

Student Code of Conduct Handbook



**Stafford County
Public Schools**
Inspire | Empower | Excel

2022-2023

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August 9, 2022

Dear Parents/Guardians and Students:

Welcome to the Stafford County Public Schools. The following *Student Code of Conduct Handbook* is an important publication that we believe will help foster better understanding and communication with our students and families about the policies and procedures that govern our school system.

As part of our focus on academic rigor, schools must be purposeful and inclusive places of learning. This requires that our schools be safe places with limited distractions that interfere with teaching and learning. The Stafford County Public Schools *Student Code of Conduct Handbook* defines expectations and procedures regarding student behavior that apply to all students across all school programs.

Although we tried to cover all of our policies and procedures in this handbook, there may be times when administrators will be required to use professional judgment to address an issue or concern that might develop and is not clearly defined in this handbook. Furthermore, based on new school board policies that might be approved after this handbook goes to publication, we might at times amend, remove, or write a new policy and procedure. We will clearly publish and communicate these changes to you using our website and other methods.

As your superintendent, I strongly encourage you to review this *Student Code of Conduct Handbook* with your children. We appreciate your assistance at home in reinforcing our efforts to promote a safe learning environment for all students. As you review these pages, I trust you will appreciate the thoughtfulness of this document and the commitment it places on respect for all children and staff members. During the first week of school, you will be required to confirm receipt of the *Student Code of Conduct Handbook* electronically through ParentVue.

At any time you have any concerns or questions about your child's academic, social, or emotional well-being at school, please do not hesitate to contact your child's school counselor and/or administrator. Additionally, as we update this handbook annually, I encourage your comments and suggestions. My promise to you is that the lines of communication remain open at all times. You are an integral part of our school system, and I appreciate our partnership.

We are excited to welcome your students for the 2022-2023 school year and look forward to working with you to make this a wonderful year for your children. I send you best wishes for a successful year.

Sincerely,

Thomas W. Taylor, Ed.D., M.B.A.
Superintendent

CODE OF STUDENT CONDUCT**PURPOSE: To establish standards of conduct for all students**

The *Code of Student Conduct* is designed to define the basic rules and major expectations for student behavior in the division schools. It is the responsibility of the board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The school principal has the responsibility and authority to exercise reasonable judgment in enforcing this *Code of Student Conduct*.

The superintendent shall issue a *Code of Student Conduct*, which creates a leveled system for administrators to apply equitable disciplinary responses to student behaviors. A combination of teacher and administrative responses should be included with the goal of preventing misbehavior from occurring, encouraging positive student behavior, developing social-emotional skills, and maximizing academic instructional time. Such a leveled system increases the fidelity of implementation of the *Code of Student Conduct* and therefore improves equity. In addition, consequent actions or punishments in the *Code of Student Conduct* should be addressed with instruction and intervention. Instruction should focus on helping students develop social-emotional competencies needed to change the behavior.

No period of suspension or expulsion shall exceed that permitted by law or VDOE regulation or guidance. Each parent/guardian has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

The principal/designee may request the student's parent or parents, if both have legal and physical custody, to meet with the principal/designee to review the *Code of Student Conduct* and the parent/guardian's responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress. The principal/designee should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

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

The parent/guardian is expected to assume responsibility for the student's behavior and assist the school in enforcing the *Code of Student Conduct* and compulsory school attendance. The parent/guardian is also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parent/guardian's

responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties and/or require specific response

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

The principal or principal's designee will notify the parent/guardian of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education.

Any student who is suspended from school shall be able to access and complete graded work during and after the suspension.

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

If a parent fails to comply with the requirements of this policy by refusing to participate in efforts to improve the student's behavior or school attendance, the division may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

School Jurisdiction

Students are subject to corrective action/disciplinary action for any misconduct which is within the jurisdiction of the school.

The authority of the school over the conduct of students extends to the following:

1. At all times when the student is on the grounds of any Stafford County Public School or other board property, whether it be before, during, or after school hours or hours of facility operation and whether or not the school or facility is presently used or occupied;
2. At all times when the student is at the site of any school-related activity, function, or event, including those which occur off school grounds, whether or not the student is a spectator or participant;
3. At all times when the student is at a school bus stop;
4. At all times when the student is being transported on a school bus or other school board-owned vehicle;
5. At all times when the student is participating in a school sponsored field trip or is otherwise being transported by any means of conveyance as part of a school group to a school related activity;

6. At such times as the student commits an act off school grounds which if committed on school grounds would be in violation of the *Code of Student Conduct*, the act has a nexus to the school, the conduct has a detrimental or harmful effect on the welfare or safety of the school and its students, and the act disrupts or is likely to disrupt the school environment;
7. At such times as the student commits an act off school grounds which act leads to an adjudication of delinquency pursuant to VA Code §16.1-305.1 or a conviction for an offense listed in VA Code §16.1-260 or a charge that would be a felony if committed by an adult;
8. In such circumstances as jurisdiction is extended to the school by federal, state, or local law, ordinance, or regulation and
9. The virtual learning environment.

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

Law Enforcement Notification

Violations of the law must be reported to law enforcement in accordance with Section 22.1-279.3:1 of the *Code of Virginia*, including but not limited to acts constituting assaults and battery, certain threats against school personnel, weapon possession, felony drug or alcohol offenses, truancy, or other violations of the *Code of Virginia*. Violations of the law will be reported to the School Resource Officer or other appropriate authority, who will initiate appropriate legal action. Parents/guardians will also be notified as required by law.

In compliance with the federal Improving America's Schools Act of 1994 (Part F – “Gun-Free Schools Act of 1994”) and §22.1-277.07 of the Code of Virginia, the board shall expel from school attendance for a period of not less than one year any student whom the board has determined in accordance with the procedures set forth in §22.1-277, et seq. of the Code of Virginia to have possessed a firearm on school property or at a school-sponsored activity as prohibited by §18.2-308.1 of the Code of Virginia, or to have possessed a firearm or destructive device as defined in subsection E a firearm muffler or firearm silencer, or pneumatic gun as defined in subsection E of §15.2-915.4 of the Code of Virginia on school property or at a school-sponsored activity. The board may, however, determine, based on the facts of the particular case, that special circumstances exist, and no disciplinary action or another term of expulsion is appropriate. The board authorizes the division superintendent/ designee in accordance with the procedures set forth in §22.1-277, et seq. of the Code of Virginia to conduct a preliminary review and hearing of such cases to determine, based on the facts of the particular case whether special circumstances exist and whether any disciplinary action or another disciplinary action or another term of expulsion is appropriate and to impose such disciplinary measure.

In compliance with §22.1-277.08 of the Code of Virginia the board shall expel from school attendance any student whom the board has determined, in accordance with the procedures set forth in §22.1-277, et seq. of the Code of Virginia to have brought a controlled substance, imitation controlled substance, or marijuana as defined in §3.2-4121 of the Code of Virginia onto school property or to a school sponsored activity. The board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is

appropriate. The board authorizes the division superintendent/designee, in accordance with the procedures set forth in §22.1-277, et seq. of the Code of Virginia to conduct a preliminary review and hearing of such cases to determine, based on the facts of the particular case whether special circumstances exist and whether another disciplinary action is appropriate and to impose such disciplinary measure.

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

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

06/08/21 Amended

2401-R

2401-R

**Student Services
CODE OF STUDENT CONDUCT**

PURPOSE: To establish standards of student conduct, disciplinary consequences for violation of those standards, and reporting requirements

Student Rights and Responsibilities

A student has all rights expressed and guaranteed by the United States Constitution and by federal, state, and local laws. These rights do not permit a student to disrupt the educational process, break school rules, present a health or safety hazard, or disregard the directions of those in authority. Individual rights do not include infringing upon the rights of others in the school community.

To the extent permitted by applicable law, students have the right to the following: a public education; an orderly school and classroom environment which will allow optimum learning; and freedom of expression in speech, writing, or symbols consistent with their constitutional rights and board policy. Students have the primary responsibility to maintain a climate of mutual respect and trust so that the dignity of the individual is protected and the pursuit of opportunities for each student be realized.

Students are responsible for the following: knowing and complying with any rules or regulations of the board, as well as local, state, and federal laws; attending school regularly, equipped with the materials needed to attend class, and completing class assignments and/or requirements; and contributing to a climate of mutual respect for all within each school so that the hopes and ambitions of all individuals may be realized.

Virginia Board of Education

The Virginia Board of Education's *Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension* makes clear that school divisions should take an instructional approach, when possible, to student discipline. Therefore, students who do not meet behavioral expectations will receive supports, as appropriate, to address the root causes of the behavior and learn suitable alternatives. In addition, an out of school suspension may be combined with instructional or restorative supports/interventions to address the student's behavior. When a specific student behavior does not change following an intervention – or the behavior increases in frequency, intensity, or duration – a problem solving approach will be utilized to identify alternative interventions and responses.

Code Violation Levels – Code violation levels offer building-level administrator guidance when determining the appropriate interventions, supports, and/or consequences for student misconduct. Each level represents the maximum consequence permitted for specific code violations; however, depending on the circumstances and context, administrators may provide an intervention, support, or consequence from a lesser level.

No period of suspension or expulsion shall exceed that permitted by law or by the Virginia Department of Education regulation or guidance.

- | | |
|-----------------|---|
| Level 1: | In-School Suspension (ISS) (up to two days); overnight suspension |
| Level 2: | ISS (one to three days); short term suspension (one to three days) may be warranted; overnight suspension |
| Level 3: | ISS (three to five days); short term suspension (one to three days for preK-3; one to five days for grades 4-12); overnight suspension |
| Level 4: | Short-term suspension (one to three days for grades preK-3; overnight suspension; four to 10 days for grades 4 & 5; six to 10 days for middle and high); *long-term suspension (11 to 45 days or more , if **aggravating circumstances exist) |
| Level 5: | *Long term suspension (11 to 45 days or more, if **aggravating circumstances exist); expulsion; alternative placement; overnight suspension |
- *The balance of any days to be served may be carried over to the following school year.
- **For the purposes of §22.1-277 and §22.1-277.05 of the Code of Virginia, "aggravating circumstances," as defined by the Virginia Department of Education means:
- i. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or

- ii. That a student's presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or
- iii. That a student engaged in a serious offense that is:
 - a) persistent (repeated similar behaviors are documented on the student's disciplinary record), and
 - b) unresponsive to targeted interventions as documented through an established intervention process.

Code Violation Level Interventions and Responses: These interventions for the most part aim to teach appropriate and alternative behavior so students can learn and demonstrate safe and respectful behavior. Some situations may warrant an out of school suspension coupled with an instructional or restorative support/intervention. The examples below are not all-inclusive nor are they required to be exhausted by teachers or school administration in every situation. In addressing behavior code infractions, school administrators may (but are not required to) take into account various factors, including but not limited to, age of the student, maturity level of the student, efficacy of the intervention/support in relation to the particular facts and circumstances, and parental/guardian input. In every case, the staff should consider revisions to plans supporting students with special needs (e.g., Child Study, IEP, or 504).

LEVELS OF INTERVENTIONS AND RESPONSES

LEVEL 1 - Interventions and responses at this level are designed to help improve student behavior in the classroom and/or school. If these interventions are successfully implemented, a referral to the school administrator may not be necessary. These responses are intended to prevent further behavior issues while keeping the student in school.

● Warning	● Recognize/reward appropriate behavior
● Written reflection or letter of apology	● Check-in and check-out system
● Loss of school privileges	● In-class time-out
● Seat change (classroom or bus)	● Time-out in another classroom setting
● Phone call or letter to/conference with parent/guardian	● Reinforcement of appropriate behaviors
● Confiscation by the administration	● Classroom behavior contract/ behavior monitoring form
● Mentoring	● Referral to support services (e.g., school counselor, behavior interventionist/ specialist, social worker)
● Administrator/teacher conference with student and/or parent/guardian	● Progress monitoring sheet

<ul style="list-style-type: none"> ● Re-teach or model desired behavior 	<ul style="list-style-type: none"> ● Referral to intervention (IEP/504/SEC) team
<ul style="list-style-type: none"> ● Reflective assignment 	<ul style="list-style-type: none"> ● Detention (before school, at lunch, after school)
<ul style="list-style-type: none"> ● Referral to case manager 	<ul style="list-style-type: none"> ● In-school suspension (up to 1 to 2 days) with behavioral instruction, academic support and/or restorative practices
<ul style="list-style-type: none"> ● Community service (appropriate to correct the behavior and with parent/guardian consent) 	<ul style="list-style-type: none"> ● Overnight suspension; parent/guardian/student meeting with administrator required for student return
<ul style="list-style-type: none"> ● Restitution 	<ul style="list-style-type: none"> ● Suspension from the bus
<ul style="list-style-type: none"> ● Conflict resolution or mediation (including peer) 	

LEVEL 2 - Interventions and responses at this level are designed to prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom environment may be warranted.

<ul style="list-style-type: none"> ● Parent/guardian contact 	<ul style="list-style-type: none"> ● Referral to community resources
<ul style="list-style-type: none"> ● Check-in and check-out system 	<ul style="list-style-type: none"> ● Restitution
<ul style="list-style-type: none"> ● Conflict resolution or mediation (including peer) 	<ul style="list-style-type: none"> ● Progress monitoring sheet
<ul style="list-style-type: none"> ● Loss of school privileges 	<ul style="list-style-type: none"> ● Parent/administrator/teacher/student behavior contract
<ul style="list-style-type: none"> ● Confiscation of items 	<ul style="list-style-type: none"> ● Detention (before/after school, lunch, Saturday)
<ul style="list-style-type: none"> ● Schedule/class change 	<ul style="list-style-type: none"> ● Behavior interventionist/ specialist referral
<ul style="list-style-type: none"> ● Referral to intervention (IEP/504/SEC) team 	<ul style="list-style-type: none"> ● Community service (appropriate to correct the behavior and with parent/guardian consent)
<ul style="list-style-type: none"> ● Functional behavioral assessment (FBA), behavior intervention plan (BIP), or behavior support plan (BSP) 	<ul style="list-style-type: none"> ● In-school suspension (1 to 3 days) with behavioral interventions and/or restorative practices
<ul style="list-style-type: none"> ● Administrator/teacher/ counselor/student conference (includes reteaching of expected behavior) 	<ul style="list-style-type: none"> ● Short-term out of school suspension (1 to 3 days) for more severe behaviors with behavioral interventions and/or restorative

	practices*
<ul style="list-style-type: none"> Referral to support services (e.g., school counselor, behavior interventionist/specialist, social worker) 	<ul style="list-style-type: none"> Overnight suspension; parent/guardian/student meeting with administrator required for student return
<ul style="list-style-type: none"> Seat change (classroom or bus) 	<ul style="list-style-type: none"> Suspension from the bus
<ul style="list-style-type: none"> Reflective assignment 	

LEVEL 3 - These interventions and responses may involve the short-term removal of a student from the school environment due to the severity or frequency of the behavior or safety concerns. The duration of short-term suspension should be limited to the extent necessary to adequately address the behavior, but may not exceed 5 school days (may not exceed 3 days for PK-3).

<ul style="list-style-type: none"> Parent/teacher/administrator contact 	<ul style="list-style-type: none"> Detention
<ul style="list-style-type: none"> Recommend schedule/class change 	<ul style="list-style-type: none"> Administrator/teacher/parent/ guardian conference
<ul style="list-style-type: none"> Behavior interventionist/ specialist referral 	<ul style="list-style-type: none"> Revocation of school privileges
<ul style="list-style-type: none"> Referral to intervention (IEP/504/SEC) team 	<ul style="list-style-type: none"> Functional behavioral assessment (FBA), behavior intervention plan (BIP), or behavior support plan (BSP)
<ul style="list-style-type: none"> Community service (appropriate to correct the behavior and with parent/guardian consent) 	<ul style="list-style-type: none"> Referral to law enforcement as required
<ul style="list-style-type: none"> Referral to alternative education programs 	<ul style="list-style-type: none"> In-school suspension with behavioral interventions and restorative practices; (3 to 4 days not to exceed 5 days)
<ul style="list-style-type: none"> Referral to support services (e.g., school counselor, social worker, etc.) 	<ul style="list-style-type: none"> Short-term out of school suspension (1 to 3 days for pre-k & elementary students; 1 to 5 days for secondary students). Restorative circle* or conference upon return
<ul style="list-style-type: none"> Behavior contract (developed and signed by the student, parent/ guardian, and school officials) 	<ul style="list-style-type: none"> Overnight suspension; parent/guardian/student meeting with administrator required for student return
<ul style="list-style-type: none"> Referral to community resources 	<ul style="list-style-type: none"> Parent/administrator/teacher/ student behavior contract
<ul style="list-style-type: none"> Seat change (classroom or bus) 	<ul style="list-style-type: none"> Suspension from the bus

<ul style="list-style-type: none"> • Restitution 	
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LEVEL 4 - These interventions involve the removal of a student from the school environment because of the severity and/or frequency of the behavior(s). Also, they focus on monitoring the safety of the school community and ending self-destructive and dangerous behavior. The student may be placed in a safe environment that provides additional structure to address behavior. A short-term suspension of 1 to 10 days or a recommendation for long-term suspension may be warranted given the context and circumstances.

<ul style="list-style-type: none"> • Recommend schedule/class change 	<ul style="list-style-type: none"> • Referral to alternative education program or school reassignment
<ul style="list-style-type: none"> • Parent/administrator/teacher/ • student behavior contract 	<ul style="list-style-type: none"> • Referral to law enforcement as required
<ul style="list-style-type: none"> • Restitution via written contract 	<ul style="list-style-type: none"> • Threat assessment as indicated by the behavior
<ul style="list-style-type: none"> • Behavior interventionist/ specialist referral 	<ul style="list-style-type: none"> • Long-term revocation of school privileges
<ul style="list-style-type: none"> • Functional behavioral assessment (FBA), behavior intervention plan (BIP), or behavior support plan (BSP) 	<ul style="list-style-type: none"> • Short-term out-of-school suspension (1 to 3 days for pre-K & elementary students; 4 to 10 days for 4th & 5th grade students; 5 to 10 days for secondary students). Restorative circle* or conference upon return
<ul style="list-style-type: none"> • Referral to community resources 	<ul style="list-style-type: none"> • Overnight suspension; parent/guardian/student meeting with administrator required for student return
<ul style="list-style-type: none"> • Referral to intervention (IEP/504/SEC) team 	<ul style="list-style-type: none"> • Recommendation for a long-term suspension (11 to 45 days) as determined by school board policy or by state law – parent/guardian restorative conference upon return

LEVEL 5 - Responses are reserved for those behaviors that require a hearing on recommendations for long term suspension and expulsion.

<u>SCHOOL-BASED ADMINISTRATIVE RESPONSES</u>	<u>SUPERINTENDENT/DESIGNEE RESPONSES</u>
<ul style="list-style-type: none"> • Referral to intervention (IEP/504/SEC) team 	<ul style="list-style-type: none"> • School reassignment alternative placement
<ul style="list-style-type: none"> • Referral to law enforcement as required 	<ul style="list-style-type: none"> • Long-term suspension (11-45 days) as determined by school board policy or by

	state law - parent/guardian restorative conference upon return
<ul style="list-style-type: none"> Overnight suspension; parent/guardian/student meeting with administrator required for student return 	<ul style="list-style-type: none"> Recommend long term suspension or expulsion
<ul style="list-style-type: none"> Referral to community resources 	<ul style="list-style-type: none"> Forward recommendation for expulsion to school board - parent/guardian restorative conference upon return
<ul style="list-style-type: none"> Threat assessment as indicated by the behavior and circumstances 	

NOTES: *Restorative practices are implemented as deemed appropriate and Intervention plans are developed, reviewed, and/or modified, at minimum, for students who have five (5) or more office disciplinary referrals in a school year OR three (3) or more physical altercations in a school year. Restorative practice involves the intentional intervention by school administration or student assistance teams to remediate harm done. This enables us to monitor compliance and ensure support is provided to repeat offenders and those with physical aggression issues. Please note that restorative practices and/or intervention plans for a short term out-of-school suspension (1 to 3 days) are not mandated for severe behaviors associated with a Level 2 disciplinary infraction.

Preschool to 3rd grade: Levels 2-5 cannot exceed 3 days absent special circumstances. Intervention plans will be developed, reviewed, and/or modified, at minimum, at Levels 3, 4, and 5. In determining which of the disciplinary consequences are most appropriate, the following shall be considered: a) the nature and seriousness of the violation b) the student's age and previous disciplinary record c) any other relevant circumstances. Out-of-school removals must be paired with an intervention to teach and/or review expected school behavior (e.g. three days suspension and counseling).

Leveled Responses to Student Behaviors

Under each rule number enumerated below is a chart indicating SBAR Code, level of applicability (elementary or secondary), levels of intervention and response (see preceding section) and law enforcement reporting status. Behavior for which students shall be considered for discipline, and the range of disciplinary actions which shall be imposed, include, but are not limited to those set forth below. Each behavior shall be considered fully in determining reasonable corrective actions, consequences, interventions, and/or restorative practices.

SBAR stands for "student behavior, administrative response." The SBAR codes were developed by the Virginia Board of Education and are incorporated in its *Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension* with which public schools divisions must comply. The behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents, and counselors of students' social-emotional development and

emphasize the importance of helping students achieve academically and develop social-emotional learning competencies.

The definition of each SBAR Category is as follows:

- BAP: Behaviors that Impede Academic Progress
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.
- BESO: Behaviors that Endanger Self or Others
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.
- BSC: Behaviors that Present a Safety Concern
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.
- BSO: Behaviors Related to School Operations
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.
- PD: Persistently Dangerous
Behaviors described in the Virginia's Unsafe School Choice Option Policy required by the federal Every Student Succeeds Act of 2015.
- RB: Relationship Behaviors
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.

NOTE: Within the chart for each rule number below is a heading for "Mandatory Report to Law Enforcement". Under Virginia law, the school division is required to report certain behaviors to law enforcement.

1. Alcohol – Use, Possession, and/or Sale Distribution

Violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as

alcohol is forbidden. Students are forbidden to be under the influence of, to distribute, attempt to or conspire to distribute, to sell alcohol in any form, or have such items on school property, in vehicles on school property, or at school activities.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC1	Alcohol: Possessing, using, or being under the influence of alcohol	PK-5	X	X	X			X
		6-12	X	X	X			X
BSC2	Alcohol: Distributing alcohol to other students	PK-5		X	X	X	X	X
		6-12		X	X	X	X	X

2. Arson

Unlawfully causing damage or attempting to damage any school or personal property by fire or incendiary device is forbidden. Students who are found responsible for this offense shall be held liable for the cost of the damages in addition to other consequences.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO9	Fire: Attempting to set, aiding in setting, or setting a fire	PK-5		X	X	X		
		6-12			X	X	X	X
BSC12	Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke	PK-5	X	X	X			
		6-12	X	X	X			

3. Assault/Battery on Students or Staff

Intentional verbal or physical abuse by a student on another student or on staff is forbidden. Intentional physical abuse by a student on another student or on staff that involves a firearm, knife, stun weapon, laser and/or other devices constructed for the purpose of being used as a weapon, including self-defense weapons such as mace, pepper spray, etc., is also forbidden. Exceptions may result when the evidence clearly supports that a student is assaulted and then acted solely in self-defense after having made previous efforts to avoid such confrontations and/or reporting concerns to teaching or administrative staff.

See criteria for self-defense under Rule 10 (Fighting/Altercation).

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO1	Assault: Intending to cause physical injury to another person	PK-5	X	X	X			
		6-12		X	X	X		
BESO2	Assault and Battery: Causing physical injury to another person	PK-5			X	X	X	X
		6-12			X	X	X	X
BESO4	Striking Staff: The use of force against a staff member when no injury is caused	PK-5	X	X	X	X		
		6-12			X	X	X	

4. Attendance – Tardiness, Truancy, Failure to Report to Class, and Presence in an Unauthorized Area

Violating state, school division or school policy relating to attendance is forbidden. The failure to attend school without a legitimate excuse (e.g., illness, doctor appointment, funeral in the immediate family, administrative approval) or the failure to report to class on time or for a portion of the day without a legitimate excuse is forbidden.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BAP4	Unexcused tardiness to class (ISS OR OSS CANNOT BE IMPOSED WITH THIS CODE)	PK-5	X					
		6-12	X	X				
BAP5	Unexcused tardiness to school (ISS OR OSS CANNOT BE IMPOSED WITH THIS CODE)	PK-5	X					
		6-12	X	X				
BSC24	Leaving school grounds without permission	PK-5	X					
		6-12	X	X				
BSO5	Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)	PK-5	X	X				
		6-12	X	X	X			
BSO15	Student is not going to class as assigned (ISS OR OSS CANNOT BE IMPOSED WITH THIS CODE)	PK-5	X	X				
		6-12	X	X				
BSO16	Student is in an unauthorized area of campus	PK-5	X	X	X			
		6-12	X	X	X			

5. Bullying and Cyberbullying

Bullying is the systematic and chronic inflicting of physical hurt or psychological distress on another person. The Code of Virginia §22.1-276.01 defines bullying as “any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma.” Bullying includes cyberbullying, the use of electronic means for purposes of bullying, harassment, and intimidation. Bullying does not include isolated incidents of ordinary teasing, horseplay, argument or peer conflict. Bullying involves physical and emotional behaviors that are intentional, controlling and hurtful that create harassing, intimidating, hostile or otherwise offensive educational environments. Bullying is unwanted and repeated written, verbal, or physical behavior, including threatening, insulting, or dehumanizing gesture or microaggressions, by a student or adult that is severe or pervasive enough to create feelings of intimidation, alienation, or humiliation and/or unreasonably interferes with the school performance or participation of others. Cyberbullying which occurs off school grounds and/or does not involve the use of the Stafford County Public Schools network of computers may result in disciplinary actions if it causes a substantial disruption to the operation of a school or the school division, if it threatens the safety and mental or physical wellbeing of students or staff, or if it threatens the safety of school buildings or school property.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
RB1	Bullying with no physical injury	PK-5	X	X				
		6–12	X	X	X			
RB2	Cyberbullying	PK-5	X	X	X			
		6–12	X	X	X			
BSC6	Bullying Behavior without physical injury that continues after intervention	PK-5		X	X	X		
		6–12		X	X	X		
BSC7	Cyberbullying that continues after intervention	PK-5			X	X	X	
		6–12			X	X	X	
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	PK-5	X	X				
		6–12	X	X	X			

6. Bus Conduct

B.U.S. EXPECTATIONS FOR POSITIVE BEHAVIOR

Be Responsible: Be On Time.

- Please be at the bus stop at least five minutes before your scheduled pick-up time.
- We can only pick up students who are physically at the bus stop.
- If you are not at the bus stop, we will not wait for you.
- Be sure to have all of your items with you.

Save Snacks for Later.

- Please refrain from chewing gum and eating food on the bus.
- With the exception of water, please refrain from consuming drinks on the bus.

Keep the Bus Clean.

- Keeping our buses clean is a high priority.
- Please pick up trash and place it in the trashcan at the front of the bus.

Use Respect:

Be respectful to the driver, attendant, and other students.

- Follow directions given by the driver and bus attendant.
- Ask questions if you do not understand directions.
- Be considerate of the other students when sharing space.
- Keep your belongings in your space.

Use kind words.

- Use appropriate language.
- Use your words to solve problems.
- Use please and thank you.
- Give compliments when possible.
- Use a positive attitude when talking with others.

Use headphones with electronic devices.

- Keep your personal device to yourself
- Please refrain from sharing photo and video memories on the bus

Stay Safe:

Stay in your seat.

- Sit in the seat assigned to you by the driver.
- Switching seats is not allowed.
- No standing up while the bus is moving.
- Sit seat-to-seat and back-to-back.

Use your inside voice.

- Refrain from screaming and yelling.
- Talk to the people next to you.

Use headphones with electronic devices.

- Throwing objects on a bus is not allowed.
- Keep hands and feet to yourself.
- Touching other students or their property is not allowed.

Support safe driving.

- Keep the aisle clear.
- Distracting the driver is not safe.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC9	Bus: Distracting the bus driver	PK-5	X	X				
		6-12	X	X	X			
BSC10	Bus: Endangering the safety of others on the bus	PK-5	X	X				
		6-12	X	X	X			

7. Conduct/Behaviors Interfering With Class, School Operations, School Community & Other Individuals

Unwillingness to submit to authority or refusal to respond to a reasonable request is forbidden. Any act that intentionally disrupts the orderly conduct of a school function is also forbidden. Students are required to obey school rules and submit in a respectful manner to the authority and directions of teachers and other school personnel. No student may assist another student in the breaking of a school rule. The following behaviors that substantially disrupt the orderly learning environment include but are not limited to:

- Cursing or using offensive language, including remarks intended to demean a person's race, religion, sex, national origin, disabling condition or intellectual ability. This includes actions or displays of an obscene nature, the wearing of clothing or adornments which themselves convey sexually suggestive messages, or any materials that are obscene or sexually suggestive. Cursing or violent abusive language that provides a breach of the peace is considered a Class 3 misdemeanor (Code of Virginia §18.2-416).
- Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function, or process of the school, is dangerous to the health or safety of students or others, or results in destruction of property. Noise, activity, or possession of items including but not limited to: toys, laser pointer, skateboards, radios, and unauthorized photographs and video recordings which disrupt the peaceful and normal operation of the school and/or which threaten the student's own safety or the safety and activities of others is forbidden. Violations may be cited for actions in any part of the building, on school grounds, on the school bus or at other school activities.
- Public Display of Affection (PDA) – Students may be disciplined for kissing, touching, hugging, and other public displays of affection.
- Display of symbols, lettering or insignia that promote racial hatred or violence or that support white supremacy, to include but not limited to, Confederate symbolism and other racist imagery and language associated with the Nazi

swastika, the Ku Klux Klan, and other White Nationalist groups, or which cause or are likely to cause a disruption to the school learning environment because they cause substantial disruption, interfere with our educational responsibilities, and may lead to further unrest in the future.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BAP1	Interfering with learning in the classroom (examples include talking, excessive noise, off-task, out of seat, possessing items that distract)	PK-5	X					
		6–12	X	X				
BAP2	Interfering with learning outside of the classroom (examples include excessive noise, interrupting a class, etc.)	PK-5	X					
		6–12	X	X				
BSO3	Refusal to comply with requests of staff in a way that interferes with the operation of school	PK-5	X	X	X			
		6–12	X	X	X			
BSO6	Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building	PK-5	X	X	X			
		6–12	X	X	X	X		
BSO7	Dress Code Violation	PK-5	X					
		6–12	X	X				
BSO9	Possessing items that are inappropriate for school (examples include toys, literature, electronics)	PK-5	X	X				
		6–12	X	X				
RB6	Speaking to another in an uncivil, discourteous manner	PK-5	X					
		6–12	X	X				
RB8	Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)	PK-5	X	X				
		6–12	X	X	X			
RB10	Failure to respond to questions or requests by staff	PK-5	X					
		6–12	X	X	X			

RB11	Unwanted or inappropriate physical contact	PK-5	X	X	X			
		6-12	X	X	X			
BSC13	Engaging in reckless behavior that creates a risk of injury to self or others	PK-5	X	X	X			
		6-12	X	X	X			
BSC16	Throwing an object that has the potential to cause a disturbance, injury, or property damage	PK-5	X	X				
		6-12	X	X	X			

8. Drug Violations

Students are forbidden to:

- Be under the influence of, or have on school property, or in vehicles on school property, or at school activities, illegal drugs in any form, look-alike substances, synthetic drugs such as bath salts or spice, or paraphernalia including anabolic steroids.
- Use and/or distribute prescription drugs, which are prescribed to the student or any other person, in a non-prescribed manner.
- Unlawfully use, distribute, sell, solicit, purchase, possess, transport, or import over-the-counter medication.
- Distribute, possess and/or be under the influence of, or have on school property, or in vehicles on school property, or at school activities, inhalants or noxious chemicals.
- Distribute, attempt or conspire to distribute or to sell illegal drugs, look-alike substances, synthetic drugs, or controlled substances.

First offense for being under the influence, possession, and/or use of Marijuana, Synthetic Cannabinoids, Controlled Substances, Imitation Controlled Substances or Drug Paraphernalia: (a) a short-term out-of-school suspension; (b) a 10-day out-of-school suspension with a recommendation for long-term suspension; (c) Long-term suspension of 45 days, with up to 30 days held in abeyance if the student and family: (i) agrees to complete a drug/substance assessment and intervention program with a trained professional (at parent expense), (ii) loss of driving privileges for up to 90 days, (iii) loss of the privilege to participate in extracurricular activities, including academic clubs, athletics, school dances or proms for up to 60 school days, (iv) complete a reflection essay. Failure to agree to the terms of an abeyance agreement may result in the imposition of the entire period of time held in abeyance or any portion thereof.

Subsequent offense for being under the influence, possession, and/or use of Marijuana, Synthetic Cannabinoids, Controlled Substances, Imitation Controlled Substances or Drug Paraphernalia: (a) a 10-day out-of-school suspension with a recommendation for long-term suspension or (b) a 10-day out-of-school suspension with a recommendation for expulsion.

For drug offenses involving distribution, see Rule 17, PD 16.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC3	Drugs: Possessing drug paraphernalia	PK-5	X	X	X			
		6–12	X	X	X			
BSC4	Drugs: Violating school board non-prescription (over the counter) medication policy or look-alike drug policy	PK-5	X	X	X			
		6–12	X	X	X			
BESO5	Drugs: Possessing controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications	PK-5			X	X	X	X
		6–12			X	X	X	X
BESO6	Drugs: Being under the influence of controlled substances, illegal drugs, or synthetic hallucinogens or unauthorized prescription medications	PK-5			X	X	X	X
		6–12				X	X	X
BESO7	Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications	PK-5			X	X	X	X
		6–12				X	X	X

9. Electronic Devices and Sharing of Inappropriate Material

- **Refer to Regulation 2401-R, Exhibit 1 (High School Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement) for full content.**

REMINDER - Cellular phones/electronic & wireless devices are permitted before and after school, and during lunch while in the cafeteria or other area specifically designated by the administration. Students shall not use such devices during the school day except in areas specifically designated by the administrator which are marked by signage. Students must power off such devices and stow them properly out of sight prior to entering the classroom. Cellular phones/electronic & wireless devices are to remain off the entire class period unless teacher permission is given otherwise.

- **Refer to Regulation 2401-R, Exhibit 2 (Middle School Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement) for full content.**

REMINDER - Cellular phones/electronic and wireless devices are permitted before and after school; however, students must power off such devices and stow them properly out of sight during the school day. Such devices are to remain off the entire school day unless teacher permission is given otherwise.

- Elementary school students shall not be permitted to use or display such devices while on school grounds unless expressly authorized by staff or as outlined in Rule 6 which allows all students to use cellular phone/electronic devices with headphones while on the school bus. Otherwise, students shall be required to store such devices in their backpacks or in other school containers.
- Posting, distributing, displaying, or sharing inappropriate material or literature, by any means, is prohibited.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSO13	Violation of school board policy regarding the possession or use of portable communication devices	PK-5	X	X	X	X		
		6-12	X	X	X	X	X	
RB3	Posting, distributing, displaying, or sharing inappropriate material or literature, including using electronic means	PK-5	X	X				
		6-12	X	X	X			

10. Fighting/Altercation

Mutual participation in a fight or altercation involving physical violence or verbal abuse where there are no minor injuries is forbidden.

Engaging in a physical fight, regardless of which participant is the aggressor, is defined as fighting. This includes luring others to a fight, instigating a fight, encouraging others to fight and/or cheering on a fight.

Exceptions may result when the evidence clearly supports that a student is assaulted, acted solely in self-defense, or made previous efforts to avoid such confrontations (e.g. reporting concerns to a staff member).

A student claiming self-defense must:

1. Be without fault in provoking or bringing on the fight or incident;
2. Have reasonably feared, under the circumstances, as they appeared to the individual, that they were in danger of harm; and
3. Have used no more force than was reasonably necessary to protect them from the threatened harm.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
RB7	Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight	PK-5	X	X				
		6-12	X	X	X			
BSC14	Fighting that results in no injury as determined by the school administration	PK-5	X	X	X			
		6-12	X	X	X			
BESO3	Fighting: The use of physical violence between students or on another person where there is minor injury as determined by the school administration	PK-5	X	X	X			
		6-12	X	X	X			
BSC17	Shoving, pushing, striking, biting another student with no visible injury	PK-5	X	X				
		6-12	X	X	X			

11. Gambling

Making, placing, or receiving any bet or wager of money or other thing of value dependent upon the result of the game, contest, or any other event with uncertain outcome is forbidden.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSO8	Gambling (games of chance for money or profit)	PK-5	X					
		6-12	X	X				

12. Gang Activity

A street gang is defined as any ongoing organization, association, or group of three or more persons, whether formal or informal, that has as one of its primary objectives or activities to commit one (1) or more criminal or non-criminal gang activities. Displaying articles of clothing that symbolize association, rituals, or activities identified by groups of students (Code of Virginia §18.2-46.1). Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, hand gestures or signs, graffiti, rituals associated with, or activities by an identified group of students).

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO10	Gang-Related Behavior:	PK-5	X	X	X	X		

	Engaging in threatening or dangerous behavior that is gang-related as defined in §18.2-46.1	6–12			X	X	X	X
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13. Harassment

Annoying or attacking a student or a group of students or staff which creates an intimidating or hostile educational or work environment is forbidden.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC8	Harassment: Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment	PK-5		X	X	X		
		6–12		X	X	X		

14. Hazing

Recklessly or intentionally endangering the health or safety of a student(s) or inflicting bodily injury on a student(s) in order to be initiated or admitted into or affiliated with groups such as, but not limited to, student organizations, athletic teams or classes is forbidden, regardless of whether the student(s) so endangered or injured participated voluntarily in the activity. Hazing is a Class 1 misdemeanor (Code of Virginia §18.2-56).

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO11	Hazing as defined in §18.2-56 and noted in §22.1-279.6	PK-5	X					
		6–12				X	X	

15. Inciting or Causing Substantial Disturbance to School Operations or Safety of Others

Unlawful use of force or violence that seriously jeopardizes the public safety, peace or order is forbidden. Intentionally making derogatory comments and/or racial or ethnic slurs is also forbidden. Actions, comments or written messages intended to cause other to fight or which may result in a fight is forbidden. This includes luring other to a fight, encouraging other to fight and/or cheering on a fight. People acting together can be considered as inciting a riot.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC15	Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students	PK-5	X	X	X			
		6–12		X	X	X	X	

16. Moral Turpitude (lying, cheating, stealing)

Conduct or an act that is immoral and wrong in nature, or is contrary to the community standards for justice and good morals.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
RB5	Stealing money or property without physical force	PK-5	X	X				
		6–12	X	X	X			
BSC22	Stealing money or property using physical force (no weapon involved)	PK-5			X	X		
		6–12			X	X		
BAP3	Scholastic dishonesty (cheating, plagiarism)	PK-5	X					
		6–12	X	X				
BSO1	Altering an official document or record	PK-5	X	X				
		6–12	X	X				
BSO2	Giving false information, misrepresentation	PK-5	X	X				
		6–12	X	X	X			

17. Persistently Dangerous Behaviors

Behaviors described in the Virginia's Unsafe School Choice Option Policy required by the federal Every Student Succeeds Act of 2015.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
PD1	Homicide - Firearm	PK-5					X	X
		6–12					X	X
PD2	Homicide - Other Weapons	PK-5					X	X
		6–12					X	X
PD3	Sexual Assault	PK-5					X	X
		6–12					X	X
PD4	Attempted Sexual Assault	PK-5					X	X
		6–12					X	X
PD5	Use of a Bomb	PK-5					X	X
		6–12					X	X
PD6	Assault with Firearm or Weapon	PK-5					X	X
		6–12					X	X
PD7	Actual or Attempted Robbery	PK-5					X	X
		6–12					X	X

PD8	Kidnapping/Abduction	PK-5					X	X
		6-12					X	X
PD9	Malicious Wounding without a Weapon	PK-5					X	X
		6-12					X	X
PD10	Aggravated Sexual Battery on a Student	PK-5					X	X
		6-12					X	X
PD11	Illegal Possession of Handgun	PK-5					X	X
		6-12					X	X
PD12	Illegal Possession of Rifle or Shotgun	PK-5					X	X
		6-12					X	X
PD13	Illegal Possession of Any Other Projectile Weapon	PK-5					X	X
		6-12					X	X
PD14	Illegal Possession of Bomb	PK-5					X	X
		6-12					X	X
PD15	Illegal Possession of other Firearms	PK-5					X	X
		6-12					X	X
PD16	Illegal Possession of Controlled Drugs and Substances with Intent to Distribute or Sell	PK-5					X	X
		6-12					X	X

18. Reporting Requirement Only (Crimes in the Community)

- A crime in the community where the student was charged with an offense relating to the Commonwealth's laws, but required to be disclosed to the superintendent of the school division pursuant to Va. Code § 16.1-260(G).
- Law enforcement (or court services) informs the division of the crime.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO18	Pursuant to Va. Code Section 22.1-277.2:1, the school board may place students in an alternative education program.	PK-5	N/A	N/A	N/A	N/A	N/A	Law Enforcement Informs Division
		6-12	N/A	N/A	N/A	N/A	N/A	

19. School Threat

Expression of the intention to inflict misfortune, danger, or harm upon persons or property by any means on school board property is forbidden. Summoning an ambulance or firefighting apparatus or activating a manual or automatic fire alarm without just cause is forbidden. Intentionally setting off or causing to be set off any apparatus capable of producing smoke or foul odor is also forbidden. This can include false threats or pranks.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC11	Falsely activating a fire alarm or other disaster alarm	PK-5		X	X			
		6–12		X	X			

20. Sexual Misconduct Offenses

Sexual misconduct is forbidden. Sexual offenses may include but are not limited to the following actions:

- Indecent Exposure – the uncovering of any personal or private area of one’s body, including “mooning.”
- Consensual Sex – any activities involving any act of consensual sex between two persons on school board property.
- 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. Sexual harassment shall be understood to be: any action or statement which creates an intimidating, hostile or offensive school environment (i.e., exposure, gestures). All complaints of sexual harassment by a student will be handled in accordance with school board policies and regulations.
- Sexual Battery – any unwanted touching of a person’s intimate areas or clothing covering such areas. Sexual battery includes, but is not limited to, an offensive or intentional threat, intimidation, deception or physical helplessness of sexual abuse.
- Aggravated Assault – penetration without consent.
- Improper Physical Contact – any unwanted touching of a sexual nature that is offensive, undesirable, and/or unwanted.
- Sexual Offense without Force – 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. Consider age, developmentally appropriate behavior, and disability status before using this category.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
RB4	Saying or writing either directly or through electronic communication sexually suggestive comments, innuendoes, propositions, or other remarks of a sexual nature	PK-5	X	X	X			
		6–12	X	X	X			
BSC18	Exposing body parts, lewd or	PK-5	X	X				

	indecent public behavior	6–12	X	X	X	X		
BSC19	Physical contact of a sexual nature – patting body parts, pinching, tugging clothing	PK-5	X	X	X			
		6–12	X	X	X	X		

21. Stalking

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

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC21	Stalking as described in the Code of Virginia §18.2-60.3	PK-5				X	X	X
		6–12				X	X	X

22. Technology Use Violations

Stafford County Public Schools provides access to an extensive array of LAN/WAN and web-based services and applications. Use of all these services is a privilege not a right. Students may be held accountable for misuse or abuse of division hardware, software, and network or internet services. Students who are found responsible for lost, stolen, or damaged equipment due to misconduct or negligence shall be held liable for the cost of replacement of the lost, stolen, or damaged equipment. Violations include, but are not limited to:

- Unauthorized use of, revealing, sharing, or transferring any user password.
- Uploading or downloading unauthorized files not directly related to an instructional purpose.
- Accessing files using division hardware or network resources without an acknowledged Acceptable/Responsible Computer Use Agreement.
- Intentionally altering or damaging files, applications or standard hardware.
- Intentionally introducing viruses or other destructive executables to computer or network resources.
- Unauthorized use of portable communication and/or privately-owned electronic devices.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSO11	Unauthorized use of school electronic or other equipment	PK-5	X					
		6–12	X	X	X			
BSO12	Violation of the Acceptable Use of Technology/Internet policy	PK-5	X	X				
		6–12	X	X	X			

23. Threats Against Students and Staff

Unlawfully placing a staff member or student in fear of bodily harm through physical, verbal, written or electronic threats which immediately creates fear of harm without displaying a weapon or subjecting the person to actual physical touching is forbidden.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO12	Threatening, intimidating, or instigating violence, injury or harm to a staff member or members	PK-5	X	X	X	X		
		6-12		X	X	X	X	
BESO13	Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s)	PK-5	X	X	X	X		
		6-12		X	X	X	X	
BESO14	Threatening, intimidation, or instigating violence, injury, or harm to another student(s) or other(s) in writing	PK-5	X	X	X	X		
		6-12		X	X	X	X	
BESO17	BOMB: Making a bomb threat	PK-5	X	X	X	X		X
		6-12				X	X	X

24. Tobacco/Electronic Cigarette/Vaporizer Pen Offenses

Students are forbidden to use, distribute, or sell tobacco products, including smokeless tobacco, or have on school property, in vehicles on school property, at school activities, or on school transportation. The promotion or display of the use of tobacco and/or other illegal substances on clothing, jewelry, picture, buttons, bumper stickers or other items is also forbidden. Students are prohibited from possessing and/or using electronic cigarettes and vaporizer pens on school buses, on school property and at school-sponsored activities.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC5	Tobacco: Possessing/using/distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment	PK-5	X	X	X			
		6-12	X	X	X			

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, or expulsion, or in an alternative education placement and unauthorized persons

who enter or remain on a campus or school board facility after being directed to leave is forbidden.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSC25	Trespassing	PK-5	X					
		6-12		X	X	X		

26. Vandalism or Other Damage to School or Personal Property

Pursuant to Code of Virginia [§18.2-137](#), vandalism is the unlawful or intentional destruction, defacing, damaging or removing of another person's personal or real property without the intent to steal. Vandalism that results in damages of less than \$1,000 is a misdemeanor. Damages in excess of \$1,000 may result in felony charges: [Code of Virginia §18.2-138. Damaging public buildings, etc.; penalty.](#)

BSO14 violations include, but are not limited to, arson, graffiti, theft, vandalism, destruction of computer hardware, modification of installed software, modifications to the LAN/WAN network configurations and/or installation of unauthorized software, including viruses. Students who are found responsible for lost, stolen, or damaged equipment due to misconduct or negligence shall be held liable for the cost of replacement of the lost, stolen, or damaged equipment.

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BSO10	Possession of stolen items	PK-5	X	X	X			
		6-12	X	X	X			
BSO14	Vandalism, graffiti, or other damage to school or personal property	PK-5	X	X	X			
		6-12	X	X	X			

27. Weapons

Students are forbidden to have weapons or to use weapons or to use other objects as weapons on school property, in vehicles on school property, or at school activities. Claims of self-defense do not constitute a valid defense for the possession of a weapons on school property or at any school-sponsored activity.

Examples of weapons shall include but are not limited to the following:

- Handgun or pistol;
- Shotgun or rifle;
- Any item designed to expel a projectile or that may be readily converted or modified manufactured guns to expel a projectile by the action of an explosive devise;
- Knife with blade of three inches or more;

- Any other item that will or is designed to expel a projectile by the action of an explosive. This includes firearms not mentioned previously (operable or in-operable, loaded or unloaded) such as, but not limited to, a zip or starter bus;
- Any item, instrument or object that is designed or may be readily converted to inflict harm on another person (i.e., chains, nun chucks, or Billy club);
- Pneumatic gun or rifle that is air powered (i.e., BB, paint ball, or pellet gun);
- Any weapon that explodes or is designed to or may be readily converted to explode;
- Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion;
- Ammunition;
- Look-alikes;
- Any substance used as a weapon to include mace, tear gas, or pepper spray;
- Knife less than three inches, razor blades, box cutters, fireworks, firecrackers, stink bombs; and
- Taser or stun gun.

See Code of Virginia §18.2-308.1 and the federal Gun Free Schools Act (Title IV, Part A, Subpart 3, Section 4141)

SBAR Code	Offenses	Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Mandatory Report to Law Enforcement
BESO15	Using an object not generally considered to be a weapon to threaten or attempt to injure school personnel	PK-5	X	X	X	X	X	
		6-12	X	X	X	X	X	
BESO16	Using an object not generally considered to be a weapon to threaten or attempt to injure students or others	PK-5	X	X	X	X	X	
		6-12	X	X	X	X	X	
BSC26	Possessing dangerous instruments/substances that could be used to inflict harm upon another	PK-5	X	X	X			
		6-12	X	X	X			
BSC27	Weapons: Possessing any weapon (other than a firearm) as defined by §18.2-308.1	PK-5		X	X	X	X	
		6-12		X	X	X	X	

CONSEQUENCES OF SUSPENSION/EXPULSION

A suspended/expelled student shall be excluded from entry upon any and all board property, including each of the division schools and buses, for the duration of the suspension/expulsion period. A suspended/expelled student shall not participate in or attend any school activity of any kind including, but not limited to, academic, athletic and extracurricular activities such as band, debate, drama, field trip, graduation ceremony, dance including junior and senior prom, and

athletic practice, games, contests, and/or events. Nor may a student attend non-school related activities and events on board property during the period of suspension/ expulsion except with the written consent of the superintendent/designee. The period that a student is suspended out of school shall not terminate prior to readmission of the student to school on the day established by the principal, or other school official, for return to school.

REPORTING REQUIREMENTS

I. Acts reported to the superintendent and principal

A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving

- 1 . alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
- 2 . the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
- 3 . the sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §18.2-47 or §18.2-48, or stalking of any person as described in Va. Code §18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
- 4 . any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
- 5 . the illegal carrying of a firearm, as defined in Va. Code §22.1-277.07, onto school property;
- 6 . any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code §18.2-85, or explosive or incendiary devices, as defined in Va. Code §18.2-433.1, or chemical bombs, as described in Va. Code §18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
- 7 . any threats or false threats to bomb, as described in Va. Code §18.2-83, made against school personnel or involving school property or school buses;
- 8 . the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor; or
- 9 . any illegal possession of weapons, alcohol, drugs or tobacco products.

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

B. The superintendent and the principal or principal's designee receive reports from local law-enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code §54.1-3400 et seq.) and

occurred on a school bus, on school property or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses 1-8 of subsection A and whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. The superintendent may request that the reports include information regarding terms of release from detention, court dates and terms of any disposition orders entered by the court. When the superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code §16.1-260, the superintendent reports such information to the principal of the school in which the juvenile is enrolled.

II. Reporting Duties of the Principal and Superintendent

Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

- immediately reports to the local law-enforcement agency any incident described in above subsection I.A.1 that may constitute a felony offense;
- immediately reports to the local law-enforcement agency any incident described in above subsections I.A.3 through 7 except that a principal is not required to but may report to the local law-enforcement agency any incident described in above subsection I.A.4 committed by a student who has a disability;
- may report to the local law-enforcement agency any other incident described in above subsections I.A.1 through 8 that is not required to be reported by the previous two bullets; and
- immediately reports any act enumerated in above subsections I.A.1 through 5 that may constitute a criminal offense to the parents/guardians of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this regulation and, if the incident has been so reported, that the parents/guardians may contact local law enforcement for further information.

The principal or principal's designee reports all incidents required to be reported pursuant to above subsection I.A. of this regulation to the superintendent. The superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that are provided by the Department and makes such information available to the public. In submitting reports of such incidents, principals and superintendents accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to above subsection I.B. of this regulation.

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

III. Prevention and Intervention Activities

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

The board develops, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing. Activities designed to prevent the recurrence of violence and crime, including hazing, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, community service requirements and any program focused on demonstrating the consequences of violence and crime. The school board may develop and use a network of volunteer services in implementing prevention activities.

IV. Purpose

The purpose of reporting acts of violence and substance abuse is to develop a program of prevention activities to provide a safe environment conducive to learning.

07/12/22 Amended

08/09/22 Amended

REGULATION 2401-R Exhibit 1
Reviewed by School Board: 7/12/22

Student Name: _____

SCPS High School Cellular Phone/Electronic & Wireless Device* Acceptable Use Agreement for the 2022-2023 School Year

1. Cellular phones/electronic & wireless devices are permitted before and after school, and during lunch while in the cafeteria or other area specifically designated by the administration. Students shall not use such devices during the school day except in areas specifically designated by the administrator which are marked by signage. Students must power off such devices and stow them properly out of sight prior to entering the classroom. Cellular phones/electronic & wireless devices are to remain off the entire class period unless teacher permission is given otherwise.
2. Students shall not record still or moving images or voices of students or staff without permission. Any student using a cellular phone/electronic or wireless device to violate Rules 6, 7, and 22, which prohibits photographing and related offenses, shall be prohibited from using such device during the school day for the remainder of the school year.
3. Students shall place cellular phones/electronic & wireless devices powered off and properly stowed during all assessments. Such devices must remain stowed away until ALL

assessments have been collected and with teacher permission. Any student using such device to violate Rule 16, which prohibits cheating and related offenses, shall be prohibited from using such device during the school day for the remainder of the school year.

4. Students are not permitted to have cellular phones/electronic & wireless devices out in the PE and/or CTE locker rooms at any time. Students shall not record still or otherwise share moving images or voices of any person in a restroom.

5. Students shall adhere to the Acceptable Computer Use Policy 6301, BYOT guidelines and user agreement and practice internet safety with online resources.

I, _____ (*student name*), understand that violation of the class acceptable Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement shall result in a referral to the assistant principal, and may result in my not being able to participate in additional class activities that involve using such device and may result in being prohibited from using such device during the school day for the remainder of the school year. I understand that if I am in doubt of acceptable use of my cellular phone/electronic and wireless device in the classroom I should ask the teacher. I also understand that I will receive disciplinary consequences if I use my device in violation of any rule defined in the Stafford County Student Code of Conduct.

I, _____ (*parent/guardian name*), have reviewed the SCPS HS Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement with my child. I agree to allow my child to participate in class activities involving such devices, even if my child does not have his/her own device to use. I also understand and agree that SCPS shall not be liable for the loss, damage, misuse, theft of any personally owned device brought to school. Additionally, SCPS, school administration, or the school's administrative designee reserves the right to monitor, inspect, copy, and review a personally owned device or file when administration has a reasonable suspicion that a violation has occurred.

*Note: Cellular phones/electronic and wireless devices, include but are not limited to, watches, wearable devices and other devices that can manage calls or messages as referenced in Rule 9.

Parent's/Guardian's Signature _____ Date: _____

Student's Signature _____ Date: _____

Student Name: _____

**SCPS Middle School Cellular Phone/Electronic & Wireless Device*
Acceptable Use Agreement for the 2022-2023 School Year**

1. Cellular phones/electronic and wireless devices are permitted before and after school; however, students must power off such devices and stow them properly out of sight during the school day. Such devices are to remain off the entire school day unless teacher permission is given otherwise.
2. Students shall not record still or moving images or voices of students or staff without permission. Any student using a cellular phone/electronic or wireless device to violate Rules 6, 7, and 22, which prohibits photography and related offenses, shall be prohibited from using such device during the school day for the remainder of the school year.
3. Students shall place cellular phones/electronic and wireless devices powered off and properly stowed during all assessments. Such devices must remain stowed away until ALL assessments have been collected and with teacher permission. Any student using such device to violate Rule 16, which prohibits cheating and related offenses, shall be prohibited from using such device during the school day for the remainder of the school year.
4. Students are not permitted to have cellular phones/electronic and wireless devices out in the PE and/or CTE locker rooms at any time. Students shall not record still or otherwise share moving images or voices of any person in a restroom.
5. Students shall adhere to the Acceptable Computer Use Policy 6301, BYOT guidelines and user agreement and practice internet safety with online resources.

I, _____ (*student name*), understand that violation of the class acceptable Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement shall result in a referral to the assistant principal, and may result in my not being able to participate in additional class activities that involve using such device and may result in being prohibited from using such device during the school day for the remainder of the school year. I understand that if I am in doubt of acceptable use of my cellular phone/electronic and wireless device in the classroom I should ask the teacher. I also understand that I will receive disciplinary consequences if I use my device in violation of any rule defined in the Stafford County Student Code of Conduct.

I, _____ (*parent/guardian name*), have reviewed the SCPS MS Cellular Phone/Electronic & Wireless Device Acceptable Use Agreement with my child. I agree to allow my child to participate in class activities involving such devices, even if my child does not have his/her own cell phone to use. I also understand and agree that SCPS shall not be liable for the loss, damage, misuse, theft of any personally

owned device brought to school. Additionally, SCPS, school administration, or the school's administrative designee reserves the right to monitor, inspect, copy, and review a personally owned device or file when administration has a reasonable suspicion that a violation has occurred.

*Note: Cellular phones/electronic and wireless devices, include but are not limited to, watches, wearable devices and other devices that can manage calls or messages as referenced in Rule 9.

Parent's/Guardian's Signature _____ Date: _____

Student's Signature _____ Date: _____

2412-R

Student Services

2412-R

STUDENT DRESS CODE AND SYMBOLIC EXPRESSION

PURPOSE: To provide guidelines for appropriate student dress

While SCPS recognizes the rights of individuals to express themselves through their appearance, our paramount mission is the education of students. Any clothing or accessory that is unsafe, discriminatory, or that causes or could cause a substantial disruption from the learning environment of the building/classroom will be prohibited. Students may be issued disciplinary consequences for dress code violations. See Regulation 2401-R (Code of Student Conduct).

Accordingly, the SCPS dress code is intended to allow for personal expression while maintaining a learning environment focused on instruction. Students are permitted to wear any religiously, ethnically, or culturally specific or significant head covering or hairstyle, including hijabs, yarmulkes, headwraps, braids, locs, and cornrows. Students in all grades will be prohibited from wearing:

- A. Clothing and accessories which cause or are likely to cause a substantial disruption to the school learning environment.
- B. Clothing and accessories that promote alcohol, tobacco, or drug usage, or which display weapons or violence.
- C. Clothing and accessories that contain vulgar, derogatory or suggestive diagrams, pictures, slogans which are religiously, ethnically, or sexually offensive.
- D. Clothing symbolic of gangs or disruptive groups associated with threatening behavior, harassment or discrimination.
- E. Clothing, accessories and/or any words, pictures, diagrams, etc., thereon which are lewd, vulgar, indecent, plainly offensive.

F. Clothing, accessories, head coverings (except in cases of documented medical diagnosis and religious observances) that obscure the identity of the individual. Students are allowed to wear a face mask for health/medical reasons.

G. Clothing and accessories that present a danger or risk to others (including, but not limited to, dog collars, chains, wallet chains, safety pins, spiked jewelry, fish hooks, etc.).

H. Clothing and accessories that present a health risk or danger (to include shoes not suitable for PE/CTE/school activity, fringes or loose clothing in CTE areas, blankets in hallways/stairways, etc.

I. Symbols, lettering or insignia that promote racial hatred or violence or that support white supremacy, to include but not limited to, Confederate symbolism and other racist imagery and language associated with the Nazi swastika, the Ku Klux Klan and other White Nationalist groups, or which cause or are likely to cause a disruption to the school learning environment because they cause substantial disruption, interfere with our educational responsibilities, and may lead to further unrest in the future.

J. Employees are prohibited from enforcing this dress by direct physical contact with a student or a student's attire. In addition, employees are prohibited from requiring a student to undress in front of any individual to comply with this dress code.

07/12/22 Revised

2403

Student Services

2403

STUDENT SUSPENSIONS, STUDENT EXPULSIONS & APPEALS OF DISCIPLINARY CONSEQUENCES

PURPOSE: To establish procedures governing student suspensions and expulsions as well as the appeals process

Disciplinary Action Not Involving An Out-of-School Suspension

Only disciplinary action which involves an out-of-school suspension may be appealed beyond the principal/designee. The principal/designee is the final authority on all other disciplinary consequences, including, but not limited to, loss of bus privileges, in-school suspension, detention, warnings, etc. In cases when a student has been disciplined by an assistant principal, upon written request of the parent/guardian, the principal shall conduct an initial review of the disciplinary action, on the record. The parent/guardian shall make such request within two (2) school days of notice of the disciplinary action. If the principal imposed the discipline, that decision is final except in a case involving an out-of-school suspension. (See below). However, in cases involving exceptional circumstances, such as the privilege to participate in graduation ceremonies, parents/guardians may appeal to the superintendent/designee in writing.

Overnight Suspension

A principal/designee may assign an overnight suspension. In order to return to school, the student and parent(s)/guardian(s) must first meet with the principal/designee. An overnight suspension is final and may not be appealed.

Suspensions of Ten Days or Less

1. For each separate offense of the Code of Student Conduct students may be suspended from school for up to and including 10 consecutive school days by the principal/designee. Additionally, the principal/designee may recommend to the superintendent/designee that the student be expelled or suspended for a period greater than 10 school days.
2. Except as provided in subsection C of Va. Code §22.1-277, Va. Code §[22.1-277.07](#) or Va. Code § [22.1-277.08](#), no student in preschool through grade three shall be suspended for more than three (3) school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the school board or the division superintendent or designee finds that aggravating circumstances exist, as defined by the Department of Education.
3. Prior to imposing any suspension, the principal/designee must inform the student of the violations. If the student denies the violations, explanation of the facts as known to school personnel must be given to the student with an opportunity for rebuttal. If deemed necessary, the principal/designee may conduct a further investigation.
4. A copy of the Code of Student Conduct shall be sent to all parents within one calendar month of the opening of school and, upon request, students and parents/guardians shall be provided with an additional copy or the applicable provision thereof.
5. Students whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be removed from school immediately. Notwithstanding any other provision in this policy, the notice of violations and explanation of facts with an opportunity for rebuttal shall be provided as soon as practicable thereafter.
6. Upon suspension from school of any student, the principal/designee shall state the basis of the suspension in writing to the superintendent/designee and to the student's parent or guardian within two (2) working days. Written notice to the parent/guardian shall be included in the initial letter of student suspension that indicates the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs, other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension.
7. For suspensions imposed by an assistant principal: Upon written appeal by the parent, guardian or adult student, the principal, shall in a hearing review the action taken and confirm, disapprove, and/or modify such actions based on an examination of the record of the student's behavior and such other evidence as may be appropriate as determined by the principal. Such written appeal must be filed with the school principal within three (3) school days of receipt of the notice of suspension or the right to a review by the principal shall be waived. A parent, guardian, or adult student may appeal the decision of the principal to the superintendent/designee within three (3) school days of receiving the letter of decision by the principal.

For suspensions imposed or upheld by the principal: Upon written appeal by the parent, guardian or adult student, the superintendent/designee, shall in a hearing review the action taken and confirm, disapprove, and/or modify such actions based on an examination of the record of the student's behavior and such other evidence as may be appropriate as determined by the superintendent/designee. Such written appeal must be filed with the superintendent/designee within three (3) school days of receipt of the notice of suspension or the right to a review by the superintendent/designee, shall be waived.

8. Pending appeal to the principal or superintendent/designee, the student may continue to attend school unless the student shall be found by the principal/designee to be a continuing danger to self, other students, staff, and/or property, or to present an ongoing threat of disruption within the school. Failure of the parent, guardian, or adult student to make themselves available for a hearing either with the principal or superintendent/designee within five (5) school days of submission of the appeal, or up to 10 school days in the case of extenuating circumstances, shall result in a waiver of the right to appeal and the suspension given the student at the school level shall be imposed.
9. The decision of the superintendent/designee to suspend a student for up to and including 10 consecutive school days is final and is not subject to appeal.

Suspensions in Excess of 10 Days

1. The board and the superintendent/designee may suspend students from school in excess of 10 consecutive school days after the student and his/her parent or guardian have been provided written notice of the proposed action and the reason therefore and of the right to a hearing. The superintendent/designee is authorized to suspend a student for a period of up to and including 180 school days.
2. In any case in which a student has been suspended by the superintendent/designee, in excess of 10 consecutive school days, the adult student or a student's parent or guardian may appeal the decision to the board. Such appeal must be in writing and must be filed with the superintendent/ designee, within five (5) calendar days of the written decision of the superintendent/designee being emailed or faxed to the parent, guardian, or adult student. If the written decision of the superintendent/designee is mailed (e.g., US Postal Service, UPS, FedEx) to the parent, guardian, or adult student, a written appeal must be received by the superintendent/designee within seven (7) calendar days from the date of the decision letter. Failure to file a written appeal within the specified time shall constitute a waiver of the right to appeal. The board will consider the appeal upon the record of the suspension hearing, and such other evidence as it may determine to be appropriate, within 30 calendar days of the appeal being received by the superintendent/designee. Pending appeal the student may continue to attend school unless the student shall have been found by the principal, which finding is confirmed by the superintendent/designee, to be a continuing danger to self, other students, staff and/or property, or to present an ongoing threat of disruption within the school.
3. The chair of the board may elect to appoint a committee of the board composed of at least three members to hear disciplinary matters calling for the suspension of a student for 11 consecutive school days or more which come to the board on appeal. A unanimous decision of the committee of the board shall be a final decision and is not subject to further appeal. The adult student, or a student's parent, or guardian, may appeal the committee's decision to the full board if the decision is not unanimous. Such appeal shall be decided by the board

within 30 days. The appeal must be in writing and must be filed with the superintendent/designee, within five (5) calendar days of written notice of the committee's decision being emailed or faxed to the parent, guardian, or adult student. If the written notice of the committee's decision is mailed (e.g., US Postal Service, UPS, FedEx) to the parent, guardian, or adult student, a written appeal must be received by the superintendent/designee within seven (7) calendar days from the date of the letter advising of the committee's decision. Failure to file a written appeal within the specified time shall constitute a waiver of the right to appeal.

4. Written notice to the parent/guardian shall be included in the letter of student suspension for greater than 10 days that indicates the length of the suspension, and provides information regarding the availability of community-based educational, alternative education, or intervention programs. Such notice shall also state that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the board during or upon the expiration of the suspension.

Expulsions

Only the board or a committee thereof exercises the authority to expel a student. An expulsion shall result in removal of the student from the regular school program for one calendar year or greater except as may otherwise be determined by the board or a committee thereof.

1. The principal/designee may recommend to the superintendent/designee that a student be expelled and shall notify the parent/guardian in writing of the proposed recommendation and include the following:
 - a. the reason for the recommendation of expulsion;
 - b. the right of the adult student or a student's parent or guardian to a hearing before the superintendent/designee, who will make a decision whether or not to forward the recommendation for expulsion to the members of the board or to impose a lesser sanction; and
 - c. the right to inspect during regular school hours and with advance notice the student's school records.
2. If the principal's recommendation of expulsion is upheld by the superintendent/designee, a hearing shall be conducted by the board or a committee thereof. Determination as to whether a committee of the board shall consider the matter shall be within the discretion of the chair. The superintendent/designee will provide the adult student or the student's parent or guardian written notice concerning the date, time and location of the hearing before the board or its committee.
3. In the case of expulsion hearings conducted by committee, the committee shall be composed of at least three board members. A unanimous decision of the committee of the board shall be a final decision and is not subject to appeal. The adult student, or a student's parent/guardian may appeal the committee's decision to the full board if the decision is not unanimous. Such appeal shall be decided by the board within 30 days. The appeal must be in writing and must be filed with the superintendent/designee, within five (5) calendar days of the committee's decision being emailed or faxed to the parent, guardian, or adult student. If the written notice of the committee's decision is mailed (e.g., US Postal Service, UPS, FedEx) to the parent, guardian, or adult student, a written appeal must be received by the

superintendent/designee within seven (7) calendar days from the date of the letter advising of the committee's decision. Failure to file a written appeal within the specified time shall constitute a waiver of the right to appeal.

4. Written notice shall be given to the student's parent/guardian or adult student of an expulsion and shall include notification of the length of the expulsion and the availability of community-based educational, training, and intervention programs. Such notice shall state further whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the board, or an adult education program offered by the division, during or upon the expiration of the expulsion, and the terms or conditions of such re-admission. If the board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the division, the written notice shall also advise the parent/guardian or adult student of the right to petition the board for readmission to be effective one calendar year from the date of the expulsion, and of the conditions, if any, under which re-admission may be granted.
5. Upon written request of the student's parent/guardian or adult student, and after one calendar year from the date of the incident giving rise to the expulsion, the board or committee thereof shall review upon the record the expulsion status of the student and confirm, disapprove, or modify the expulsion as it determines to be appropriate. If the committee denies such request the parent/guardian or adult student may petition the board for review of such denial.

Conduct Giving Rise to Expulsion

Pupils may be expelled from attendance at school for sufficient cause. Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

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

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

Firearms, Destructive Devices and Pneumatic Guns

The board shall expel from school attendance for a period of not less than one year any student whom the board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07(E), a firearm muffler or firearm

silencer, or a pneumatic gun as defined in Va. Code § 15.2-915.4 on school property or at a school-sponsored activity. A school administrator or the board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The board may promulgate guidelines for determining what constitutes special circumstances. In addition, the board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this subsection shall be construed to require a student's expulsion regardless of the facts of the particular situation.

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

Drug Offenses

The board shall expel from school attendance any student whom the board has determined to have brought a controlled substance or imitation controlled substance as those terms are defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, the board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

Hearing Procedure by Full Board or Board Committee

The procedure for a hearing conducted by the full board, or a committee thereof, which hearing concerns expulsion, or appeal of a decision to suspend a student for 11 or more consecutive school days, shall be as follows:

- The board, or committee, shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be in closed session unless otherwise determined by the board.
- The board, or committee, shall ask for opening statements from the superintendent/designee, or representative, and the adult student or the student's parent or guardian (or their representative) and, at the discretion of the board, or committee, may allow closing statements.
- The parties shall then present evidence. The superintendent/designee has the burden of proof and shall present evidence first. Witnesses may be questioned by board, or committee, members and by the parties (or their representative). The board, or committee, may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination of witnesses giving testimony at the hearing.
- A party shall produce such additional evidence as it deems necessary and/or appropriate. The board, or committee, shall be the judge of the relevancy and

materiality of the evidence and shall attach such weight to the evidence as it determines is appropriate.

- Exhibits offered by the parties may be received in evidence by the board, or committee, and, when so received, shall be marked and made part of the record.
- The board, or committee, may, by majority vote, uphold, reject or modify the recommendation and/or decision of the superintendent/designee.
- The board, or committee, shall communicate its decision, to the student, his/her parent or guardian, and to the superintendent/designee.

Suspension for More than 10 School Days or Expulsion of a Student with a Disability Receiving Special Education Services

When a student with a disability is considered for suspension of more than 10 consecutive school days or receives a series of short term removals that constitutes a pattern, the principal/designee shall promptly refer the case to the Chief Student Services Officer.

The Chief Student Services Officer shall ensure that a Manifestation Determination Review is conducted by a group of relevant members of the IEP team pursuant to IDEA. If no manifestation is determined, then the student shall be subject to regular disciplinary measures in the same manner and for the same duration as would be applied to a student without a disability.

07/12/22 Amended

2402

Student Services

2402

SEXUAL HARASSMENT/HARASSMENT BASED ON RACE, NATIONAL ORIGIN, DISABILITY AND RELIGION

PURPOSE: To prohibit sexual harassment and harassment based on race, national origin, disability or religion of any student

The board is committed to maintaining a learning/working environment free from sexual harassment and harassment based on race, national origin, disability or religion. Therefore, Stafford County Public Schools prohibits sexual harassment and harassment based on race, national origin, disability or religion of any student at school or any school sponsored activity.

It shall be a violation of this policy for any student or division personnel to harass a student sexually, or based on race, national origin, disability or religion. Further, it shall be a violation of this policy for any division personnel to tolerate sexual harassment or harassment based on a student's race, national origin, disability or religion by students, division personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, division personnel includes board members, school employees, or other persons subject to the supervision and control of Stafford County Public Schools.

Stafford County Public Schools shall:

- promptly investigate all complaints, written or verbal, of sexual harassment and harassment based on race, national origin, disability or religion;
- promptly take appropriate action to stop any harassment; and
- take appropriate action against any student or division personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of students.

Definitions

Sexual Harassment - Consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

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

Examples of conduct which may constitute sexual harassment if it meets the immediately preceding definition include:

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

Harassment Based on Race, National Origin, Disability or Religion – Consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:

- creates an intimidating, hostile or offensive educational environment; or
- substantially or unreasonably interferes with an individual's education; or
- otherwise is sufficiently serious to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language.
- name calling, jokes or rumors.
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion.
- hostile acts which are based on another's race, national origin, religion or disability.
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

Complaint Procedure

Complaints may be filed by a student and/or parent pursuant to the following procedure:

STEP 1: Complaints are to be reported to the principal or guidance counselor. Complaints filed with the counselor will be forwarded by the counselor to the principal for investigation and action. Alternatively a student or parent may report a complaint to the Supervisor of Student Services. It shall be the goal of the principal and/or supervisor to arrive at a prompt and reasonable resolution of the complaint which is equitable to all parties.

The principal or supervisor shall inform the complainant in writing of what action, if any, shall be taken within ten (10) school days of receiving the complaint. Complaints of student on student harassment may result, following investigation and due process, in disciplinary measures which are consistent with the Student Code of Conduct (Policy 2401) being taken against a student. If the action taken involves discipline imposed on another student, the information provided to the complainant shall be consistent with the requirements of the Family Educational Rights and Privacy Act (FERPA) and its regulations which generally prohibit the school from releasing personally identifiable information absent consent of the student and parent except in certain limited circumstances directly related to the student complainant. The principal or supervisor shall also inform the complainant as to the procedure to pursue the complaint further should it not have been resolved to the satisfaction of the complainant.

STEP 2: If the action of Step 1 fails to resolve the complaint to the satisfaction of the complainant, the complainant shall submit, within seven calendar days of receiving the written decision of the principal or supervisor, the complaint in writing to the Title IX Coordinator (who is the Executive Director of Human Resources).

The Title IX Coordinator shall investigate and inform the complainant in writing of what action, if any, shall be taken within fifteen (15) school days of receiving the complaint. The coordinator shall also inform the complainant as to the procedure to pursue the complaint further should it not have been resolved to the satisfaction of the complainant.

STEP 3: If the action of Step 2 fails to resolve the complaint to the satisfaction of the complainant, the complainant shall, within seven calendar days of receiving the written decision of the Title IX Coordinator, submit the complaint in writing to the superintendent.

The superintendent/designee shall investigate and inform the complainant in writing of what action, if any, shall be taken within ten (10) school days of receiving the complaint. The superintendent/designee shall also inform the complainant as to the procedure to pursue the complaint further should it not have been resolved to the satisfaction of the complainant.

STEP 4: If the action of Step 3 fail to resolve the complaint to the satisfaction of the complainant, the complainant shall, within seven calendar days of receiving the written decision of the superintendent/designee, submit the complaint in writing to the board.

The board shall commence consideration of the complaint at its next regular meeting and may, if it deems appropriate, conduct a hearing which hearing may be on a later date. The board shall, within fifteen (15) days of having completed its consideration and/or hearing of the matter, render a decision and shall inform the complainant of that decision in writing through the superintendent/designee. The decision of the board shall be final.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum:

- the surrounding circumstances;
- the nature of the behavior;
- past incidents or past or continuing patterns of behavior;
- the relationship between the parties;
- how often the conduct occurred;
- the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim);
- the location of the alleged harassment;
- the ages of the parties; and,
- the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

Retaliation

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

Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

Prevention and Notice of Policy

Training to prevent sexual harassment and harassment based on race, national origin, disability and religion should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees shall be notified annually of contact information of the individuals to whom complaints may be reported.

False Charges

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

Amended by School Board: 05/22/18

2404

Student Services ANTI-BULLYING

2404

PURPOSE: To describe the Bully Prevention Program

The board is committed to creating a safe, caring, respectful learning environment for all students. Bullying of students occurring in the schools is strictly prohibited and will not be tolerated. For the purposes of the policy, “school” includes school buildings, school grounds, virtual learning environments, school-sponsored social events, trips, sporting events, buses, and bus stops. Reported incidents of bullying will be investigated promptly and thoroughly by school administration.

Definition

Bullying: A pattern of aggressive, intentional or deliberately hostile behavior that occurs repeatedly and over time. Bullying behaviors normally fall into three categories, physical, emotional and verbal, and may include, but are not limited to, intimidation, assault; extortion; oral or written threats; teasing; putdowns; name-calling; threatening looks; gestures, or actions; rumors; false accusations; microaggressions; hazing, social isolation, and cyber-bullying.

Preventative Measures

1. **Student Instruction/Awareness**
Bullying behaviors are unacceptable. Ongoing instruction is to be provided through the Character Education and other instructional programs in the K-12 Stafford County Public Schools curriculum.
2. **Staff Awareness/Action**
School personnel shall receive in-service training on anti-bullying policy to ensure a consistent approach is adopted on a division-wide basis. The school administration requires all staff members who observe, suspect, or become aware of an act of bullying to immediately notify an administrator.
3. **Student/Parent Action**
The division encourages students and parents who become aware of an act of bullying to immediately report the incident(s) to a school administrator for further investigation. Any student who retaliates against another for reporting bullying will also be subject to consequences.

Complaint/Investigative Procedure

All students shall be informed of their right to protection against bullying behaviors and the right to file a complaint if they believe they have been the victim of bullying behavior. School administrators are responsible for investigating each complaint, determining if the complaint is legitimate in accordance with the above definition, and taking appropriate corrective action. Any student (be they the victim or bystander) may initiate a complaint by completing a confidential reporting form and returning it to a building administrator.

Intervention/Consequences

Reports of bullying are taken seriously and shall be dealt with quickly and effectively. If a student is found guilty of bullying behavior the consequences shall depend on both the results of the investigation and the severity of the incident. Consequences may include but are not limited to mediation, a parent conference, counseling, suspension, expulsion, or referral to local law enforcement agency.

04/13/21 Amended

2404-R

Student Services ANTI-BULLYING

2404-R

PURPOSE: To describe processes, procedures, and preventative measures relative to the anti-bullying program

Notification

Students and parents shall be notified through the division's Code of Student Conduct that bullying behaviors shall not be tolerated. School administrators and staff shall use announcements and newsletters to inform all students of the prohibition against bullying and the procedure for reporting complaints.

Except as may be prohibited by law, the principal/designee shall also immediately report any act that may constitute a criminal offense to the parents of any minor student who is the victim of such act. The principal/designee will indicate that the incident has been reported to local law enforcement and that parents may contact local law enforcement for further information.

Preventative Measures

Student Instruction/Awareness: Bullying behaviors are unacceptable. Instruction shall be provided through the Character Education program and/or within the classroom. Each program shall be interwoven into other instructional programs in the division's K-12 curriculum, school procedures and environment, with adults leading by example with correct and courteous behavior.

Staff Awareness/Action: School personnel shall receive training on anti-bullying policy and regulation to ensure a consistent approach is adopted on a division-wide basis. Any staff member who observes, suspects, or becomes aware of an act of bullying shall promptly notify an administrator. Bullying may be prevented if all school staff assist.

Staff action shall include monitoring behavior and enforcing rules by:

- Acting on complaints in a prompt, fair, and decisive manner.
- Informing students of actions to take if bullied.
- Letting the bully know very clearly that such actions are not acceptable.
- Telling the bully very firmly to stop.
- Keeping written notes of dates, times, places, witness names, and other information about actual incidents of bullying.
- Keeping notes, letters, and other evidence of bullying.
- Talking with a counselor or administrator and, if appropriate, filing a complaint.

Student/Parent Action: The division encourages students and parents who become aware of an act of bullying to immediately report the incident(s) to a school administrator for further investigation. Any student who retaliates against another for reporting bullying will be subject to consequences.

Guidelines for Responding to a Bullying Complaint

Staff shall be responsible for maintaining a written record of all meetings and conversations with students including notes of dates, times, places, witness names, and other information about interviews and incidents.

- Review evidence and interview witnesses.
- Ascertain basic information (who, what, when, where).
- Obtain a statement from the victim and bystanders.
- Ask about witnesses or corroborating information/evidence.
- Offer assurance of protection and safety against retaliation for victim and bystanders.
- Explain investigation and follow-up procedures.
- Inform parent/guardian of the alleged bullying within 24 hours of the incident.
- Maintain confidentiality and protect the privacy of all parties to the greatest extent possible.
- Complete and file incident report with the Office of Safety and Security within 48 hours of the incident.

Meet with the Alleged Bully

- Explain bullying behavior and its seriousness.
- Present the allegation and provide an opportunity for response/rebuttal.
- Explain investigation and follow-up procedures.
- Caution against retaliation.
- Inform parent/guardian of the alleged bullying behavior within 24 hours of the incident.
- Take appropriate corrective/disciplinary action and complete incident report.
- Complete and file incident report with the Office of Safety and Security within 48 hours of the incident.

Consequences

If a student is found guilty of bullying behavior, corrective action shall be taken in accordance with established disciplinary procedures according to the division's Code of Student Conduct. Corrective action may range from warning (including parent/guardian notification) to suspension or expulsion depending on the seriousness of the incident, prior incidents, and the need to protect the victim and other students from future bullying.

Administrators and all school employees are responsible for the consistent application of this regulation within their respective areas of authority, and for assuring the confidentiality of students to the greatest extent possible.

12/12/13 Readopted

4907

Human Resources Services

4907

GRIEVANCES AND GRIEVANCE PROCEDURES: TITLE IX/504

PURPOSE: To set forth the board's policy statement on sexual harassment as prohibited by Title IX and on Section 504 grievances

I. Policy Statement

The School Board of Stafford County is committed to maintaining an educational environment and workplace that is free from sexual harassment against students, employees, or others in its education programs and activities.

For the purpose of this policy, school personnel include school board members, school employees, agents, volunteers, contractors, or other persons subject to the supervision and control of the school division.

The superintendent shall establish by regulation the grievance process and any other procedures or processes that shall comply with the federal regulations implementing Title IX and Section 504.

II. Prohibited Conduct

“Sexual harassment prohibited by Title IX” means conduct on the basis of sex that satisfies one or more of the following:

- school personnel conditioning the provision of an aid, benefit, or service of the school board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school board's education program or activity; or
- “sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

Sexual harassment which does not meet the definition of harassment prohibited by Title IX will be processed under Regulation 2401-R (Student Code of Conduct), Policy 2402 (Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion), or Policy 4110 (Sexual Harassment and Other Unlawful Harassment).

“Title IX” means 20 U.S.C. §§ 1681-1688 and the implementing regulations

III. Title IX Coordinator

The Title IX Coordinator is the person designated by the school board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at: Executive Director of Constituent Services/Title IX Coordinator, 31 Stafford Avenue, Stafford, VA 22554; 540-658-6000.

IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who report alleged harassment or participates in related proceedings. The Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

10/12/21 Amended

COMPULSORY SCHOOL ATTENDANCE LAW

§ 22.1-254. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.

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

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

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

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

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

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

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

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

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

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board, cannot benefit from education at such school; or

2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

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

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

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

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

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

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

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

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

night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

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

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

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

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

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

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

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

K. Subject to guidelines established by the Department, each school board (i) shall permit one school day-long excused absence per school year for any middle school or high school student in the local school division who is absent from school to engage in a civic event and (ii) may permit additional excused absences for such students who are absent for such purpose. Local school boards may require that the student provide advance notice of the intended absence and require that the student provide documentation of participation in a civic event.

L. Subject to guidelines established by the Department, any student who is a member of a state-recognized or federally recognized tribal nation that is headquartered in the Commonwealth and who is absent from school to attend such tribal nation's pow wow gathering shall be granted one

excused absence per academic year, provided that the parent of such student provides to the student's school advance notice of such absence in the manner required by the school.

Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251; 2006, c. 335; 2010, c. 605; 2012, cc. 454, 642; 2014, c. 84; 2017, c. 330; 2018, cc. 486, 585; 2020, c. 869; 2021, Sp. Sess. I, cc. 104, 105; 2022, c. 233.

2406-R

Student Services

2406-R

STUDENT ABSENCES/EXCUSES/DISMISSALS

PURPOSE: To define guidelines for student attendance

Attendance Regulation

Student Attendance

Regular school attendance is a mandatory requirement for all students. Virginia Code 22.1-254 requires that all children who have reached their fifth birthday on or before September 30, and who have not yet reached their eighteenth birthday, must attend school. This requirement does not apply to any child who has obtained a high school diploma, its equivalent, a certificate of completion, or who is exempted pursuant to the provisions of the law.

For students age 18 or over, the requirements will apply to the student directly. Every teacher shall keep an accurate, daily class record of attendance of all assigned students. The Superintendent shall provide a copy of the compulsory school attendance law and this attendance policy within the first calendar month of each school year.

A. Parent Notification Procedures

Parents/guardians are notified of a student's absence from school using the automated dialing system. Parents/guardians are responsible for ensuring that their child's school has an active phone number for notification.

B. Absences, Tardies, and Early Dismissals

Students are expected to arrive on time and attend class for the full instructional day. A student who is tardy to or leaves early from school may disrupt the learning environment for all. Tardiness to, or early dismissals from, school shall be considered excused for the same reasons listed for absence in Section "D" unless deemed excessive.

Stafford County Public Schools (SCPS) high school students shall be scheduled for a full school day unless the student is enrolled in a cooperative work-study program. A student who is approved to participate in a school-sponsored field trip or other activity shall be counted as

present. The Superintendent or designee must approve exceptions to a full day schedule on an individual basis.

It is the responsibility of a parent/guardian to notify the school of any absences that occur. Parents/guardians are expected to provide a notification including the date(s) and reason for the student's absence from school upon the student's return to school. Notification will be documented and maintained until the end of the school year.

C. Notifications

Schools may accept written notes or notification through the school's web portal.

D. Excused and Unexcused Absences

SCPS defines the following conditions as acceptable reasons for absence from school:

- Illness – A student who is unable to attend school due to an illness. Notification by the parent/guardian or a physician will document the absences as illness for the school. Doctors' visits also fall under this category.
- Chronic/extended illness – Some students require extended time out of school due to acute or chronic illness. This type of absence *requires* documentation from a medical provider. Students that anticipate missing two or more days of school monthly and/or who accrue a defined pattern of absences due to chronic illness shall be *required* to provide documentation from a physician to support those absences.
- Family Death or Emergency – Notification from the parent/guardian shall be required to support this absence.
- Religious Observances – When religious holidays and/or observances are celebrated, it is the parent/guardian's responsibility to notify the school of the religious holiday to be observed.
- Subpoenaed Court Appearance – Parents/guardians shall provide court papers.
- Exceptional Circumstances – Prearranged absences approved by the principal.

Absences shall be unexcused for the following causes:

- Truancy, which shall include – Absence of the student from school without the knowledge and permission of student's parents/guardians or school authorities. (In accordance with Va. Code Section 22.1-277.A, truancy alone does not constitute sufficient cause to suspend a student from school). Skipping, cutting or leaving class without permission after reporting to school.
- Organized skip day is not an approved absence.
- All absences not covered under excused absences or approved by the principal.
- Suspension – Absences accrued because of a suspension shall include notification to the parents/guardians providing the date of suspension and expected return to school date. The student must return on the indicated date. Suspensions are counted as unexcused absences.
- Family vacations/trips are not approved absences.
- Missing the bus or ride to school are not approved absences.

E. Compulsory Attendance Procedures

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

Upon Fifth Absence Without Parental/Guardian Awareness and Support. If (1) a student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the student's parent/guardian is aware of and supports the absence; and (3) reasonable efforts to notify the parent/guardian of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent/guardian in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the student's absence and to explain to the parent/guardian the consequences of continued nonattendance. The school principal or principal's designee, the student, and the student's parent/guardian shall jointly develop a plan to resolve the student's nonattendance. Such plan shall include documentation of the reasons for the student's nonattendance.

Upon Tenth Absence Without Parental/Guardian Awareness and Support. The school principal or principal's designee shall schedule a conference with the student, the student's parent/guardian and school personnel. Such conference may include other individuals who may have resources to help resolve issues related to the student's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the student, regardless of whether the parent/guardian approves of the conference. The conference team shall monitor the student's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve.

In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Schools shall provide interventions and alternative educational options for a student who fails to make academic progress as a result of attendance problems.

F. Actions Against Parent/Guardian for Habitually Absent Student

In accordance with Va. Code §22.1-267, the school division may (i) file a complaint with the juvenile and domestic relations district court alleging the student is a child in need of supervision as defined in Va. Code § 16.1-228 or (ii) institute proceedings against the parent/guardian pursuant to Va. Code § 18.2-371 or § 22.1-262 for students with 15 or more unexcused absences from school. In filing a complaint, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this policy.

Violation of an attendance order signed and entered by a juvenile and domestic relations district court (J & DR court) in response to the filing of a petition alleging the student is a child in need

of supervision may cause the school division to file a petition with the J & DR court alerting them to said violation.

G. Report for Suspension of Driver's License

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

H. Make-up Work

It is the student's responsibility to communicate with the teacher on the day he or she returns to class to schedule the make-up of missed work. Students are expected to make up work missed within a time period agreed upon by the student, the parent/guardian and the teacher.

Once the summative examination has been administered for that marking period/term the window for the acceptance of make-up shall be closed and no make-up work shall be accepted for a grade.

- **Elementary School Students – K-5:** Students shall be permitted to make up work. At each respective SCPS elementary school, the parent/guardian must request assignments through the approved and advertised school based procedure.
- **Middle School Students – 6-8:** Students shall be permitted to make up work for absences to school. In the event a student will likely be absent from school for two or more days due to illness, work may be requested through the school's counseling department.
- **High School Students – 9-12:** High school students and middle school students taking coursework at the high school level are expected to communicate with their teacher upon their return to school. Upon their return to school, students are expected to turn in any work that was due on the day(s) of the absence upon their return to school. The principal or designee may consider extenuating circumstances in extending the time limit.

I. Release of Students

Principals shall not release a student during the school day to any person not authorized by the student's parent or legal guardian to assume responsibility for the student. Students shall be released only on request and authorization of parent or guardian. A formal check-out system shall be maintained in each school. The burden of proof that the release is authorized is on the person receiving the student.

Students with their own transportation shall be released on the written request and authorization of the parent or legal guardian. All schools shall maintain a formal checkout system to ensure this requirement is met.

J. Attendance Reporting

Student attendance shall be monitored and reported as required by state law and regulations. At the end of each school year, each public school principal/designee shall report to the

superintendent or their designee the number of students by grade level for whom a conference was scheduled pursuant to State requirements. The superintendent/designee shall compile this information and provide it annually to the Superintendent of Public Instruction.

06/23/20 Amended by School Board

2106

**Student Services
Exclusion of Students**

2106

PURPOSE: To authorize exclusion of certain students

Authority to Exclude Students under Certain Circumstances

Any student seeking to enroll in Stafford County Public Schools who has been expelled or suspended for more than 30 days from any school, whether that school be in Virginia or not, or for whom admission has been withdrawn by any private school, may be excluded from attendance in Stafford County Public Schools or assigned to attend an alternative education program for the term of such exclusion, regardless of whether the student has been admitted to any other school subsequent to such expulsion, suspension, or withdrawal of admission, upon a finding by the superintendent/designee, after having conducted a hearing, that the student presents a danger to other students and/or staff. In the case of a student suspended more than 30 days, the term of the exclusion may not exceed the duration of such suspension. In the case of an expelled student any or all of the conditions for readmission imposed by the expelling school board may be accepted or waived by the superintendent/designee, however, no additional conditions shall be imposed.

Appeal

The decision of the superintendent/designee to exclude or to exclude and assign a student to attend an alternative education program may be appealed by the student and parent/guardian to a committee of the board. Such appeal shall be made in writing and shall be received by the superintendent/designee within five (5) calendar days of the written decision of the superintendent/ designee being emailed or faxed to the parent, guardian, or adult student. If the written decision of the superintendent/ designee is mailed (e.g., US Postal Service, UPS, FedEx) to the parent, guardian, or adult student, a written appeal must be received by the superintendent/designee within seven (7) calendar days from the date of the decision letter.

If the decision of the superintendent/designee to exclude has been appealed to a committee of the board, the student or his parent/guardian shall be provided written notice of the right to appeal the decision of the committee to the full board provided said appeal shall be in writing and received by the superintendent/designee within five (5) calendar days of the written decision of the superintendent/designee being emailed or faxed to the parent, guardian, or adult student. If the written decision of the superintendent/designee is mailed (e.g., U.S. Postal Service, U.P.S., FedEx) to the parent, guardian, or adult student, a written appeal must be received by the superintendent/designee within seven (7) calendar days from the date of the decision letter.

The board shall notify in writing the student or his/her parent/guardian of its decision within 30 days following any such hearing, in the case of an expulsion or withdrawal of admission and in the case of a suspension of more than 30 days, within 15 days following any such hearing.

06/23/20 Amended by School Board

2107

Student Services
ASSIGNMENT OF STUDENTS
TO AN ALTERNATIVE EDUCATION PROGRAM

2107

PURPOSE: To provide for the assignment of students to an alternative education program

Assignment to Alternative Education Program

The superintendent/designee is authorized to require a student to attend an alternative education program when the student has been:

- charged with an offense relating to the Commonwealth's laws, or with a violation of board policies on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G.;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled pursuant to Va. Code §22.1-277.06, Va. Code §22.1-277.07, Va. Code §22.1-277.08, or subsection C of Va. Code §22.1-277.

Attendance at the alternative education program may be required regardless of where the conduct occurred.

The School Board reserves the right to require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program. The cost of such evaluation and treatment programs shall not be borne by the School Board.

Notice to be Given

Prior to the superintendent/designee requiring a student to attend an alternative education program, written notice shall be given to the student and the parent or guardian that the student will be required to attend an alternative education program and further notice given of the opportunity for the student or the parent to participate in a hearing to be conducted by the superintendent/designee regarding such placement.

Appeal

The decision of the superintendent/designee to require that a student attend an alternative education program shall be final unless altered by the board upon timely appeal by the student or the parent and after review of the record by the board. Such appeal must be in writing and must be filed with the superintendent/designee within five (5) calendar days of the written decision of the superintendent/designee being emailed or faxed to the parent, guardian, or adult student. If the written decision of the superintendent/designee is mailed (e.g., US Postal Service, UPS, FedEx) to the parent, guardian, or adult student, a written appeal must be received by the superintendent/designee within seven (7) calendar days from the date of the decision letter.

Intentional Injury to Another Student In the Same School

In accordance with Section 22.1-277.2:1 of the Code of Virginia, a student may be short-term suspended for up to 10 school days if that student has been charged with certain offenses involving intentional injury to another student in the same school. This short-term suspension may remain in force pending the decision as to whether to require such student to attend an alternative education program. This authority to short-term suspend is granted even if the offense did not occur on school property or during school time.

Revised by School Board: 06/23/20

2409

Student Services

2409

TEACHER REMOVAL OF STUDENTS FROM CLASS

PURPOSE: To authorize teachers to remove students from class for disruptive behavior that interrupts or obstructs the learning environment

Criteria for Removal

Students may be removed from class for disruptive behavior under the following conditions:

1. Removal of the student from the class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior;
2. Interventions by the teacher and/or principal/designee have been attempted and failed to end the student's disruptive behavior; and
3. Notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or principal/designee must have been provided to the student's parents as described below.

When all of the above criteria have been satisfied, a teacher may remove a student from class.

Requirements for Incident Reports

Teachers should document incidents of disruptive behavior. The referrals will be filed with the school administration and provided to the student's parent/guardian within one (1) school day of

the incident. The parent/guardian must be given the opportunity to meet with the teacher and/or principal/designee to discuss the student's behavior and the possible consequences if the behavior continues. The teacher will document, in writing, attempts to request and encourage the parent/guardian to meet.

A student may not be removed from class for disruptive behavior unless at least two (2) written incident reports have been filed with principal/designee and provided to the student's parent/guardian concerning the two (2) prior incidents of disruptive behavior. Upon removal, the teacher shall file a referral with the principal/designee. The teacher will include any other documentation supporting the removal including, but not limited to, the previous two (2) incident reports.

Procedures for Written Notification of Student and Parents

The teacher shall provide copies of any referral to the student and parent/guardian and notify them of the opportunity to meet with the teacher and/or principal/designee to discuss the behavior and the possible consequences if the behavior continues. Such notice shall be provided within one (1) school day of each incident. The teacher shall document, in writing, attempts to request and encourage the parent/guardian to meet with the teacher and/or principal/designee. Such notice and documentation shall be required for each incident report and student removal.

Notwithstanding the above, teachers may continue to direct to the Principal for disciplinary action any student believed by the teacher to have violated Policy 2401, Code of Student Conduct.

Guidelines for Alternative Assignment and Instruction of Removed Students.

The principal/designee shall determine the appropriate placement of the student. The principal may exercise several options regarding the placement of a removed student including, but not limited to:

1. Assigning the student to a school based intervention program. (If the principal chooses this option, the teacher shall provide an appropriate educational plan for the instruction of the student and shall also evaluate all work and assignments undertaken by the student.);
2. Assigning the student to a school based alternative program including, but not limited to, one conducted by counseling personnel, such as peer mediation;
3. Assigning the student to another class and/or teacher (which may necessitate making other schedule changes);
4. Assigning the student to the principal's office or study hall, if available. (If the principal chooses this option, the teacher shall provide an appropriate educational plan for the instruction of the student and shall also evaluate all work and assignments undertaken by the student.);
5. Suspending the student out of school and if appropriate, recommending to the superintendent, or his designee, the long-term suspension or expulsion of the student. If the principal determines that this option is appropriate, alternative instruction and

assignment, if any, shall be provided according to board policy and in the case of students with disabilities, in accordance with applicable federal and state law; and

6. Returning the student to class (see procedures below).

Procedure for the Student's Return to Class

The principal/designee, shall determine, after written or oral communication with the teacher, the duration of the student's removal from class. The principal shall notify the teacher of any decision to return the student to class and when it is to occur.

If the teacher disagrees with the principal's decision to return a student to class the teacher and principal shall discuss the teacher's objection and the principal's reason for returning the student.

The teacher, after meeting with the principal, may appeal the principal's decision to the superintendent/designee within one school day. The appeal shall be in writing. All the disciplinary referrals and removal form(s) must accompany the appeal. After discussion with the principal and teacher or receiving their written comments, the decision of the superintendent/designee shall be final. The decision shall be made within two school days of the teacher's appeal. During the appeal process, the student shall not be returned to class, unless it would offend the due process or substantive legal rights of the student, and the principal will determine an appropriate placement for the student.

Should a decision be made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior, should it occur.

Other Provisions

The principal/designee shall ensure that students removed from class under this policy continue to receive an education in accordance with board policies.

Application of this policy to students with disabilities shall be consistent with federal and state law and regulations as well as board policy regarding students with disabilities.

Documented teacher deficiencies in classroom management shall be addressed in teacher evaluations pursuant to board policies and regulations and may be taken into account in decisions of the principal respecting return of the student to class.

This policy does not limit or restrict other policies, regulations or laws for maintaining order in the classroom, nor does it limit or restrict the authority of school division employees, including the principal, to apply such policies, regulations and laws.

06/23/20 Amended by School Board

NOTICE: MISDEMEANOR TO MAKE FALSE STATEMENTS AS TO RESIDENCY

The Code of Virginia provides that under certain circumstances it shall be a misdemeanor for any person to knowingly make a false statement concerning residency.

Va. Code §22.1-264.1. Misdemeanor to make false statements as to school division or attendance zone residency; penalty.

Any person who knowingly makes a false statement concerning the residency of a child, as determined by Va. Code §22.1-3, in a particular school division or school attendance zone, for the purposes of (i) avoiding the tuition charges authorized by Va. Code §22.1-5 or (ii) enrollment in a school outside the attendance zone in which the student resides, shall be guilty of a Class 4 misdemeanor and shall be liable to the school division in which the child was enrolled as a result of such false statements for tuition charges, pursuant to Va. Code §22.1-5, for the time the student was enrolled in such school division. (2006)

NOTICE: AVAILABILITY OF POLICY MANUAL

Consistent with Virginia Code Section 22.1-253.13:7, copies of the Stafford County Public Schools policy manual are available for access by the public on the Internet at www.staffordschools.net. Printed copies of division policies are available to citizens who do not have online access through the Office of the Clerk of the School Board of Stafford County at (540) 658-6000. (2013)

NOTICE: SEX OFFENDER REGISTRY INFORMATION

Pursuant to Virginia Code Section 22.1-79.3, notice is given that information regarding sex offenders is available in the Sex Offender and Crimes Against Minors Registry and may be accessed on the Internet at <http://sex-offender.vsp.virginia.gov/sor/>. (2015)

NOTICE: RIGHT TO PETITION

Pursuant to Virginia Code Section 22.1-253.13:7 notice is given that any parent or guardian of a student who is aggrieved by an action of the school board may, within thirty days after such action, petition the local circuit court, as provided in Virginia Code Section 22.1-87, to review the action of the school board. (2013)

NOTICE

The Stafford County School Board does not unlawfully discriminate against any person on the basis of race, color, national origin, political affiliation, religion, sex, pregnancy, childbirth or related medical conditions, marital status, mental or physical disability, age, genetic information, sexual orientation, gender identity, or any other characteristic prohibited by state and/or federal law. This policy covers all programs, services, policies, and procedures of Stafford County Public Schools, including all educational programs, admission to such programs, activities, and employment. Inquiries regarding nondiscrimination should be directed to the Executive Director of Constituent Services/Title IX Coordinator, Stafford County Public Schools, 31 Stafford Avenue, Stafford, Virginia 22554, Phone: (540) 658-6631, FAX: (540) 658-6041. Reasonable accommodation is provided upon request.