no visible injury

Physical aggression also includes scratching, kicking, blocking the passage of, cutting or pulling another student's hair and "pantsing".

BSC 18: Exposing body parts, lewd or indecent public behavior (to include mooning)

BSC 19: Physical contact of a sexual nature – patting body parts, pinching, tugging clothing

**Inappropriate Sexual Behavior** Lewd behavior, indecent exposure that includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat.

**Sexual Battery against Staff or Student** involves an offensive or intentional threat, intimidation or ruse or physical helplessness of sexual abuse (Class 1 Misdemeanor)

BSC 21: Stalking as described in the [Code of Virginia Section §18.2-60.3](#)

One who engages in conduct directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury.

BSC 22: Stealing money or property using physical force (no weapon involved)

**Attempted Burglary & Burglary** Unlawful attempted entry or entry into a building or other structure with the intent to commit a crime.

**Attempted Extortion & Extortion** A student will not attempt to, threaten to or 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.

BSC 24: Leaving school grounds without permission

BSC 25: Trespassing Entering or remaining on a public school campus or School Board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension/expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave

BSC 26: Possessing dangerous instruments/substances that could be used to inflict harm upon another (to include pepper spray, mace and mace-like devices)

**BSC 27: Weapons: Possessing any weapon (other than a firearm) as defined by §18.2-308.1.** Possession includes bringing onto school property and/or storing in vehicle, locker or other receptacle

**Pneumatic Weapon** (BB/Pellet Gun or Rifle, Paint Ball Gun) refers to the possession, handling, using, or distribution of pellet guns, BB guns, paint ball guns, air pistols and all other devices under the definition of pneumatic weapon in the *Code of Virginia*.

**Look-alike Firearm** Possession of an instrument or device that resembles or looks like a pistol, revolver, or any type of weapon but 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:

1. Whether it is reasonable that a person would mistake the object for a weapon;
2. Whether the object was used for the purpose of threatening, intimidating, harassing, or harming another person; and/or
3. 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.

**Knife** Possessing or bringing to school or school-sponsored event any sharp-edged instrument that is classified as a knife with a blade of three inches or more.

#### **Razor Blade or Box Cutter**

**Ammunition** Possession of any bullet, shell, cartridge, case, primer, or propellant powder designed for use in any firearm.

**Other Weapon** Possession of any object or substance that could cause injury including (but not limited to) slingshots, ice picks, knives less than three inches long, multi-fingered rings, heavy chains, metal knuckles, clubs, stink bombs, itching powder, martial arts objects, chemical bombs; the use of any object or any substance that will potentially cause harm, irritation, or bodily injury to students or any other persons; giving a dangerous liquid, pill, or substance that causes illness; and laser pens, firearm mufflers and firearm silencers when used to potentially cause harm, injury, or irritation.

**Taser or Stun Gun** Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge or shock through the use of a projectile or exceeds the equivalency of five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person.

### **Behaviors that Endanger Self or Others (BESO)**

*endanger the health, safety, or welfare of either the student or others in the school community*

**BESO 1: Assault: Intending to cause physical injury to another person**

**BESO 2: Assault and Battery: Causing physical injury to another person**

**BESO 3: Fighting: The use of physical violence between students or on another person where there is minor injury as determined by the school administration**

Fighting involves two or more parties in conflict when they are striking each other for the purpose of causing harm or injury. This may extend to mutual shoving, wrestling, or other aggressive actions that may result in the danger of harm or injury to participants, bystanders, or school property. A student that is assaulted and retaliates by hitting/kicking/etc., may be disciplined for fighting.

**BESO 4: Striking Staff: The use of force against a staff member when no injury is caused** (to include hitting, pushing, scratching, kicking, blocking the passage of, and throwing objects at staff)

**BESO 5: Drugs: Possessing controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications**

Students will not have in their possession or have dominion and/or control of marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

**BESO 6: Drugs: Being under the influence of controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications**

Students will not be under the influence of marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

**BESO 7: Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications**

Students will not use marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

**BESO 9: Attempting to set, aiding in setting, or setting a fire**

To unlawfully and intentionally damage, or attempt to damage, any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fire would be included in this category if they were contributing factors to a damaging fire.

**BESO 10: Engaging in threatening or dangerous behavior that is gang-related as defined in [§18.2-46.1](#)** Street gang means any ongoing organization, association, or group of three or more persons, whether formal or informal, which has as one of its primary objectives or activities the commission of one or more criminal or non-criminal gang activities. This includes articles of clothing that symbolize association, rituals, or activities identified by groups of students.

**BESO 11: Hazing as defined in [§18.2-56](#) and noted in [§22.1-279.6](#)**

Initiation of another student into a club, group, or any other organization through abuse and humiliation or as to cause bodily injury.

**BESO 12: Threatening, intimidating, or instigating violence, injury or harm to a staff member or members**

Making a threat, including false threats and posturing, against division personnel or encouraging, inciting, enticing, or soliciting any person to commit such a threat is unlawful and forbidden. This includes physical gestures, oral or written (including by electronic means) threats to do bodily harm to any staff while on a school bus, on school property, or at school-sponsored or related activity is prohibited. A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement as a serious expression of intent to harm or assault, or it materially disrupts classwork, involves substantial disorder, or invades the rights of others.

**BESO 13: Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s); not including written threats**

Making a threat, including false threats and posturing, against students or others or encouraging, inciting, enticing, or soliciting any person to commit such a threat is unlawful and forbidden. This includes physical gestures or verbal threats to do bodily harm to any student while on a school bus, on school property, or at school-sponsored or related activity is prohibited. A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement as a serious expression of intent to harm or assault, or it materially disrupts classwork, involves substantial disorder, or invades the rights of others.



**BESO 14 : Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s) in writing.**

**Incitement/Instigation of Violence Against Student or Other Person** Actions, comments, or written messages intended to cause others to fight or which may result in a fight is considered incitement or instigation. Recording fights and spitting on another individual are considered incitement.

**Posturing to Fight Student or Other Person** Conveying by threats, gestures, stance, raised fists, etc., the intention to fight.

**BESO 15: Using an object not generally considered being a weapon to threaten or attempt to injure school personnel/others**

**BESO 17: Making a bomb threat, including false threats, against division personnel or School Board property, or encouraging, inciting, enticing, or soliciting any person to commit such a threat is unlawful and forbidden**

Students are forbidden from threatening injury to the person or property of another by the use of an imitation infectious biological, toxic, or radioactive substance; use of an imitation infectious biological, toxic, or radioactive substance in such a manner as to place any person in reasonable apprehension of death or bodily harm, or with the intent to disrupt or interfere with the operations of any school, school bus, or school-sponsored event or activity; possess, manufacture, sell, give, or distribute an imitation infectious biological, toxic, or radioactive substance with the intent to place a person in reasonable apprehension of death or bodily harm; or knowingly release or place, or cause or procure to be released or placed in, on, or around any school, school bus, school event, or school activity any imitation infectious biological, toxic, or radioactive substance with the intent to place any person in reasonable apprehension of death or bodily harm.

## **Behaviors Used to Determine Persistently Dangerous Schools (PD)**

**PD 1: Homicide Firearm**

**PD 2: Homicide Other Weapon**

**PD 3: Sexual Assault**

Sexual penetration (e.g., oral, anal, or vaginal) without consent. This category includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

**PD 4: Attempted Sexual Assault**

Attempted sexual penetration (e.g., oral, anal, or vaginal) without consent. This category includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

**PD 5: Use of a Bomb**

Use of any device possessed or assembled at school that contains combustible material or combustible material and a fuse.

**PD 6: Assault with Firearm or Weapon**

Physical violence with use of a weapon, directed toward another person and causing bodily harm is considered an assault with firearm or weapon.

**PD 7: Actual or Attempted Robbery**

A student will not take or attempt to take another person's property by force or violence. This includes obtaining money, property, or other objects of value, either tangible or intangible.

**PD 8: Kidnapping/Abduction**

Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s)/legal guardian(s). This includes hostage-taking.

**PD 9: Malicious Wounding without a Weapon**

Any person who maliciously wounds another person or by causing bodily injury, with the intent to maim, disfigure, disable, or kill.

**PD 10: Aggravated Sexual Battery on a Student**

Sexual abuse of a victim: who is less than thirteen years of age, or that act is accomplished against the will of the victim, by force, threat or intimidation, or through the use of the victim's mental incapacity or physical helplessness, and—the victim is at least thirteen but less than fifteen years of age, or the accused causes serious bodily or mental injury to the victim, or the accused used or threatens to use a dangerous weapon. Sexual Abuse means an act committed with the intent to sexually molest, arouse, or gratify any person.

**PD 11: Illegal Possession of Handgun**

The possession, handling, using, or distribution of a firearm, whether loaded or unloaded, operative or inoperative, on the way to or from school, on school property, or at any school-sponsored or related activity is prohibited. Possession includes bringing a firearm onto school property, storing it in a vehicle, locker, or other receptacle.

**PD 12: Illegal Possession of Rifle or Shotgun**

The possession, handling, using, or distribution of a rifle or shotgun, whether loaded or unloaded, operative or inoperative, on the way to or from school, on school property, or at any school-sponsored or related activity is prohibited. Possession includes bringing a firearm onto school property, storing it in a vehicle, locker, or other receptacle.

**PD 13: Illegal Possession of Any Other Projectile Weapon**

Any weapon designed to expel a projectile or that may readily be converted or modified manufactured guns to expel a projectile by the action of an explosive device.

**PD 14: Illegal Possession of Bomb**

Any device possessed or assembled at school that contains combustible material or combustible material and a fuse.

**PD 15: Illegal Possession of Other Firearms: firebombs, explosive materials or devices, hoax explosive devices per § 18.2-85, or explosive incendiary devices, as defined in § 18.2-433.1, or chemical bombs per § 18.2-87.1**

Any weapon that will, or is designed to, expel a projectile by the action of an explosive; this includes firearms not mentioned previously (operable or inoperable, loaded or unloaded) such as, but not limited to, a zip or starter gun.

**PD 16: Illegal Possession of Controlled Drugs and Substances with Intent to Distribute or Sell**

This includes the sale/distribution of anabolic steroid, illegal drug inhalant, marijuana, Schedule 1 or 2 drug and prescription drugs.



## DCPS Quick Glance Leveled Responses to Student Behaviors

| SBAR | Behaviors that impede the Academic Progress (BAP) of the student or of other students   | 1 | 2 | 3 | 4 | 5 |
|------|---|---|---|---|---|---|
| BAP1 | Interfering with learning in the classroom ( <i>examples include talking, excessive noise, off-task, out of seat, possessing items that distract</i> )        | • |   |   |   |   |
| BAP2 | Interfering with learning outside of the classroom ( <i>examples include excessive noise, interrupting a class, etc.</i> )                                    | • |   |   |   |   |
| BAP3 | Scholastic dishonest ( <i>cheating, plagiarism, forgery (including computer forgery), lying, stealing, or any other acts of dishonesty</i> )                  | • |   |   |   |   |
| BAP4 | Unexcused tardiness to class ( <i>A student is considered tardy to class if he/she is not in the classroom when the class is scheduled to begin.</i> )        | • |   |   |   |   |
| BAP5 | Unexcused tardiness to school ( <i>A student is considered tardy to school if he/she is not in the classroom when the school day is scheduled to begin.</i> ) | • |   |   |   |   |

| SBAR  | Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures   | 1 | 2 | 3 | 4 | 5 |
|-------|--|---|---|---|---|---|
| BSO1  | Altering an official document or record  | • | • | • |   |   |
| BSO2  | Giving false information, misrepresentation ( <i>i.e. intentional or repeated cheating, plagiarism, lying</i> )  | • | • | • |   |   |
| BSO3  | Refusal to comply with requests of staff in a way that interferes with the operation of school   | • | • | • |   |   |
| BSO5  | Failure to attend assigned disciplinary setting ( <i>detention, in-school suspension, after school, alternatives to suspension</i> )   | • | • | • |   |   |
| BSO6  | Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building  | • | • | • |   |   |
| BSO7  | Dress Code Violation   | • | • |   |   |   |
| BSO8  | Gambling ( <i>including games of chance for money or profit as defined in § 18.2-46.1. Possession of gambling devices and paraphernalia is prohibited</i> )  | • | • | • |   |   |
| BSO9  | Possessing items that are inappropriate for school (examples include toys, literature, electronics)  | • | • | • |   |   |
| BSO10 | Possession of stolen items   | • | • | • |   |   |
| BSO11 | Unauthorized use of school electronic or other equipment   | • | • | • |   |   |
| BSO12 | Violation of the Acceptable Use of Technology/internet policy  | • | • | • |   |   |
| BSO13 | Violation of school board policy regarding the possession or use of portable communication devices   | • | • | • |   |   |
| BSO14 | Vandalism, graffiti or other damage to school or personal property ( <i>Thoughtless defacement, damage, or destruction and willful or malicious acts of damage or destruction of public/ school property</i> ) | • | • | • |   |   |
| BSO15 | Student is not going to class as assigned  | • | • | • |   |   |
| BSO16 | Student is in an unauthorized area of the campus   | • | • | • |   |   |

| SBAR | Relationship Behaviors (RB) create a negative relationship between two or more members of the school community (No physical harm is done.)  | 1 | 2 | 3 | 4 | 5 |
|------|---|---|---|---|---|---|
| RB1  | Bullying with no physical injury  | • | • | • |   |   |
| RB2  | Cyberbullying   | • | • | • |   |   |
| RB3  | Posting, distributing, displaying, or sharing inappropriate material or literature, including using electronics means   | • | • | • |   |   |
| RB4  | Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature  | • | • | • |   |   |
| RB5  | Stealing money or property without physical force   | • | • | • |   |   |
| RB6  | Speaking to another in an uncivil, discourteous manner  | • | • | • |   |   |
| RB7  | Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight  | • | • | • |   |   |
| RB8  | Using profane or vulgar language or gestures ( <i>swearing, cursing, hate speech, gang signs or gestures</i> )  | • | • | • |   |   |
| RB9  | Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability | • | • | • |   |   |
| RB10 | Failure to respond to questions or requests by staff  | • | • | • |   |   |
| RB11 | Unwanted or inappropriate physical contact of a sexual nature   | • | • | • |   |   |

| SBAR  | Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school   | 1 | 2 | 3 | 4 | 5 |
|-------|---|---|---|---|---|---|
| BSC1  | Alcohol: Possessing, using, or being under the influence of alcohol   | • | • | • |   |   |
| BSC2  | Alcohol: Distributing alcohol to other students   | • | • | • | • |   |
| BSC3  | Drugs: Possessing drug paraphernalia  | • | • | • |   |   |
| BSC4  | Drugs: Violating school board non-prescription (Over the counter) medication policy or look-alike drug policy   | • | • | • |   |   |
| BSC5  | Tobacco: Possessing/Using/Distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment  |   | • | • |   |   |
| BSC6  | Bullying Behavior without physical injury that continues after intervention ( <i>Bullying that leads to physical injury will be classified as Assault and Battery</i> )                                   |   | • | • | • |   |
| BSC7  | Cyberbullying that continues after intervention ( <i>Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences</i> ) |   |   | • | • | • |
| BSC8  | Harassment ( <i>Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment</i> )                                  | • | • | • |   |   |
| BSC9  | Bus: Distracting the bus driver   | • | • | • |   |   |
| BSC10 | Bus: Endangering the safety of others on the bus ( <i>Serious or repeated incidents of bus misconduct will result in denying the student the privilege of riding on the bus</i> )                         | • | • | • |   |   |
| BSC11 | Fire alarm: Falsely activating a fire or other disaster alarm   | • | • | • |   |   |
| BSC12 | Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke  | • | • | • |   |   |

|              |   |   |   |   |   |   |
|--------------|---|---|---|---|---|---|
| <b>BSC13</b> | Engaging in reckless behavior that creates a risk of injury to self or others ( <i>including reckless use of a vehicle on school property</i> ) | • | • | • |   |   |
| <b>BSC14</b> | Fighting that results in no injury as determined by school administration   | • | • | • |   |   |
| <b>BSC15</b> | Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students                                 | • | • | • |   |   |
| <b>BSC16</b> | Throwing an object that has the potential to cause a disturbance, injury, or property damage  | • | • |   |   |   |
| <b>BSC17</b> | Shoving, pushing, striking, biting another student with no visible injury   | • | • | • |   |   |
| <b>BSC18</b> | Exposing body parts, lewd or indecent public behavior   | • | • | • |   |   |
| <b>BSC19</b> | Physical contact of a sexual nature – patting body parts, pinching, tugging clothing,   | • | • | • |   |   |
| <b>BSC21</b> | Stalking as described in the <i>Code of Virginia Section 18.2-60.3</i>  |   | • | • |   |   |
| <b>BSC22</b> | Stealing money or property using physical force (no weapon involved)  | • | • |   |   |   |
| <b>BSC24</b> | Leaving school grounds without permission   | • |   |   |   |   |
| <b>BSC25</b> | Trespassing   |   | • | • |   |   |
| <b>BSC26</b> | Possessing dangerous instruments/substances that could be used to inflict harm upon another   |   |   | • | • |   |
| <b>BSC27</b> | Weapon: Possessing any weapon (other than a firearms) as defined by § 18.2-308.1  |   |   |   | • | • |

| <b>SBAR</b> | <b>Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community.</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|-------------|---|----------|----------|----------|----------|----------|
| BESO1       | Assault: Intending to cause physical injury to another person   | •        | •        | •        |          |          |
| BESO2       | Assault and Battery: Causing physical injury to another person  |          |          | •        | •        | •        |
| BESO3       | Fighting: The use of physical violence between students or on another person where there is minor injury as determined by the school administration                   | •        | •        | •        |          |          |
| BESO4       | Striking Staff: The use of force against a staff member when no injury is caused  | •        | •        | •        |          |          |
| BESO5       | Drugs: Possessing controlled substances, illegal drugs, inhalants, synthetic hallucinogens or unauthorized prescription medications                                   |          |          | •        | •        | •        |
| BESO6       | Drugs: Being under the influence of controlled substances, illegal drugs, inhalants, synthetic hallucinogens or unauthorized prescription medications                 |          |          | •        | •        | •        |
| BESO7       | Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications   |          |          | •        | •        | •        |
| BESO9       | Fire: Attempting to set, aiding in setting, or setting a fire   |          | •        | •        | •        |          |
| BESO10      | Gang-Related Behavior ( <i>Engaging in threatening or dangerous behavior that is gang-related</i> )   | •        | •        | •        | •        |          |
| BESO11      | Hazing as defined in § 18.2-56 and noted in § 22.1-279.6  |          |          |          |          | •        |
| BESO12      | Threatening, intimidating, or instigating violence, injury or harm to a staff member or members   | •        | •        | •        | •        |          |
| BESO13      | Threatening, intimidating, or instigating violence, injury or harm to another student(s) or others(s) (not including written threats)                                 | •        | •        | •        |          |          |
| BESO14      | Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s) (in writing)   | •        | •        | •        |          |          |

|        |   |   |   |   |   |  |
|--------|---|---|---|---|---|--|
| BESO15 | Using an object not generally considered to be a weapon to threaten or attempt to injure students or others   | • | • | • | • |  |
| BESO16 | Using a weapon to threaten or attempt to injure student or other(s)   | • | • | • | • |  |
| BESO17 | Bomb threat –Making a bomb threat   | • | • | • | • |  |
| BESO18 | A crime in the community where the student was charged with an offense relating to the Commonwealth's laws but is required to be disclosed to the superintendent of the school division pursuant to § 16.1-260(G) |   |   |   |   |  |

| <b>SBAR</b> | <b>Category F: Behaviors described in the Virginia's Unsafe School Choice Option Policy (PD) required by the federal Every Student Succeeds Act of 2015</b>   | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|-------------|---|----------|----------|----------|----------|----------|
| PD1         | Homicide - Firearm  |          |          |          |          | •        |
| PD2         | Homicide - Other Weapon   |          |          |          |          | •        |
| PD3         | Sexual Assault  |          |          |          |          | •        |
| PD4         | Attempted Sexual Assault  |          |          |          |          | •        |
| PD5         | Use of a Bomb   |          |          |          |          | •        |
| PD6         | Assault with Firearm or Weapon  |          |          |          |          | •        |
| PD7         | Actual or Attempted Robbery   |          |          |          |          | •        |
| PD8         | Kidnapping/Abduction  |          |          |          |          | •        |
| PD9         | Malicious Wounding without a Weapon   |          |          |          |          | •        |
| PD10        | Aggravated Sexual Battery on a Student  |          |          |          |          | •        |
| PD11        | Illegal Possession of Handgun   |          |          |          |          | •        |
| PD12        | Illegal Possession of Rifle or Shotgun  |          |          |          |          | •        |
| PD13        | Illegal Possession of Any Other Projectile Weapon   |          |          |          |          | •        |
| PD14        | Illegal Possession of Bomb  |          |          |          |          | •        |
| PD15        | Illegal Possession of Other Firearms: firebombs, explosive materials or devices, hoax explosive devices per § 18.2-85, or explosive incendiary devices, as defined in § 18.2-433.1, or chemical bombs per § 18.2-87.1 |          |          |          |          | •        |
| PD16        | Illegal Possession of Controlled Drugs and Substances with Intent to Distribute or Sell   |          |          |          |          | •        |

## LEVELS OF ADMINISTRATIVE RESPONSES TO STUDENT BEHAVIOR

The following summarizes the levels of disciplinary responses 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. Disciplinary responses to student behavior are dependent on the nature of the behavior and are progressive in nature; that is, the level of response increases as the number of instances of similar inappropriate behavior increases.

*Note: 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.*

### LEVEL 1 RESPONSES

*Level 1 responses are intended to prevent further behavioral issues while keeping the student in school.*

**Bus Suspension** - The temporary removal of the student from the bus or a loss of bus privileges (up to 2 days).

**Confiscation** - Temporary possession of the student's personal property.

**Detention** - Detaining a student for disciplinary reasons before or after school hours. The parent/legal guardian will be notified in advance of the detention. Students must be supervised by a teacher, administrator, or paraprofessional.

**Restriction** - The temporary denial of the student's right to participate in designated activities.

**Revocation of Privilege** - The removal of a student privilege (e.g., use of technology, ability to possess electronic device) for a defined length of time.

**Timeout** - The temporary removal of the student from class.

**Verbal Warning/Reprimand** - The staff member will remind the student of appropriate behavior/tell the student not to engage in inappropriate behavior. Every effort should be made to conduct warnings/ reprimands privately.

### LEVEL 2 RESPONSES

*Level 2 responses are designed to prevent further behavioral issues and attempt to keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.*

**Behavior Contract** - A written agreement with the student for a defined period of good behavior in lieu of suspension.

**Bus Suspension** - The temporary removal of the student from the bus or a loss of bus privileges (up to 4 days).

**Class Removal (up to 3 hours)** - The administrator may assign the student to class removal for up to three hours. During class removal, the student is given classwork by qualified school personnel.

### LEVEL 3 RESPONSES

*Level 3 behaviors, dependent upon the severity, chronic nature of the behavior and/or safety concerns, may result in the students' short-term removal from school.*

**Bus Suspension** - The temporary removal of the student from the bus or a loss of bus privileges (up to 10 days).

**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. The assignment must be a written mutual agreement between parent/legal guardian, student and administrator.

**Class Removal (up to a full day)** - The administrator may assign the student to class removal for up to three hours. During class removal, the student is given classwork by qualified school personnel.

**Out-of-School Suspension (up to 3 days - PK - 3rd, up to 5 days - 4th - 5th)** - The administrator may assign the student to out-of-school suspension (OSS) for a period up to five days (i.e., quarter day, half day, full day). During the period of OSS restrictions are in place. The student is not permitted on school property or at school-sponsored activities. Instruction will continue so that the student may remain current with academics. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS.

### LEVEL 4 RESPONSES

*Level 4 behaviors may require a report to Chief Academic Officer (as the Superintendents' designee) as outlined in [Virginia Code §22.1-279.3:1](#). It does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the student may be*

*permitted to return to the comprehensive setting with additional supports and/or responses to be implemented.*

### **Student Success School-Based Referral**

If the student has had five or more disciplinary referrals without an improvement in behavior after interventions and supports put into place by the school, the Principal or designee may refer the student to Student Success Team to develop a behavior improvement plan. The student and parent/legal guardian should be included in this process.

**Out-of-School Suspension (up to 3 days - PK - 3rd, up to 10 days – 4<sup>th</sup> – 5<sup>th</sup>)** The administrator may assign the student to out-of-school suspension (OSS) for a period of up to ten days. During the period of OSS **restrictions** are in place. The student is not permitted on property or at school-sponsored activities. Instruction will continue to that the student may remain current with academics. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS.

### **Another Chance**

In partnership with District 19 Community Services Board, Department of Children's Services, and Court

Services; Dinwiddie County Public Schools provides an alternative to long-term suspension or expulsion for all first time offenders of drug or alcohol usage, weapons, and behavioral infractions. This program is an opportunity for students to meet the conditions of their individual contract by completing assigned work, attending intervention/prevention sessions for alcohol usage, drug usage, weapons or behavioral infractions and possibly returning to school the first day after completion of the first session. This alternative would increase our on-time graduation percentage and reduce the dropout

rate. The reduced discipline time would depend on the completion of all assigned work and attendance at all six (6) sessions of counseling to include two (2) sessions with the parent.

### **LEVEL 5 RESPONSES**

*Level 5 responses are reserved for the most serious behaviors, resulting in a report to the Chief Academic Officer (as the Superintendents' designee). The referral to the Chief Academic Officer may not automatically result in a school reassignment, alternative placement, long-term suspension or expulsion.*

### **Recommendation for Long-term Suspension (up to 45 days)**

The Principal or designee may recommend the student for long-term suspension. The student can be suspended for up to 45 days.

In the case of a recommendation for long-term suspension, 1 parent or guardian may appeal to the Chief Academic Officer in writing within five days of receiving notice from the principal. The Chief Academic Officer will arrange a time and place for a hearing to be held within ten school days of the date of notice from the Principal. The Principal and any witnesses deemed necessary should attend the hearing. The student and the parent/legal guardian shall also be required to attend the hearing. The Chief Academic Officer may uphold or modify the recommendation. Should the decision be made to uphold the recommendation, the parent or guardian has the right to appeal the decision to the School Board. Instruction will continue to that the student may remain current with academics.

### **Recommendation for Expulsion**

The Principal may recommend the student for expulsion. Upon the recommendation, the Chief Academic Officer shall review the recommendation, which he/she may uphold or modify. If the Chief Academic Officer upholds the recommendation for expulsion, he/she shall notify the student and his/her parent/legal guardian of the time and place of a hearing before the School Board. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The Principal and any witness deemed necessary should attend the hearing. The student and parent/legal guardian shall also be required to attend the hearing.

Instruction will continue to that the student may remain current with academics.

### **Expulsion**

The student can be expelled only by action 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.

## BEHAVIORAL INTERVENTIONS

In addition to the use of leveled disciplinary responses to student behavior, DCPS uses a variety of behavioral interventions in order to work as a community to address inappropriate behavior, with a focus on teaching appropriate behavior, restoring harm and repairing relationships. The following behavioral interventions may be used when responding to student behavior:

**Parent/Legal Guardian Contact** - Parent/legal guardian contact may be in the form of verbal communication (e.g., phone call) or written communication (e.g., letter or email).

**Conference** - A conference may be held in person or by virtual means and may include any combination of the following participants: student, parent/legal guardian, administrator, counselor and other school staff. After a first conference is held, additional conferences may be necessary in order to continue to provide support and guidance to the student.

**Behavioral Contract** - The contract is a written agreement between the student, parent/legal guardian and the school, listing requirements for improvement.

**Referral to Support Staff** - A referral to support staff may be made in order to gain targeted assistance to meet a student's specific behavioral needs. Support staff may include any of the following: school social worker, school counselor, school psychologist and other support staff (e.g., mentor).

**Referral to Student Success Team (SST)** - The student response team includes school staff and others who are able to closely examine a student's needs in order to make recommendations for improvement and develop a plan of support.

**Referral to IEP Team** - A student who receives Special Education services may be referred to his/her IEP team in order to determine what actions are needed to support the student. For more information on Special Education services, please visit [Exceptional Education](#) on the school division's website.

**Functional Behavior Assessment (FBA)** - The FBA examines the student's behavior and potential reasons for the behavior.

**Behavioral Intervention Plan (BIP)** - The BIP is a plan developed with information from the FBA. It is designed to put strategies in place to assist the student with changing inappropriate behavior.

**Progress Monitoring** - Methods to monitor and support a student's behavioral progress include strategies such as the check-in/check-out system and/or a behavior progress chart.

**Seat or Schedule Change** - A student's immediate environment may be altered in order to assist the student in behavioral success. This may include actions such as assigning a seat, changing the student's seat and/or changing the student's schedule.

**Restorative Practices** - Restorative practices may be used in order for a student to understand the impact of their actions on others and give the student an opportunity to repair the harm that was done and/or repair relationships. Examples of restorative practices are mediation, formal restorative conferences, restorative circles or groups, and restitution. (See [Restorative Practices](#))

**Referral to Outside Support Agency** - A referral to an outside support agency may be made by the school in order to assist the parent/legal guardian with finding additional resources to assist their student. The cost for participation in programs and/or services by agencies outside of the school division is the responsibility of the parent/legal guardian.

**Referral to Threat Assessment Team** - In circumstances involving a threat to students or staff, a school threat assessment team will meet to evaluate the seriousness of the threat in order to take appropriate action. Members of the team may include the school's administration, resource officer, psychologist and counselor.

## ANOTHER CHANCE

In partnership with District 19 Community Services Board, Department of Children's Services, and Court Services; Dinwiddie County Public Schools provides an alternative to long-term suspension or expulsion for all first time offenders of drug or alcohol usage, weapons, and behavioral infractions. This program, "Another Chance", is an opportunity for students to meet the conditions of their individual contract by completing assigned work, attending intervention/prevention sessions for alcohol usage, drug usage, weapons or behavioral infractions and possibly returning to school the first day after completion of the first session. This alternative would increase our on-time graduation percentage and reduce the dropout rate. The reduced discipline time would depend on the completion of all assigned work and attendance at all six (6) sessions of counseling to include two (2) sessions with the parent.

WHERE: Eastside Enhancement Center  
7301-B Boynton Plank Road North Dinwiddie, VA 23803  
(804) 732-1100

DATE/TIME: Wednesdays  
5:00 PM for Secondary Students  
6:00 PM for Elementary Students

### SESSIONS:

- District 19 provides six (6) sessions, which student must attend all.
- Parent must attend two (2) sessions, which are the student's third and last session.
- The student returns to school after the 1st session is completed by submitting an "Another Chance" program verification of attendance form.

CONSEQUENCE: One (1) unexcused absence from a session may result in a referral back to School Board to enforce appropriate discipline.

TRANSPORTATION: None Provided (Parent or student provides) Parents of elementary students MUST stay on the premises while the student is in their session.

## 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 will 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

## DISCIPLINARY ACTION FOR CONDUCT NOT RELATED TO SCHOOL ACTIVITIES

The School Board requires a transition meeting with the parents/legal guardians of any student who was:

- 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;
- 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
- 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.

[Virginia Code §22.1-277.2:1](#), and Subsection G of [Virginia Code §16.1-260](#)

# POLICIES AND PROCEDURES

## DCPS POLICIES AND REGULATIONS:

<https://go.boarddocs.com/vsba/dinwiddie/Board.nsf/Public#>

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

[The Family Educational Rights and Privacy Act \(FERPA\)](#) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents/legal guardians certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents/legal guardians or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents/legal guardians or eligible students to review the records. Schools may charge a fee for copies.
- Parents/legal guardians or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent/legal guardian or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent/legal guardian or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent/legal guardian or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Directory information is routine information that generally is not considered harmful to disclose. Consequently, this kind of information may be included in school publications and disclosed to outside organizations without the parent's prior written consent – unless the parent has opted out of such disclosure. For students currently enrolled in DCPS, the decision to opt out of the release of directory information applies only to the current school year and the decision to opt out of directory information must be sent in writing to the student's school office within 10 days of receiving this notification. If a student withdraws or graduates from DCPS, however, DCPS will continue to honor the last opt-out decision made while the student attended DCPS, unless DCPS is notified that the choice has been rescinded. The following are examples of directory information that are frequently made available to the general public (including the press):

- School yearbooks (photos)
- Honor rolls, awards, and scholarship lists
- Information to yearbook company to facilitate photos
- Officially recognized activities and sports (weight and height if needed as a member of an athletic team)
- Graduation, theater, athletic, and music programs
- Videos of performances, school activities, graduation, and athletic events
- Articles about school activities and athletic events
- Students' major field of study
- Pictures on division or school websites, promotional materials, annual reports, or other DCPS online or print documents

DCPS does not generally release student birth date, gender, primary/home language, addresses and phone numbers, attendance, weight, height, and other similar information to the press or the general public, even though it is directory information. Unless the parent (or student over 18) has opted out of such disclosures, DCPS will disclose some of these information items only to certain designated organizations. These may include PTAs, athletic booster clubs, state, and county agencies, and other organizations to assist in the provision of services in the best interest of the student. Please note that even if a parent has decided to opt out of the release of directory information to such agencies, DCPS may release this information to such agencies if the release is otherwise authorized by law.

Federal law requires DCPS to release the names, addresses and telephone numbers of secondary school students to military recruiters who request that information. Parents or the student (even if the student is not 18) may opt out of the release of this information. A parent or student decision to opt-out of this release of information remains in effect until it is rescinded.

## SCHOOL JURISDICTION

### Transportation Policies

The School Board will be responsible for maintaining good order and discipline of students while traveling to and from or attending school or school sponsored events. The Superintendent is authorized to take appropriate action against students who are not in compliance with compulsory attendance laws and regulations. The School Board may exercise jurisdiction over students for activities that happen off of school property, outside of school hours or days, and/or through online or social media when such activity disrupts or has the potential to disrupt the educational environment and the operation of school services.

Students are under the jurisdiction of the rules and regulations governing school activities while:

- in transit to and from school as a pedestrian;
- in transit to, from, or at the bus stop
- while riding on a school bus, in a School Division vehicle, or a vehicle being used for school activities;

- while using School Division equipment, computers, School Division provided online resources or networks;
- while outside of school hours or school days if school administrators determine that the student's conduct causes or has the potential to cause substantial and material disruption to the educational environment or the operation of the school or School Division;
- when a student is the subject of investigation, arrest, petition for review, probation and sentencing for criminal conduct unrelated to school matters;
- when public attention or scrutiny of the student causes or has the potential to cause substantial and material disruption to the educational environment; and
- when school authorities determine that there are unique circumstances that justify the need to take action against the student.

## DUE PROCESS

With the requirements of fair and equitable treatment of all students and within the guidelines of applicable case law, and federal and state law and regulation, the following shall constitute the minimum due process procedures to be followed in the detention, suspension and expulsion of students.

1. The student, and parent(s)/legal guardian(s) of minor students shall be given written notice of the charges.
2. If the student denies them, the student will be provided with an explanation of the facts as known to school personnel and an opportunity to present his/her version of what occurred.
3. The student and parent(s)/legal guardian(s) of minor students shall be informed of the conditions of the disciplinary action.
4. In the case of a suspension of more than ten (10) school days or in the case of an expulsion,
  - a. The hearing officer, the discipline committee members, or the School Board members should not be persons with the direct involvement in the incident or the recommended discipline and should not have a personal or professional relationship with the student, the student's family, or the student's attorney.
  - b. The hearing officer, discipline committee members, or the School Board members reserve the right to recuse themselves from a student disciplinary hearing for these reasons or other good and just cause.
  - c. If the student and parent(s)/legal guardian(s) of a minor student fail to appear, the hearing may be held in their absence and a decision may be rendered based upon the evidence that is presented.
5. The adult student or the parent/legal guardian of a minor student may appeal the decision.

*Note: The parent/ legal guardian/ adult student will be notified about the existence of community-based educational, training, and intervention programs. The cost for participation in programs not offered by the school division is borne by the parent/ legal guardian of the student.*

## STUDENT SEARCHES

A student's individual right to privacy and freedom from unreasonable search and seizure is balanced against the school's responsibility to protect the health, safety and welfare of all persons within the school community. Designated school officials may search any student and their property (including privately owned electronic devices) and/or an impairment assessment completed when there is reasonable suspicion that a law or school rule has been or is about to be broken, or there is reasonable basis to believe that the student possesses an item which violates local, state or federal law, school board policies or division regulations, or which may be harmful to the school or its students and staff. Any illegal materials discovered by school administrators will be seized and turned over to appropriate law personnel.

Metal detectors and other types of surveillance equipment may be used in the schools and at school activities for both random searches and where reasonable suspicion to search is present. Police dogs may 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. [Virginia Code §16.1-269.1](#) 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.

For more information about student searches, see [School Board Policy JFG](#) and [School Board Regulation JFG-R](#).

## QUESTIONING OF STUDENTS

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/legal guardians.

## DISABILITIES

### [School Board Policy JGDA](#)

#### Overview

A Free Appropriate Public Education (FAPE) must be made available to all children with disabilities aged three to twenty-one residing within its district's boundaries who have not received a high school diploma, including children with disabilities who have been suspended or expelled for more than ten school days in a school year. Students with disabilities are entitled to all the same due process protections as students who do not have disabilities and have additional protections under federal law, Individuals with Disabilities Education Act (IDEA), and Americans with Disabilities Act (ADA), and state law, Regulations Governing Special Education Programs for Children with Disabilities in Virginia. Students with disabilities who are long-term suspended or expelled are entitled to an expedited decision from a due process hearing challenging the disciplinary action.

#### Considerations

It is important to consider the Virginia Department of Education (VDOE) Guidance regarding discipline of students with disabilities that aligns with federal and state regulations:

- All children, including children with disabilities, deserve safe, well-disciplined schools and orderly learning environments;
- Teachers and school administrators should have the tools they need to assist them in preventing misconduct and discipline problems and to address these problems, if they arise;

- There must be a balanced approach to the issue of discipline of children with disabilities that reflects the need for orderly and safe schools and the need to protect the rights of children with disabilities to a free appropriate public education;
- Appropriately developed Individualized Education Programs (IEPs) with well-developed behavior intervention strategies decrease school discipline problems. This also applies to students eligible under Section 504; and
- School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates a *Code of Student Conduct*.

Prior to administering disciplinary action that would result in a change in placement (disciplinary removal for more than ten days), particularly if the student had more than one disciplinary referral during the school year, the school administrator should:

- Contact the Special Education Coordinator/Section 504 instructional specialist;
- Review eligibility documents regarding effect of the disability;
- Review the IEP/Section 504 Plan for behavioral supports and implementation;
- Identify if the team met to review student's instructional needs;
- Determine if the team considered and proposed a Functional Behavior Assessment (FBA) and/or Behavioral Intervention Plan (BIP) and/or revision; and
- Determine if there is a need for a referral to the Special Education Committee (SEC)/ Section 504 reevaluation team to consider the possible need for updated assessments.

Building administrators should consider options to continue to provide IEP/Section 504 accommodations, supports, and services so that students have access to their educational programming during removals from the classroom. Benefits to providing educational programming in these instances ensure that students do not fall behind in coursework and offer the opportunity for students to acquire skills necessary to modify behavior upon return to school.

### **Removals**

In most cases, students with disabilities cannot be removed for more than ten school days during a school year for disciplinary purposes. If a student is removed for more than ten school days due to a disciplinary infraction, it is considered a long-term removal or change in placement, and a Manifestation Determination Review (MDR) must be conducted.

A short-term removal is for a period up to ten consecutive school days or for ten cumulative school days in a school year and does not constitute a pattern or change of placement.

A long-term removal (change in placement) is for more than ten consecutive days, or if there has been a series of short-term suspensions totaling more than ten days that form a pattern of behavior:

- a. Because the removals cumulate to more than ten school days in a school year;

- b. Because the child's behavior is substantially similar to the child's behavior in previous incidents that results in a series of removals; and
- c. Because of such additional factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

#### **Section 504**

For questions regarding discipline of students eligible under Section 504, contact the Section 504 instructional specialist assigned to the school or the Office of Exceptional Education at (804) 469-4190.

#### **IDEA**

For questions regarding discipline of students eligible under IDEA, contact the Special Education Coordinator assigned to the school or the Office of Programs for Exceptional Children at (804) 469-4190.

## **SUSPENSION APPEAL PROCEDURES**

### **In-school Disciplinary Actions**

Should a parent/legal guardian disagree with an in-school disciplinary action of the school (e.g., detention, class removal), the parent/legal guardian may appeal the school's decision using the following guidelines:

1. The parent/legal guardian must submit the appeal to the Principal. The Principal should receive the appeal within three (3) school days of the parent/legal guardian receiving notification of the discipline decision.
2. The Principal will meet with the student and/or the parent/legal guardian and respond within five (5) school days of the receipt of the appeal.
3. The decision of the Principal is final.

### **Out-of-School Suspension (OSS) Ten Days or Fewer**

Should a parent/legal guardian disagree with an out-of-school disciplinary action of ten days or fewer (e.g., Out-of-School Suspension, Corrective Action Plan), the parent/legal guardian may appeal the school's decision using the following guidelines:

#### **First Level – Appeal to the School Principal**

1. The parent/legal guardian must submit an appeal to the Principal. The Principal should receive the appeal within three (3) school days of the parent/legal guardian receiving notification of the discipline decision.
2. The Principal will meet with the student or the parent/legal guardian and respond within five (5) school days of the receipt of the appeal.
3. Note: The Principal may assign a designee to meet with a student or the parent/legal guardian and to respond within five (5) days of the receipt of the appeal if the Principal will be absent during the five (5) day appeal period.
4. If the parent/legal guardian disagrees with the Principal's decision, the parent/legal guardian may follow the steps under the second level appeal (below).

### **Second Level – Appeal to the Chief Academic Officer**

1. The parent/legal guardian must submit an appeal to the Chief Academic Officer. The Office of Academic Services should receive the appeal within three (3) school days of the parent/legal guardian receiving notification of the Principal's decision.
2. The Chief Academic Officer will investigate the matter and respond in within five (5) school days of the receipt of the appeal.
3. Acting as the Superintendent's designee, the decision of the Chief Academic Officer is final.

### **Long-term Suspensions (more than ten days)**

The parent/legal guardian may appeal the decision to a discipline committee of the School Board as follows:

Such requests to appeal must be filed in writing by the parent/legal guardian with the Chief Academic Officer, within five (5) school days of receipt of the decision, or the right to appeal is waived.

1. The appeal must be in writing and must be filed by the parent/ legal guardian with the Chief Academic Officer within five (5) school days of receipt of the decision or the right to appeal is waived.
2. The School Board will consider the appeal within thirty (30) calendar days.
3. Instruction will continue so that students will remain current with academics.

### **Expulsions**

Following the Superintendent's or his/her designee's recommendation for expulsion, a hearing will be held by the School Board to confirm or disapprove the expulsion.

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 DCPS during the suspension, the student and/or parent/legal guardian is 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, whoever is applicable, for educational service options. Students who are expelled from DCPS remain subject to compulsory attendance laws.

### **Reinstatement**

The School Board will require students who have been expelled 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.



## Dinwiddie County Public Schools' Leadership

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## Notice of Non-Discrimination Policy

Dinwiddie County Public Schools does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, 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](#) 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 DCPS Office of Academic Services, 14016 Boydton Plank Road, Dinwiddie VA 23841, (804) 469-4190 [aclay@dcpsnet.org](mailto:aclay@dcpsnet.org) (student complaints) or the DCPS Department of Human Resources, 14016 Boydton Plank Road, Dinwiddie, VA 23841 (804) 469-4190 [ebranch@dcpsnet.org](mailto:ebranch@dcpsnet.org) (employee complaints).

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 to NaTonya Robinson-Williams, Coordinator of Communication and Media Relations, Dinwiddie County Public Schools, 14016 Boydton Plank Road, Dinwiddie, VA 23841 (804) 469-4190.

<https://www.dinwiddie.k12.va.us/>

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