

CODE OF STUDENT CONDUCT

Parent/Guardian Responsibilities

In accordance with Virginia law:

- Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory 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.
- Each parent of a student enrolled in a public school must sign and return a statement acknowledging receipt of the Code of Student Conduct.

Student Rights and Responsibilities

Student rights and responsibilities include: The right to have rules and procedures applied equally without regard to race, ethnicity, religion, gender, social, or national origin. Additional rights and responsibilities include:

Right - All of the rights expressed and guaranteed by the United States Constitution and by federal, state, and local laws.

Responsibility - Obey all federal, state, and local laws.

Right - To benefit from a school climate that provides a safe and orderly environment.

Responsibility - Comply with school rules at any school function and on school property, including buses and at school functions. Observe the rights of other students, school employees, and visitors. Make the appropriate persons aware of violations involving drugs, alcohol, weapons, or firearms.

Right - To expect that school personnel will concentrate on the business of teaching and learning

Responsibility - Use all educational opportunities that are provided.

Right - To expect and receive courtesy, fairness, and respect from members of the school staff and other students

Responsibility - Conduct him/herself in a responsible manner. Comply with reasonable requests and directions given by those in authority. Respect each other.

Right - To review personal educational records if eighteen years of age or older

The rights listed above do not permit a student to disrupt the educational process, to break school rules, to present a health or safety hazard, or to disregard directions given by those in authority. Individual rights end when they infringe upon the rights of others.

Due Process

Due Process requires that a student be given oral or written notice of the charges against him/her, an explanation of the evidence used to support the charges, and an opportunity to present his/her side of the story before privileges are denied.

Any student whose presence poses a continuing danger to persons or property, or presents an ongoing threat of disruption, may be removed from school immediately. (**Expanded definition, p. 7**)

School Board Policy and Discipline Consequences

The rules and consequences listed in this document demonstrate the efforts to provide a safe educational climate for all students, employees, and visitors. School Board policies regarding student discipline include the following:

- Students will be disciplined for any misconduct that occurs (1) on school property, including a school vehicle, (2) while participating in or attending any school sponsored activity, (3) while going to and returning from school. School property is defined as any property owned, leased, or under the control of Portsmouth Public Schools, or (4) when entering or remaining on school property without permission at any time including, but not limited to weekends, holidays, or when school is not in session.
- Discipline imposed at school does not prevent student, parent/guardian, or school employee from filing civil/criminal charges.
- A student who has been suspended or expelled may not go onto school property and may not participate in school sponsored activities.
- A student and a student's parents/guardians or a student age 18 have a right to appeal disciplinary decisions made concerning their child.
- A request for a disciplinary appeal must be made to the building principal on the next school day following the disciplinary action or as soon as possible thereafter.
- **Upon request, the teacher will provide make-up work except directed teaching, for a student who is suspended.**
- Failure of a parent to assist the school with disciplining their child/children could result in court action against the student and the parent/guardian.
- The parent/guardian may be subject to legal action for students who are in violation of compulsory attendance laws

I have received and understand the Code of Student Conduct including the Acceptable Computer Use System Policy **IIBE**, health related information regulations for students who ride school buses and the rules and consequences governing behavior for students in Portsmouth Public Schools. My signature does not mean that I agree to or waive any constitutional rights.

Date

Student

Parent/Guardian

Homeroom

Printed Name

This page is to be signed and returned to the appropriate person at your child's school.

Perforate along line





Code of Student Conduct

2016 - 2017





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SUPERINTENDENT'S MESSAGE

Portsmouth Public Schools' *Code of Student Conduct* is written and implemented for the benefit of all students in the school division with the expectation that they will adhere to all the requirements contained within.

A section of the vision of Portsmouth Public Schools is that we will have Exemplary Student Citizens with students who "will be socially responsible and respected as lights of inspiration for future generations." This vision begins with the involvement of parents and/or guardians reviewing the *Code of Student Conduct* with your children and ensuring that there is an understanding of the standards of conduct when students are in school and representing Portsmouth Public Schools in the community. In addition to teaching the basic academic areas, the teaching of personal responsibility and self-discipline are critical roles of our public schools. If there are any questions about the conduct expectations, please talk with your child's teacher or principal.

As you know, following this *Code of Student Conduct* will result in a positive and orderly classroom and school that will strengthen the learning of all students. Teachers also will benefit from students who take learning seriously and behave appropriately.

Thank you for supporting our work to make Portsmouth Public Schools an excellent school division that challenges all students and offers the support students need to be successful.

Sincerely yours,

Elie Bracy, III, Ed.D.
Division Superintendent

EB:slp

Mission

The mission of Portsmouth Public Schools is to challenge the minds, challenge the bodies, and challenge the dreams of all students while focusing on excellence.

Introduction

Portsmouth Public Schools provides a learning environment in which each student is expected, encouraged, and assisted to reach his/her academic potential. The policies and procedures set forth in this document are designed to ensure safety, responsibility, and respect of the person and property of students, staff, and others while on school property.

Student Rights and Responsibilities

Student rights and responsibilities include: The right to have rules and procedures applied equally without regard to race, ethnicity, religion, gender, social, or national origin. Additional rights and responsibilities include:

Right – To all of the rights expressed and guaranteed by the United States Constitution and by federal, state, and local laws

Responsibility - Obey all federal, state, and local laws

Right – To benefit from a school climate that provides a safe and orderly environment

Responsibility - Comply with school rules on any school property, including school buses and at school functions. Observe the rights of other students, school employees, and visitors. Make the appropriate persons aware of violations involving drugs, alcohol, weapons, or firearms

Right – To expect that school personnel will concentrate on the business of teaching and learning

Responsibility – Use all educational opportunities that are provided

Right – To expect and receive courtesy, fairness, and respect from members of the school staff and other students

Responsibility - Conduct him/herself in a responsible manner. Comply with reasonable requests and directions given by those in authority. Respect each other

Right – To review personal educational records if eighteen years of age or older

The rights listed above do not permit a student to disrupt the educational process, to break school rules, to present a health or safety hazard, or to disregard directions given by those in authority. Individual rights end when they infringe upon the rights of others.

Parent/Guardian Responsibilities

In accordance with Virginia law:

- Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory 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.
- Each parent of a student enrolled in a public school must sign and return a statement acknowledging receipt of the Code of Student Conduct.

School Board Policy and Discipline Consequences

The rules and consequences listed in this document demonstrate the efforts to provide a safe educational climate for all students, employees, and visitors. School Board policies regarding student discipline include the following:

- Students may be disciplined for any misconduct that occurs: (1) on school property, including a school vehicle, (2) while participating in or attending any school sponsored activity, (3) while going to and returning from school, or (4) when entering or remaining on school property without permission at any time including, but not limited to weekends, holidays, or when school is not in session. School property is defined as any property owned, leased, or under the control of Portsmouth Public Schools.
- Discipline imposed at school does not prevent student, parent/guardian, or school employee from also filing civil or criminal charges.
- A student who has been suspended or expelled may not go onto school property and may not participate in school sponsored activities.
- A student and a student's parents/guardians or a student age 18 have the right to appeal disciplinary decisions made concerning the child.
- A request for a disciplinary appeal must be made to the building principal on the next school day following the disciplinary action, or as soon as possible thereafter.
- Upon request, the teacher will provide make-up work, except directed teaching for a student who is suspended.
- Failure of a parent to assist the school with disciplining their child/children could result in court action against the student and the parent/guardian.
- The parent/guardian may be subject to legal action for students who are in violation of compulsory attendance laws.

Special Education Students

Students who have been identified as having disabilities and receive services under an Individualized Education Plan or a Section 504 Plan may be suspended for up to ten (10) days in accordance with School Board Policy JGDA. For a suspension in excess of ten (10) days, the procedures outlined in School Board Policy JGDA must be followed.

Violation of Laws

A student shall not participate in any criminal acts that are violations of local, state, or federal laws. If a petition or warrant has been filed or is pending against a student, the student may be required to

attend an alternative education program **without regard to where the crime occurred if the student is:**

- Charged with an offense relating to the Commonwealth's laws, a violation of School Board policies on weapons, alcohol, drugs, or intentional injury to another person.
- Found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of a crime for which the disposition ordered by a court is required to be disclosed to the Superintendent pursuant to the *Code of Virginia*.
- Section A of § 16.1-269.1 Code of Virginia - If a juvenile fourteen years of age or older at the time of an alleged offense is charged with an offense which would be a felony if committed by an adult, the attorney for the Commonwealth can motion for transfer to circuit court where the juvenile will be tried as an adult.

School Handbook

Each school produces a handbook that addresses that school's individual needs and concerns. The school's handbook is a companion to the division-wide *Code of Student Conduct*.

Police Involvement

The Portsmouth Police Department will be involved in school related incidents as warranted by the *Code of Virginia* and School Board Policy.

Persistent Disobedience

When disciplinary consequences are considered for any infraction, the student's entire academic and behavioral history may be considered. A history of persistent disobedience may justify strict disciplinary action even if the current violation is a minor one.

Due Process

Due process requires that a student be given oral and written notice of the charges against him/her; an explanation of the evidence used to support the charges, and an opportunity to present his/her side of the story before privileges are denied. Due process also includes oral and written notification to a parent/guardian of any incident report of disruptive behavior, of any short-term out of school suspension, in school suspension/detention, or after school detention and prior to suspension of a student with a recommendation to the Disciplinary Hearing Committee. The student, parent/guardian has the right to appeal a suspension. (Suspension Appeal Process on page 9)

Any student whose presence poses a continuing danger to persons or property, or presents an ongoing threat of disruption may be removed from school immediately.

For Your Information

Any student who is determined to be an accessory to a violation of the Code of Student Conduct will receive consequences determined appropriate for the behavior.

“School property” means any property owned, leased, or under the control of Portsmouth Public Schools and includes any Portsmouth Public Schools vehicle.

- Prior to the re-enrollment of an expelled student, the student’s parent/guardian must contact the Division Superintendent, in writing to obtain information regarding the re-enrollment process.
- Any student for whom the Division Superintendent has received a report pursuant to state law of an adjudication of delinquency or a conviction may be suspended or expelled from school attendance.
- Students are subject to corrective action for any misconduct that occurs off school **property**, when the acts lead to: (1) an adjudication of delinquency or a conviction for an offense listed in § 16.1-305.1 of the *Code of Virginia* 1950, as amended (unlawful purchase, possession or use of a weapon, homicide, felonious assault, bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances, or marijuana, arson and related crimes, burglary and related offenses) or (2) a charge that would be a felony if committed by an adult.
- When a student receives a suspension before a school closing (ex. Spring Break, inclement weather) the days of suspension will be served when school re-opens.

CONFISCATION OF ITEMS

Cellular telephones are not to be visible during school hours. Students found in violation will have them confiscated and returned to a parent. All cell phones, electronic devices and other confiscated items must be picked up by a parent/guardian. When the parent/guardian picks up the confiscated item they will be required to sign the General Confiscation Form acknowledging that if the same or similar item is confiscated a second time it will be kept until a parent conference is held with an administrator, the third offense will result in the item being held until the student serves a minimum of one day of in-school suspension and a parent conference is held. The school must be contacted to schedule a pick up time.

WARNING: Taking, possessing, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a **CRIME** under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies, which result in arrest, criminal prosecution and **LIFETIME** inclusion on sexual offender registries.

- Schools shall not be held responsible for items that are lost, stolen or damaged when in student possession.

Search and Seizure

Personal Searches – School officials may search a student’s person and/or personal effects (e.g., purse, book bag, etc.) if there is reasonable suspicion that (1) a student has violated or is about to violate a law or school rule and (2) that the search will yield evidence of that violation.

Automobile Searches – Parking on school property is a privilege, not a right. By parking on school property, a student consents to having his or her vehicle searched if school authorities have a reasonable suspicion that the vehicle is involved in a violation of a law, school rule, or policy and that the search will yield evidence of that violation.

Locker Searches – Student lockers are school property and are always under the control of the school. Students are expected to assume full responsibility for the content of their assigned lockers at all times. School officials may, for any reason, at any time, with or without a search warrant conduct periodic inspections without student consent.

For a complete discussion of the Search and Seizure Policy for Portsmouth Public Schools (see Appendices p. 48) Search and Seizure - JFG.

Student Dress Code Enforcement

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. Students who are insubordinate or refuse to change the improper attire, or repeat dress code violations shall be subject to disciplinary action for violating the Code of Student Conduct.

Suspension Appeal Process

Suspension Appeal Process

A. Short-term suspensions – seven days or fewer

For short-term suspensions of seven days or fewer the student or parent/guardian may appeal a decision as follows:

- to the building principal
- to Mr. Joseph L. Wiggins, Executive Administrator to the Superintendent
- to the Division Superintendent
- in writing to the School Board

The appeal of a short-term suspension before the School Board will be on the record only.

An administrator who is not assigned to the issuing school will be selected by the Division Superintendent/designee to oversee the appeal of a short-term suspension of seven days or fewer. Calls regarding the appeal of a short term suspension should be directed to Mr. Joseph L. Wiggins, Executive Administrator to the Superintendent at 393-8217. Following the appeal to the Executive Administrator to the Superintendent, the student, parent/guardian may appeal to the Division Superintendent. After which, an appeal in writing can be made to the School Board.

B. Long-term suspension - ten days or more and a recommendation to the Disciplinary Hearing Committee with the possibility of long-term suspension or expulsion.

For suspensions of ten days with the possibility of long-term suspension or expulsion a student is entitled to a disciplinary hearing followed by an appeal to the School Board.

For appeal of a long-term suspension/expulsion recommendation a student, parent/guardian is entitled to request a hearing before:

- the Division Superintendent (in writing)
- the School Board

Attendance and Driving

Code of Virginia §46.2-323 - provides for the suspension of the driver's license of anyone under eighteen years of age who has ten or more unexcused absences from public school on consecutive school days.

Portsmouth Police Department – Text-A-Tip

1. text to **274637**
2. enter Portsmouth
3. enter the tip

The number listed above is monitored by Portsmouth Police Department.
All information shared is confidential. E-mail www.portsmouthpd.us

A student who is assaulted and retaliates by hitting, kicking, or any other physical means may be disciplined for fighting.

Rules and Consequences Summary

Infraction	Page(s)	Discipline Levels (pp. 12-30)
Alcohol	12	IV
Arson	12-13	IV
Assault/Assault and Battery	13	IV
Attendance	14	I – III
Bomb Threat/School Threat	14-15	IV
Breaking and Entering Entering/Burglary	15	IV
Bullying/Harassment	15-16	IV
Cheating	16	Level I - III
Disorderly Conduct	16-17	I – IV
Drugs and Medication I and II	17-19	Part I = III-IV Part II = III-IV
Electronic Devices	19-20	II - IV
Extortion	21	IV
Fighting/Conflict	21-22	Elem. II – IV, Secondary III - IV
Gambling	21	II-IV
Gang Activity	22	IV
Hazing	23	IV
Homicide	23	IV
Inciting a Riot	24	IV
Kidnapping	24	IV
Other Violations: Gambling, Misrepresentation, Etc.	24-25	Elem. I – IV, Secondary II - IV
Parking Privilege	25	Loss of Privilege
Robbery and Theft	25-26	IV
Sexual Offenses	26 - 27	IV
Stalking	27	IV
Technology Use Violations	27-28	II - IV
Threats/Intimidation (Verbal and Physical)	28-29	IV
Tobacco Offenses	29	II – IV
Trespassing/Breach of Security	29-30	III – IV
Vandalism	30	III – IV
Weapons	30-31	Part I=IV Part II= Elem - IV/Secondary - IV

Consequences:

Level I = classroom based activities

Level II = detention/Saturday school/in school suspension

Level III = in school suspension/out of school suspension

Level IV = long-term suspension/expulsion

The range of consequences identified above will be imposed at the discretion of the building administrator contingent upon the severity of the offense. Any student who is determined to be an accessory to a violation of the Code of Student Conduct will receive consequences specified as appropriate to the behavior.

Level IV

- Alcohol Use
- Alcohol Possession
- Alcohol Sale or Distribution

A. Use, Possession of Alcohol

Students shall not use, distribute, be under the influence of, or have in their possession on school property or at any school-sponsored activities any beverage containing alcohol (*including imitation alcoholic beverages*).

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified

Level IV**B. Sale, Possession, Distribution**

Students shall not give, sell, distribute, or possess with intent to give, sell, or distribute on school property or at school-sponsored activities alcoholic beverages of any kind (**including imitation alcoholic beverages*).

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified

**Please Note: For purposes of this handbook, “imitation alcoholic beverage” shall mean a liquid which is not an alcoholic beverage, but may have the overall appearance, color, marking, packaging and marketing, or by representations made, is intended to lead, or would tend to lead, a reasonable person to believe that such item is an alcoholic beverage.*

Level IV

- Arson: Actual
- Arson: Attempted
- Bombs/Lighted Firecrackers/Cherry Bombs/Contributes to a fire

Arson is defined as the intentional burning of the property of another.

If a student has direct knowledge of arson and fails to report it, then that student has assisted

in the commission or concealing of arson.

Students shall not commit, attempt to commit, assist in the commission of, or conceal the commission of arson on school property.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified when appropriate

ASSAULT/BATTERY

(JFC R-1)

Level IV

Assault - is defined as a threat of bodily injury.

Assault and Battery - is defined as any bodily hurt, however slight, done to another in an angry, rude, or vengeful manner.

Assault/Battery Against Staff: Law Violations-with firearm or other weapon (aggravated assault, malicious wounding)

Assault/Battery Against Staff: Law Violations-no weapon (aggravated assault, malicious wounding)

Assault/Battery Against Student: Law Violations-with firearm or other weapon (aggravated assault, malicious wounding)

Assault Against Student: Law Violations-no weapon (aggravated assault, malicious wounding)

Assault/Battery: Law Violation (malicious wounding without a weapon)

Assault and Battery is defined as intentionally placing another person in reasonable fear of an immediate battery or the intentional harmful or offensive touching of another person's body without permission. Battery may be committed with or without an instrument, device, weapon, or other object. *Assault and Battery by Mob* is defined as committing assault and battery on another person with the aid of one or more persons.

Weapon is defined as any instrument or object actually used or created for the infliction of injury or death.

Malicious Wounding is defined as intentionally harming another person with the intent to maim, disfigure, permanently injure, or cause a substantial likelihood of death.

Assault and Battery on Staff is defined as intentionally placing a staff member in reasonable fear of an immediate battery or the intentional harmful or offensive touching of a staff person's body without permission. Battery may be committed with or without an instrument, device, weapon, or other object. Students shall not commit, attempt to commit, assist in the commission of, or conceal the commission of assault on school property.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents shall be notified
- police and/or juvenile authorities shall be notified

Levels I - III

Class Cutting
Leaving School Grounds w/o Permission
Tardy to Class
Students shall not be absent from or report late to school without prior parental permission, school permission or other valid excuse. Unexcused absence shall include, but is not limited to, leaving school premises without authorization.

- A. Students shall not** report to class tardy without written explanation from parents, teachers or administrators.
- B. Students shall not** be anywhere in the school building other than a scheduled location/area during or after instructional hours without written permission.

CONSEQUENCES:

- A. Class cutting, Tardy to school**
- the student will request make up assignments from teachers
 - in school suspension (up to three days)/out of school suspension (up to **three** days)
 - parents shall be notified
- B. Repeated class cutting, repeated tardy to school, leaving school grounds w/o permission**
- **Five to seven** days out of school suspension with referral to the Disciplinary Hearing Committee Parents shall be notified

BOMB/SCHOOL THREAT**(JFC R-13)****Level IV****Bomb Threat**

- Chemical/Biological Threats
- Terrorist Threat
- Setting off False Fire Alarm

School Threat – Any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or harming students or staff including intentionally making a false report of potential harm from dangerous chemicals or biological agents.

Students shall not make, attempt to make, or assist in the making of a bomb, chemical or biological threat against a school. A student shall not conceal, or assist in the concealment of a school threat. If a

student has direct knowledge of such a threat against a school and fails to report it, that student has assisted in the making or concealment of a school threat.

CONSEQUENCES:

- ten-day out of school suspension with a referral to the Disciplinary Hearing Committee
- parents shall be notified
- police, fire marshal, and the juvenile authorities shall be notified

BREAKING AND ENTERING

(JFC)

Level IV

- Burglary: Actual
- Burglary: Attempted

Breaking and Entering is defined as the breaking and entering of a locked, closed, or concealed location not open to students or the public for any purpose other than to commit a felony or a larceny.

Burglary is defined as breaking into any building at any time to commit theft, some other felony or misdemeanor.

Students shall not break into or enter locations on school property that are not open for student or public use whether or not there is intent to steal.

Students shall not commit, attempt to commit, assist in the commission of, or conceal the commission of breaking and entering/burglary on school property.

CONSEQUENCES:

- ten-day out of school suspension with a referral to the Disciplinary Hearing Committee
- parents will be notified
- police, fire marshal, and the juvenile authorities shall be notified

BULLYING / HARASSMENT

(JFC R-4)

Level IV

"Bullying" means any aggressive and unwanted behavior that is intended to harm 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 behavior motivated by a real or perceived differentiating characteristic of the victim and cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflict. SB NO. 951

Prohibited bullying behaviors include, but are not limited to the following:

1. physical intimidation, taunting, name calling, insults, and seizing or destroying personal property

2. comments regarding the race, gender, religion, physical abilities or characteristics of associates of the targeted person
3. falsifying statements about other persons
4. **(CYBER BULLYING)** use of technology such as e-mail, text messages, or web sites to defame or harm others

Harassment is defined as behavior intended to disturb or upset, it is characteristically repetitive and found to be intentional, threatening, or disturbing.

Students shall not engage in behavior that can be defined as bullying or harassment on school property.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and/or juvenile authorities shall be notified, when appropriate

CHEATING

(JFC R-6)

Levels I-III

Students are expected to perform honestly on any assigned schoolwork or tests. The actions that are identified as cheating and are prohibited include, but are not limited to the following:

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

Students shall not cheat.

CONSEQUENCES:

- in school suspension (up to three days)/out of school suspension (up to seven days)
- parents shall be notified of behavior and academic outcomes

DISORDERLY CONDUCT

(JFC R-8/JFC R-9)

Levels I-IV

- Disrespect/Walking Away
- Defiance/ Refuses Request
- Possession of Obscene/Disruptive Literature
- Classroom/ Campus Disruption
- Obscene/ Inappropriate Language/Gestures
- Minor Insubordination

- **Disruptive Demonstrations**

Disorderly conduct is defined as any conduct that actually is or was intended to be disruptive of any school activity, function, or process. It may include, but is not limited to: walking away, talking back, refusing reasonable requests of staff, interfering with the correction or instruction of another student, making inappropriate noises, instigating a fight verbally or physically, talking too loudly on any school property, moving excessively in the classroom, and making inappropriate gestures.

Disorderly conduct includes using obscene or profane language, making obscene or profane gestures, possessing obscene or pornographic literature, selling, giving, or sending obscene or pornographic literature.

Disruptive Demonstration is defined as the unauthorized gathering of three or more students in a particular place on school property with either the intent or the effect of creating a fearful or intimidating climate in and around the location of the gathering or of violating any school rule.

Defiance is defined as any open or bold resistance to or disregard for authority, opposition, or power; a challenging attitude or behavior.

Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function or process, or is dangerous to the health and/or safety of students or others.

CONSEQUENCES:

- in school suspension(up to three days)/out of school suspension (up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents shall be notified when appropriate
- police and juvenile authorities shall be notified when appropriate

Drug and Medication Violations

(JFCE)

Levels III – IV

Part I

Use, possession or possession with Intent to Sell Distribute Illegal Drugs: Possession of Drug Paraphernalia, Use or possession of drugs; Possession of drug paraphernalia
Schedule I and II Drug Use (e.g. Heroin, Cocaine, Opium, Morphine, LSD, Hallucinogenic)

- Schedule I and II Drug Use
- Schedule I and II Drug Possession
- Synthetic Marijuana Use or Possession (i.e., spice)
- Marijuana Use
- Marijuana Possession
- Anabolic Steroid Use and Possession
- Other Drug Possession/Paraphernalia Possession
- Other Drug Use/Drug Overdose (any kind)
- Possession of Inhalants
- Use of Inhalants
- Substances Represented as Drugs (“look-alikes”)
- Anabolic Steroid Sale/Distribution
- Synthetic marijuana sale and/or distribution (i.e., spice)

A. Illegal drugs

Students shall not possess, sell, distribute, use, be under the influence of, give, or possess with the intent to give, sell, or distribute illegal drugs on school property as defined by the laws of this Commonwealth.

CONSEQUENCES:

- up to ten-day out of school suspension with a possible referral to the Disciplinary Hearing Committee
- required to undergo an evaluation for drugs/alcohol or both and participate in and satisfactorily complete an appropriate treatment/rehabilitation program at his/her own expense when appropriate to the infraction
- parents, police, fire marshal, and the juvenile authorities shall be notified.

B. Possession with intent to sell or distribute

- Schedule I & II Drug Sale/Distribution
- Marijuana Sale/Distribution
- Other Drug Sale/Distribution
- Substances Represented as Drugs (“look-likes”)

CONSEQUENCES:

- ten-day out of school suspension with a referral to the Disciplinary Hearing Committee
- required to undergo an evaluation for drugs/alcohol or both and participate in and satisfactorily complete an appropriate treatment/rehabilitation program at his/her own expense
- parents, police, fire marshal, and the juvenile authorities shall be notified

Level IV

Look-alike/Imitation Drugs

An *Imitation drug* is defined as any item, substance, or product that intentionally or unintentionally looks like, is made to look like, or is represented as an illegal drug. Students shall not possess, sell, distribute, or possess with the intent to give, sell, or distribute an imitation illegal drug on school property.

PART II

POSSESSION OR USE OF MEDICATION AND PRESCRIPTION DRUGS

(JHCD/JHCD-R)

Levels III-IV

- Unauthorized Over the Counter Medication
- Use Unauthorized Over the Counter Medication Possession
- Over the Counter Medication Sale/Distribution

- Theft or Attempted Theft of Student Prescription Medication

Medication: Students shall not possess, sell, distribute, use, be under the influence of, give, or possess with the intent to give, sell, or distribute medication (prescription or non-prescription) on school property except after complying with School Board policy.

Possession or self-administration of a non-prescription drug is prohibited by any student in grades pre-kindergarten through eight. All medications for students pre-kindergarten through grade eight must be given to the school nurse by the parent with proper instructions on the container for administration on school property. A student in grades nine through twelve may possess and self-administer, but not share, non-prescription medication if all of the following criteria are met:

- written parental permission for self-administration of specific non-prescription medication is on file with the school
- the non-prescription medication is in the original container and appropriately labeled with manufacturer's directions
- the student's name is affixed to the container and
- the student possesses only the amount of non-prescription medicine needed for one school day/activity

Self-Administration of Asthma Medication and/or Auto-Injectable Epinephrine: A student with a diagnosis of asthma or anaphylaxis, or both, is permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine during the school day, at school-sponsored activities, or while on a school bus or other school property under conditions including, but not limited to the following:

- written parental consent on file with the school
- written notice from the primary care provider on file with the school

***Please Note:** "Medication" shall mean any drug or other substance used in treating diseases, healing, or relieving pain, including all over-the-counter drugs such as aspirin, cough syrups, gargles, caffeine pills, and the like. Medication shall not be brought to school by the student. A parent/guardian shall take all such items to the office of a principal or his/her designee at the start of the school day for safekeeping.*

CONSEQUENCES:

- conference with student and parent/guardian
- up to seven (7) days in school suspension
- ten-day out of school suspension with a referral to the Disciplinary Hearing Committee

ELECTRONIC DEVICES

(JFC R-7)

Levels II-IV

- Cellular Telephones
- Other Electronic Devices

Elementary/Middle Students:

Student use of portable communication devices that are not a part of the instructional program is

prohibited. These devices include, but are not limited to: radios, headphones, ear buds (connected or disconnected), electronic gaming devices, devices designed for digital/audio taping, MP3 players, iPods, tablets and any device capable of receiving or transmitting messages, music, digital images, communications and any related paraphernalia. Students are allowed to bring cellular telephones onto school property. The device must remain off and out of sight at all times during the school day. Use is permitted after dismissal. Behaviors prohibited during the school day involving the cellular phone include, but are not limited to:

- making calls
- displaying it to others
- sending messages
- text messaging
- taking pictures
- making any noises
- playing games
- video recording
- logging onto and posting on social networking sites
- Otherwise disrupting the learning environment for teachers, students, staff, administrators, or others on school property

High School Students:

During the school day, high school students may use personal equipment or electronic devices for instructional purposes as defined and supervised by a classroom teacher or administrator. Students shall not display or activate personal equipment during class time unless specifically given permission by a teacher or school administrator. Personal equipment or a device includes, but is not limited to: a laptop computer, net book, tablet computer, cell phone or Smartphone e-reader, or any personal computing device. Devices can be used only in the cafeteria during breakfast/lunch, and before/after school. Using the device to misrepresent an individual, harass or bully, or promote illicit activity will be unacceptable. Improper use shall result in confiscation of the item. Any student found in violation will have them confiscated and returned to a parent. All cell phones, electronic devices and other confiscated items must be picked up by a parent/guardian. When the parent/guardian picks up the confiscated item they will be required to sign the General Confiscation Form acknowledging that if the same or similar item is confiscated a second time it will be kept until a parent conference is held with an administrator, the third offense will result in the item being held until the student serves a minimum of one day of in-school suspension and a parent conference is held. The school must be contacted to schedule a pick up time.

CONSEQUENCES:

- First offense -the device shall be confiscated and returned to a
- parent/guardian
- Second offense -returned at parent conference
- Third offense – one day in-school suspension and parent conference is held (see Confiscation of Items p 8)

Refusal to surrender a confiscated item will be considered defiance/refuses requests which is found under disorderly conduct infraction (p 16) and will be consequenced as such.

Level IV

- Extortion
- Attempted Extortion

Extortion is defined as using one's power, authority, or position to obtain funds, property, or other tangible benefit.

Students shall not commit extortion on school property.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing
- Committee parents shall be notified
- Police and juvenile authorities shall be notified when appropriate
-

FIGHTING/CONFLICT**(JFC R-13)****Elementary Levels II-IV****Secondary Levels III-IV**

- **Fighting:** Mutual combat between students causing serious injuries requiring medical attention
- **Fighting:** Mutual combat between students with minor injuries that do not require medical attention
- **Minor Physical Altercation:** no injury

Mutual Combat/Fighting is defined as voluntary participation in a one-on-one fight with another person. Self-defense is not a valid excuse for fighting.

A student, who is assaulted and retaliates by hitting, kicking, or any other physical means, may be disciplined for fighting.

Gang fight - for school purposes, is defined as any fight between two or more groups of two, or more students on school property.

When more than one student fights a single student, it shall be deemed as an assault by mob. (See assault/battery)

Conflict is defined as a serious disagreement or argument, typically ongoing over an extended period of time.

Students shall not fight or participate in behavior defined as conflict on school property or at a school sponsored event.

CONSEQUENCES:

- in school suspension (up to three days)/ out of school suspension(up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents shall be notified

- police and juvenile authorities shall be notified when appropriate

GAMBLING

JEC- R-14

Levels II-IV

Gambling is defined as illegal means of making, placing, or receiving any bet or wager of money or other thing of value dependent upon the result of a game, contest, or any other event with an uncertain outcome.

CONSEQUENCES:

- in school suspension (up to three days)/out-of-school suspension (up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and/or juvenile authorities shall be notified when appropriate

GANG ACTIVITY

(JFCE/JFC-R-15)

Level IV

- A. Behaviors:** Students shall not make identifiable physical gang signs, write/possess gang-related messages at school, wear gang-related clothing or colors, speak about gang-related activities during classes, school activities, or functions, assemble unlawfully (see Unlawful Assembly under Disorderly Conduct), engage in a gang-related fight, engage in a gang-related disruption, or threaten verbally or physically any other individual on school property.
- B. Definitions: Gang -** for school purposes, means any group of three or more students that has any of the following attributes--initiation practices, hand signals, names, symbols, styles of dress, geographical, political, or sociological claims, occurrences of group-sponsored or initiated violations of school rules, or any other pertinent attributes—and is not sponsored, sanctioned, or approved by the School Board, Division Superintendent, or building principal while on school property to: meet, discuss membership or activities, conduct activities, show visible representation of membership, or engage in any other conduct while on school property or at a school sponsored event.

A gang - for school purposes, is also defined as any group of three or more students who collaborate - with or without planning and commits a violation of school district or building rules on school property or at a school sponsored event.

Gang disruption - for school purposes, is defined as any gathering of three or more students for the purpose of or with the actual effect of creating fear, intimidation, or unrest on school property.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee parents shall be notified
- police and juvenile authorities shall be notified when appropriate

Level IV

Hazing, for school purposes means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into, affiliation with or as a condition for continued membership in a club, organization, association, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Hazing behaviors include, but are not limited to: physical harm, mental stress such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in embarrassment, forced calisthenics, prolonged exposure to the elements, forced consumption of food or liquids of any type, branding, or forced physical activity that could adversely affect health and safety.

Students shall not participate in hazing on school property in association with any school-sponsored organization, activity, or function. Students who collaborate in acts of hazing will receive the same consequence as the actual offender. Students who voluntarily participate in hazing may be removed from the relevant activity.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and juvenile authorities shall be notified when appropriate

Hazing unlawful; civil criminal liability;

It shall be unlawful to haze so as to cause bodily injury, any student at any school, college, or university. Any person found guilty therefore shall be guilty of a class I misdemeanor and subject to confinement in jail for up to 12 months and a fine up to \$2,500.00 in addition to disciplinary consequence imposed. **Code of Virginia §18.2-56.**

Level IV

- Homicide- firearm against staff
- Homicide-firearm against student
- Homicide-other weapon against staff
- Homicide-other weapon against student

Homicide is defined as the intentional or unintentional killing of another human being.

Students shall not commit homicide on school property.

CONSEQUENCES:

- any student who commits homicide shall be recommended for expulsion.
- parents, police, and juvenile authorities shall be notified

INCITING A RIOT

(JFC R-27)

Level IV

- Inciting a Riot
- Attempting to Incite a Riot

Riot - is defined as any unlawful use of force by three or more students acting together, or violence that seriously jeopardizes the safety, peace, and order of the school.

Inciting a riot – occurs when any student who alone or with others, causes or produces a riot, or directs, incites, or solicits other students who participate in a riot to engage in acts of force or violence.

Attempt to incite a riot is the attempt of a student, alone or with others to cause or produce a riot, direct, incite, or solicit other students to start or participate in a riot.

Students shall not incite, or attempt to incite a riot on school property or at a school sponsored event.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and juvenile authorities shall be notified when appropriate

KIDNAPPING

(JFC R-12, JEC-R-23)

Level IV

Kidnapping or abduction is defined as the act of any student who, by force, intimidation or deception, and without legal justification or excuse seizes, takes, transports, detains or secretes another student or staff member, with the intent to deprive such other person of his personal liberty or to withhold or conceal him from any person, authority or institution lawfully entitled to his charge.

Students shall not kidnap anyone on school property or at a school sponsored event.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents shall be notified
- police and juvenile authorities shall be notified when appropriate

OTHER VIOLATION

(JFC R-20)

Elementary Levels I-IV
Secondary Levels II-IV

- Inappropriate Personal Property (i.e., Dress Code Violation)
- Misrepresentation (i.e., altering notes, false information, Lying, Cheating or Plagiarism)
- Other School Code of Conduct Violation Not Otherwise Included

Other Violations is defined as violations that are inappropriate for school behavior.

Students shall not possess inappropriate personal property, misrepresent him/herself, or his/her work, or commit other infractions that violate the *Code of Student Conduct* on school property or at a school sponsored event.

CONSEQUENCES:

- time out, documentation on behavior log, detention
- in school suspension (up to three days)/out-of-school suspension (up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and/or juvenile authorities shall be notified when appropriate

PARKING PRIVILEGE

The School Board discourages student use of private motor vehicles for transportation to and from school. However, parking facilities are provided at all high schools as a convenience to those students who drive.

Parking on school grounds is a privilege that may be granted by principals to students who meet the following conditions:

- The student must file a written statement with the principal of his or her need to drive a private vehicle to school and must agree to notify the principal promptly of any change in the conditions that established this need.
- The student must register any vehicle driven to school in the school office and must purchase a school parking permit for each vehicle each year.
- The parking permit must be displayed on the vehicle for which it was issued.
- Upon arriving at school, the student must drive directly to the designated area for student parking, park the car and proceed promptly to the school building. Students may not sit in parked cars or linger in the parking area before, during, or after school.
- Once on school grounds, the student will not be permitted to leave until school is dismissed unless permission has been obtained from the school administration.
- The student will obey traffic laws and school regulations and observe normal safety precautions at all times.

Principals are empowered to enforce this policy and may immediately revoke the parking privileges of any student who does not comply with these regulations.

ROBBERY AND THEFT NO FORCE

(JFC R-26)

Level IV

- Actual Robbery
- Attempted Robbery
- Theft/School Property
- Theft/Staff Property
- Theft/Student Property

- Possession of Stolen Property
- Attempted Theft of Motor Vehicle

Robbery is defined as committing a larceny with force and/or intimidation.

Theft (larceny) - is defined as taking, without permission, the personal property of another person with the intent to steal without force and/or intimidation.

Students shall not commit robbery or larceny on school property or at school sponsored events.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified when appropriate

SEXUAL OFFENSES

(JFHA/GBA)

Level IV

- Sexual Battery against Staff
- Sexual Battery against Student
- Offensive Sexual Touching Against Staff
- Offensive Sexual Touching Against Student
- Forcible Rape Against Staff
- Forcible Rape Against Student
- Attempted Rape Against Staff
- Attempted Rape Against Student
- Sexual Offenses Without Force (includes indecent exposure, lewd behavior, and consensual sexual behavior)
- Aggravated Sexual Battery
- Sexual Harassment
- Sexting (taking, possessing, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs,

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

Sexual Assault is defined as any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

Students shall not

- commit or act in support of any sexual offense listed above with or against any person, student, or non-student on school property or at a school sponsored event
- take, possess, disseminate, transfer, or share obscene, pornographic, lewd, or otherwise illegal images or photographs by electronic data transfer or otherwise while on school property or at a school sponsored event.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified

STALKING

(JFC R-24)

Level IV

Stalking is defined as any student who on more than one occasion engages in conduct directed at another student or staff member with the intent to place, when he knows or reasonably should know that the conduct places, that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member. Students shall not put others in fear of death, safety of family or household, criminal sexual assault, or bodily injury while on school property or at a school sponsored event.

CONSEQUENCES:

- ten-day out of school suspension and referral to the disciplinary hearing officer
- parents, police, and juvenile authorities shall be notified when appropriate

WARNING: Taking, possessing, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a **CRIME** under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies, which result in arrest, criminal prosecution and **LIFETIME** inclusion on sexual offender registries.

TECHNOLOGY USE VIOLATIONS

(IIBEA/IIBEA-R)

Levels II-IV

- Unauthorized Use of Technology and/or Information
- Causing/Attempting to Cause Damage to Computer Hardware, Software, or Digital Media
- Violations of Acceptable Usage Policy and Regulations
- Violations of Internet Policy

Students of Portsmouth Public Schools are offered access to technology resources for instructional use. Through the use of technology, students have access to thousands of libraries, databases, programs, electronic equipment, and can interact with users around the world.

Students are responsible for good behavior on the schools computer network just as they are in a classroom. The Code of Student Conduct applies to all student use of technology and computer networks.

The network is provided for students to conduct research and communicate with others for educational use only. Access to network services will be given to students who are in compliance

with the rules for appropriate use.

Individual users of the school system computer network are responsible for their behavior and communications over that network. Network storage folders and any portable storage media used with the divisions Computer System will be treated like school lockers. Network administrators may review files and communications to maintain system integrity and insure that students are using the system responsibly. The following includes but **is not limited** to forms of prohibited Internet/Computer System use:

- A. accessing, sending, or displaying pornographic or obscene messages, pictures, or profane or abusive language
- B. electronically posting messages or accessing materials that are abusive, threatening, harassing, damaging to another's reputation, or illegal
- C. damaging computer networks
- D. violating copyright laws
- E. using another's identification or password, or trespassing in another's work
- F. providing your personal username and password for others to use
- G. using the network for any illegal activities as defined by state or federal law

Students and Staff shall not use, attempt to use, or solicit help with using school-based technology in a manner that is not consistent with the Acceptable Use Policy (see appendices).

CONSEQUENCES:

- in school suspension (up to three days)/out of school suspension (up to seven days)
- ten-day out of school suspension and referral to the disciplinary hearing officer
- parents, police, and juvenile authorities shall be notified when appropriate

For repeated violations, the student/staff may lose permission to use the Internet or e-mail.

THREATS/INTIMIDATION VERBAL AND PHYSICAL

(JFC R-27)

Level IV

- Threat/Intimidation Against Staff
- Threat Intimidation Against Student

Threatening: verbal is defined as any student knowingly communicating, in writing, including an electronically transmitted communication producing a visual or electronic message, a threat to kill or do bodily injury to a person, regarding that person or any member of his family, and the threat places such person in reasonable apprehension of death or bodily injury to himself or his family member.

Threatening: physical is defined as any student knowingly committing any physical act that supports, substantiates, or otherwise conveys a threat to kill or do bodily injury to a person, regarding that person or any member of his family, and the threat places such person in reasonable apprehension of death or bodily injury to himself or his family member

Students shall not threaten, whether verbally, electronically, in writing or physically any person on school property or at school sponsored events.

CONSEQUENCES:

- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police and juvenile authorities shall be notified when appropriate

TOBACCO OFFENSES

(JEC R-10, JEC-R-29)

Levels II-IV

- Tobacco Use
- Tobacco Possession
- Tobacco Sales/Distribution
- Bringing Tobacco Paraphernalia to School

Students shall not possess, use, sell, or distribute tobacco, tobacco products or look a-like tobacco products (e-cigarettes/vapor sticks) on school property or at a school sponsored event.

Students shall not possess, use, sell or distribute matches or lighters on school property or at a school sponsored event.

CONSEQUENCES:

- in school suspension (up to three days)/out of school suspension(up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents will be notified
- police and juvenile authorities shall be notified when appropriate

TRESPASSING/BREACH OF SECURITY

(JFC R-28)

Levels III-IV

Trespassing is defined as entering or remaining upon school property without permission, at any time including but not limited to weekends, holidays, or when school is not in session.

School property means any real property (land) owned or leased by Portsmouth Public Schools and any Portsmouth Public Schools vehicle.

Breach of Security is defined as opening or allowing entrance through a locked door that is to be used as an exit during an emergency.

Students are considered to be trespassing when permission to be at school or to ride the bus is revoked through oral or written notice of suspension or expulsion by an appropriate school official.

Students shall not collectively or individually unlock/open an entry way to allow onto school property any person who has not properly signed in and been approved by appropriate PPS staff.

Students shall not trespass on school property or at school sponsored events.

CONSEQUENCES:

- in school suspension (up to three days)/out of school suspension (up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents, police, and juvenile authorities shall be notified when appropriate

Levels III-IV

- Vandalism of School Property
- Vandalism of Private Property Graffiti

Vandalism is defined as intentionally damaging, defacing, or destroying any real property (land, vehicles, or buildings) or personal property owned by Portsmouth Public Schools or any of its students, employees, or visitors.

Students shall not commit vandalism on school property or at a school sponsored event.

CONSEQUENCES:

- in school suspension (up to three days)/out of school suspension (up to seven days)
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee
- parents shall be notified
- police and juvenile authorities shall be notified when appropriate
- restitution may be required

WEAPONS**(JFCD R-21)****Level IV**

Weapon is defined as any instrument or object actually used or created for the infliction of injury, threat, or death. Weapons related behaviors prohibited on school property include, but are not limited to:

- Bringing a handgun to school/school sponsored event
- Bringing a rifle/shotgun to school/school sponsored event
- Bringing a toy/look-alike gun to school/school sponsored event
- Bringing any other weapon which is designed or may be converted to expel a projectile by the action or any explosive to include live ammunition
- Bringing a knife to school/school sponsored event
- Bringing a BB gun or a Pellet gun to a school /school sponsored event
- Possession or Representation of any destructive bomb or explosive device
- Use of any destructive bomb or explosive device
- Other Firearms (firearms other than handguns, rifles or shotguns, zip gun, starter gun, poppers, flair gun)
- Possession of Other Weapon (any instrument or object created or used to inflict harm on another individual including a knife of any blade length)
- Bringing razor blades/box cutters to school/school sponsored event
- Bringing fireworks, firecrackers or Stink Bombs to school/school sponsored event
- Bringing a Taser or any device intended to transmit an electrical shock onto school property/ school sponsored event
- Possession of Ammunition (Bringing ammunition to school or school event).
- Weapon/Chemical Substance (i.e., mace, tear gas, or pepper spray).
- Possession of a stun gun.

Students shall not bring, possess, or use items defined above as weapons onto school property or to a school sponsored event.

Possession of any weapon not identified as a toy is subject to a Level IV consequence

CONSEQUENCES: for possession/use of weapons for which expulsion is not mandated are as follows:

- parents shall be notified
- police and juvenile authorities shall be notified when appropriate
- ten-day out of school suspension and referral to the Disciplinary Hearing Committee

Toy weapons: are not combustible, are not designed to expel objects, or do not appear to be real.

STUDENTS FOUND WITH WEAPONS ON SCHOOL PROPERTY SHALL BE PROSECUTED IN ACCORDANCE WITH STATE AND FEDERAL LAW.

LEVELS OF INTERVENTIONS/CONSEQUENCES

Level I School-Based Action (Teacher/Resource-Parent/Student)

Classroom Based Action (Teacher/Parent/Student)

Schedule Change	Revise/Implement Behavior Plan
IEP Revision	Parent Conference
School Based Meeting/Behavior Team Meeting	Guidance Conference
Guidance Referral	Student Resource Referral

Discipline Consequence

Documentation of behavior	Parent Contact
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Offenses for Which Level I is Appropriate

Attendance	Cheating	Certain Disorderly Conduct
Certain Electronic Devices	Technology Violations	Other Violations

School-Based Action (Teacher/Resource-Parent/Student)

Schedule Change	Revise/Implement Behavior Plan
IEP Revision	School Based Meeting
Parent Conference	Cluster/Guidance Conference
Counseling Referral	Student Resource Referral

Discipline Consequence

Detention	Short Term ISS (Grades 7-12)
Behavior Contract	

Offenses for Which Level II is Appropriate

Attendance	Certain Disorderly Conduct
Electronic Devices	Tobacco
Cheating	Certain Gambling Offenses
Technology Use Violation	
*Fighting/No Weapon or Minor Injury	
*Other Violations with Aggravating Factors	

LEVELS OF INTERVENTIONS/CONSEQUENCES

Administrative Action (Administration-Parent/Student)

Revise/Implement Behavior Plan	IEP Revision
School Based Meeting	Counseling Referral
School Social Work Referral	Student Resource Liaison Referral
Parent Conference	
<u>For Violent Offenses</u>	
Conflict Mediation	
No Contact Contract	
Anger Management	

Discipline Consequence

Up to 3 days of ISS (Grades 7-9)	1-3-5-7 days OSS
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Offenses for Which Level III is Appropriate

Cheating	Technology Use Violation
Drugs Part II	Vandalism
Trespassing	Certain Sexual Offenses
Other offenses with aggravating factors	Tobacco
Fighting/No Injury or Minor Injury	Disorderly Conduct
Attendance w/aggravating factors	Theft
Gambling	
Electronic Devices	

Level III

LEVELS OF INTERVENTIONS/CONSEQUENCES

Level IV

District Action/Board Action

Revise/Implement Behavior Plan	IEP Revision
School Based Meeting	Counseling Referral
School Social Work Referral	Student Resource Liaison Referral

For Violent Offenses

Mandatory Conflict Mediation
No Contact Contract
Anger Management

Discipline Consequence

10 day Suspension and referral to a placement hearing
*Placement in an alternative setting (NDC, EXCEL)
*Recommendation to School Board for long term suspension
*Recommendation to School Board for expulsion
*Long-term suspension or expulsion

Offenses for Which Level IV is Appropriate

Alcohol w/Aggravating Factors	Arson
Assault/Battery of Staff/Student	Assault/Battery by Mob
Assault/Battery w/Aggravating Factors	Malicious Wounding
Bomb Threats	Burglary/Breaking and Entering
Bullying	Drugs
Extortion	Fighting w/Aggravating Factors
Gang Activity	Electronic Devices
Hazing	Homicide
Inciting a Riot	Kidnapping
Tobacco Offenses	Robbery/Theft
Stalking	Certain Sexual Offenses
Threats	Trespassing
Vandalism w/Aggravating Factors	Weapons
Other Violations w/Aggravating Factors	Technology Use Violations

*Aggravating Factors: 1) repeated acts of the same misbehavior, 2) extremely serious incidents of behavior not noted above, and 3) lack of academic progress.

Review/Appeal

Level I

Review/Appeal

Assistant Principal

Level II

Review/Appeal

Assistant Principal	Building Principal
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Level III

Review

Appeal

Assistant Principal (Up to 3 days of In school suspension)	Building Principal
Building Administrator Out of school suspension	Appointed Hearing Administrator

Level IV

Review

Appeal

Building Appeal	Appeal w/Principal
Hearing Committee	Division Superintendent
Recommendation for School Board Long-term Suspension	School Board*
Recommendation for School Board Expulsion	School Board Appeal Hearing*
School Board long-term Suspension or Expulsion	Circuit Court if appealed within 30 days

*Appeal by request

APPENDICES

SCHOOL BOARD POLICIES

JFC
JFCAA-JFCAA-R
IIBE

JFG
JFCC

Student Conduct
Student Dress Code
Acceptable Computer Use System
Computer Use Terms and Conditions
Student Search and Seizure
Student Conduct on School Buses

GENERAL INFORMATION

Summary of Attendance Legislation

Compulsory Attendance Legislation

Short-term Suspension Panel Hearing Procedures

Disciplinary Hearing Process

General Confiscation Form

Conduct on School Buses 2016-2017

Instructional Calendar

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of Portsmouth. It is the responsibility of the Portsmouth City School Board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members and parents are provided the opportunity to become familiar with this policy.

The superintendent issues Standards of Student Conduct and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. The Standards of Student Conduct, a notice of the requirements of the Virginia legal code § 22.1-279.3, and a copy of the compulsory school attendance law is also sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of the Virginia legal code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

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

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

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

authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

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

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

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

If a parent fails to comply with the requirements of this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the *Code of Virginia*.

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

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school; and
- off school property, when the acts lead to: (1) notification pursuant to the Virginia legal code § 16.1-305.1 or a conviction for an offense listed in the Virginia legal code § 16.1-260, (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

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

- possession or use of alcohol, illegal drugs, including marijuana and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;

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

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

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

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

Adopted: September 23, 2004

Revised: November 10, 2011

Revised: February 6, 2014

Revised: July 3, 2014

Revised: September 24, 2015 File: JFC Page 4

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Adopted: September 23, 2004

STUDENT DRESS CODE POLICY

Purpose

One of the fundamental purposes of school is to provide the foundation for the creation and development of a proper attitude toward education. In order to further this purpose, it is essential to create and maintain an effective teaching and learning environment. Student attire impacts the teaching and learning environment. It can either promote a more effective educational environment, or it can disrupt the educational climate and process. Student attire that is acceptable for some social settings may not be acceptable for the educational environment of school.

In order to ensure that our students' education is conducted in an environment where safety risks, disruptions, and distractions are minimized, all students in the Portsmouth City Public Schools will adhere to the following minimal standards of dress. These requirements are in addition to any requirements imposed at individual schools that, with the approval of the School Board, adopt a Uniform Policy pursuant to other provisions of this policy manual.

The superintendent is hereby authorized to promulgate regulations consistent with the provisions of this policy.

In general, students are not to wear or carry items of apparel to school (for example, clothing, accessories, cosmetics, jewelry – including body piercing) that may interfere with the instructional process or present a health or a safety hazard to the student wearing or carrying them, or to others.

The School Board urges parents and students to exercise sound judgment, based upon the standard of appropriateness for the school setting, when choosing clothing, jewelry, and accessories to wear or bring to school, and to recognize that items that might be appropriate attire on nights or weekends are not necessarily appropriate for the school day and the classroom.

Interpretation and Implementation of Policy

The building principal/designee shall use reasonable discretion in interpreting and implementing the provisions of this policy. If a conflict arises in the interpretation of this policy, the interpretation of the building principal/designee shall be final. Principals, administrators and teachers shall use reasonable discretion in enforcing this policy.

Enforcement

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. Students who are insubordinate or refuse to change the improper attire, or who repeat dress code violations shall be subject to disciplinary action for violating the Code of Student Conduct.

(continued)

Temporary Exceptions and Waivers

The building principal/designee and superintendent shall grant waivers where required by law to protect fundamental constitutional rights. The parent(s) or guardian(s) of a student may request a waiver from a specific provision of this policy and any related regulations where the strict enforcement of a provision would violate the student's fundamental rights. Such requests shall be in writing and addressed to the building principal/designee of the student's school. If the building principal/designee denies the request, the parent(s) or guardian(s) may appeal their decision in writing to the superintendent or his designee. There shall be no hearing in such appeals; the superintendent or his designee will review the written record only. The final decision of the superintendent or his designee shall be in writing. There shall be no appeal from the final decision.

In order to allow appropriate attire for a particular educational or school activity, the building principal/designee has the authority to grant temporary exceptions to specific provisions of this policy and related regulations. An example of such an exception might be where a specially scheduled school event required a group of students to dress unusually on a particular day.

Adopted: August 29, 2002

Revised: September 19, 2002 to become effective January 1, 2003

Legal Refs.: Virginia Code Sections: § 22.1-253.13:7.D.3 and § 22.1-279.3A

§ 22.1-79 (Powers and Duties of School Boards);

§ 22.1-253.13:7 (Standards of Quality, Standard 7, Policy Manual), and

§ 22.1-279.3 (Parental responsibility and involvement requirements)

Goss v. Lopez, 419 U.S. 565, 95 S. Ct. 729 (1975)

Tinker v. Des Moines School District, 393 U.S. 503, 89 S. Ct. 733 (1969)

Hicks v Halifax County Bd., 93 F. Supp.2d 649 (E.D.N.C./4th Cir. 1999)

Byars v. City of Waterbury, 1999 WL 391033 (Conn. Super. Ct. 1999)

Phoenix El. School District v. Green, 943 P2d 836 (Ariz. Ct. App. 1997)

Cross Refs.: JFC Student Conduct

JFC-R Standards of Student Conduct

STUDENT DRESS CODE REGULATION

Portsmouth City Public School students shall not wear the following items:

- Clothing, pins, jewelry, accessories or other items of adornment displaying obscene, profane, derogatory, violent or gang-related messages, themes, designs or pictures;
- Clothing, pins, jewelry, accessories or other items of adornment conveying messages related to or promoting the use of alcohol, drugs, or tobacco products, or messages that promote illegal activities.
- Clothing pins, jewelry, accessories or other items of adornment depicting bawdy, salacious or sexually suggestive messages.
- Clothing that is transparent or exposes the midriff, navel or cleavage.
- Clothing with rips and holes that do not cover the skin.
- Pants, skirts and/or shorts that sag below the waistline or must be held in place with the hands.
- Underwear as outer garments or clothing that exposes underwear (including, but not limited to, stretch lycra, spandex or nylon tights, leotards, biker pants, biker shorts, bathing suits, pajamas).
- Tank tops, halter tops, garments with spaghetti straps, tube tops, fishnet tops, strapless dresses, or other clothing this is not appropriate because of slits, rips or holes in the garment.
- Accessories which could in some way pose a danger to the wearer or others; and/or could be used as weapons (including, but not limited to, two-or-three finger rings, chains hanging from clothes, picks, hair chop sticks).
- Headgear of any kind (other than for religious reasons).
- Clothing that is too tight and/or is inappropriate in length (finger-tip length) as determined by the building principal/designee.
- Inappropriate footwear (including, but not limited to, shower shoes and beach shoes, such as thongs, bedroom slippers, and unfastened shoes or shoes missing appropriate closures).
- Head coverings or accessories that are not related to or required by student's bona fide religious practices (including, but not limited to, stocking caps, do rags, wave caps, scarves or bandanas).
- Items that are intended for outdoor use (including, but not limited to, hats, coats, and similar head coverings, scarves, jackets, and coats).

Adopted: August 29, 2002

Revised: September 19, 2002 to become effective January 1, 2003

Acceptable Computer Use System

The Portsmouth City School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart-phones, the internet and other internal or external networks.

All use of the division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, including electronic mail, instant or text messages, tweets, or other files deleted from a user's account, may be monitored, read, and/or archived by school officials.

The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system.

The procedures shall include:

(1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet;

(2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to:

(a) child pornography as set out in the Virginia legal code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;

(b) obscenity as defined by the Virginia legal code § 18.2-372 or 18 U.S.C. § 1460; and

(c) material that the school division deems to be harmful to juveniles as defined in the Virginia legal code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

(3) provisions establishing that the technology protection measure is enforced during any use of the division's computers

(4) provisions establishing that all usage of the computer system may be monitored;

(5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response;

(6) provisions designed to prevent unauthorized online access by minors, including “hacking” and other unlawful online activities.

(7) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of/or regarding minors; and

(8) a component of internet safety for students that is integrated in the Division’s instructional program.

Use of the school division’s computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The division’s computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E2, before using the Division’s computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board will review, amend if necessary, and approve this policy every two years.

Adopted: July 6, 2006

Revised: June 24, 2010

Revised: February 6, 2014

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

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

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each employee must sign this Agreement as a condition for using the School Division's computer system. Each student and his or her parent/guardian must sign this Agreement before being permitted to use the School Division's computer system. Read this Agreement carefully before signing.

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

I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Signature _____ Date _____

I have read this Agreement and Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R. I understand that access to the computer system is intended for educational purposes and the Portsmouth Public School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy, and regulation with my student.

I grant permission for my student to use the computer system in accordance with Portsmouth Public School Division's policies and regulations and for the School Division to issue an account for my student.

Parent/Guardian Signature _____ Date _____

Parent/Guardian Name _____
(Please Print)

Computer System Use -Terms and Conditions

All use of the Portsmouth Public School Division's computer system shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term computer system is defined as the Division's network, servers, computer workstations, telephones, printers, modems, video, fax transmissions, peripherals, applications, databases, library catalog, online resources, internet access, email, multi-media, instructional materials, and any other technology designated for use by the Division for students and staff. Personal equipment sanctioned for use on Portsmouth Public Schools property (i.e. cell phones, laptops, iPods, iPads, IvIP3 players, DVD players, cameras, etc.) is also subject to this regulation.

1. **Acceptable Use:** Access to the Division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.
2. **Privilege:** The use of the Division's computer system is a privilege, not a right. With this educational opportunity comes responsibility. In order for the Division to make its computer network and internet access available all students and staff must take responsibility for appropriate and lawful use of internet resources.
3. **Unacceptable Use:** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:
 - Uses that violate the law or encourage others to violate the law (gambling, hacking, violation of copyright etc.)
 - Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering, or other security measures
 - Sending, receiving, viewing, or downloading illegal material via the computer system
 - Downloading copyrighted material for unauthorized use
 - Using technology to download any program, partial program or game without the express permission of the supervising teacher and Portsmouth Public Schools technology director
 - Using the computer system for private, financial or commercial gain
 - Any use of the technology that causes harm to others or their property
 - Gaining unauthorized access to resources or entities
 - Posting material authorized or created by another without his or her consent.
 - Using the computer system for commercial or private advertising
 - Submitting, posting, publishing or displaying any obscene, profane, threatening, illegal and other inappropriate material
 - Using the computer system while access privileges are suspended or revoked
 - Vandalizing the computer system, including destroying data by creating or spreading viruses

or by other means

- Sharing your username and/or password with others, borrowing someone else's username (i.e. teacher or student), password or account access
 - Electronically posting personal information about yourself or others (i.e., addresses, phone numbers, pictures, etc.)
 - Electronically posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation
 - Any activities designed to expose school district or other computers to "viruses"
 - Inappropriate cyber communication (cyber threats, cyber bullying, harassment, and/or other inappropriate communications) through open social networking websites offering an interactive, user-submitted network of friends, personal profiles, blogs, groups, photos, music and videos (MySpace, Face Book, You Tube, Instagram, Kick, Twitter, etc.) where students can send messages and pictures
4. Network Etiquette: Each user is expected to abide by generally accepted rules of etiquette including the following:
- Be polite
 - Users shall not forge, intercept or interfere with electronic mail messages
 - Use appropriate language: the use of obscene, lewd, profane, threatening or disrespectful language is prohibited. Do not use distribute, or redistribute jokes, stories, or other material that are based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation
 - Do not assume that a sender of e-mail is giving his or her permission for you to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should only be done with permission or when you know that the individual would have no objection
 - Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large (5MB or smaller) to be accommodated by the recipient's system and is in a format that the recipient can open.
 - Users shall not use the computer system to disrupt others.
 - Users shall not read, modify or delete data owned by others.
5. Liability: The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.
6. Security: Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
7. Vandalism: Intentional destruction of any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

8. **Charges:** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.
9. **Electronic Mail:** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
10. **Enforcement:** Software will be installed on the division's computers having Internet access to filter or block Internet access through such computers to child pornography and obscenity. The online activities of minors may also be monitored manually. Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.

Adopted: December 19, 1996
Revised: September 20, 2001
Revised: November 15, 2001

Legal Refs:

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

18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Cross Refs:

JFC Student Conduct

JFC-R Standards of Student Conduct

SEARCH AND SEIZURE

A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety, and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety, and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers, or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

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

The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

PERSONAL SEARCHES

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

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

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

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

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

A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of

a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

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

LOCKER AND DESK SEARCHES

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

AUTOMOBILE SEARCHES

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

COMPUTER SEARCHES

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

CONSENT SEARCHES

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

SEIZURE OF ILLEGAL MATERIALS

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

Adopted: June 24, 2004

Revised: September 24, 2015

SUMMARY OF ATTENDANCE LEGISLATION

22.1-258. Appointment of attendance officers; notification when pupil fails to report to school.

Every school board shall have power to appoint one or more attendance officers, who shall be charged with the enforcement of the provisions of this article. Where no attendance officer is appointed by the school board, the division superintendent or his designee shall act as attendance officer.

Whenever any pupil fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, a reasonable effort to notify by telephone the parent to obtain an explanation for the pupil's absence shall be made by either the school principal or his designee, the attendance officer, other school personnel, or volunteers organized by the school administration for this purpose. Any such volunteers shall not be liable for any civil damages for any acts or omissions resulting from making such reasonable efforts to notify parents and obtain such explanation when such acts or omissions are taken in good faith, unless such acts or omissions were the result of gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any claim occurring prior to the effective date of this law. School divisions are encouraged to use non-instructional personnel for this notice.

Whenever any pupil fails to report to school for a total of five scheduled school days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his designee or the attendance officer shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal or his designee or the attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, either the school principal or his designee or the attendance officer shall schedule a conference within 10 school days with the pupil, his parent, and school personnel, which conference may include other community service providers, to resolve issues related to the pupil's nonattendance. The conference shall be held no later than 15 school days after the sixth absence. Upon the next absence by such pupil without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall notify the attendance officer or the division superintendent or his designee, as the case may be, who shall enforce the provisions of this article by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § 16.1-228 or (ii) instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the

provisions of this section. In the event that both parents have been awarded joint physical custody pursuant to § 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.

Nothing in this section shall be construed to limit in any way the authority of any attendance officer or division superintendent to seek immediate compliance with the compulsory school attendance law as set forth in this article.

Attendance officers, other school personnel or volunteers organized by the school administration for this purpose shall be immune from any civil or criminal liability in connection with the notice to parents of a pupil's absence or failure to give such notice as required by this section.



SHORT-TERM SUSPENSION HEARING PROCEDURE SUMMARY

1. The appointed hearing administrator will bring the hearing to order, make necessary introductions, and determine who should attend the meeting. The student may be represented by a person of his or her choice. Student witnesses must be accompanied by a parent or guardian. Any person wishing to use student witnesses will be responsible for providing written parent permission for the student to leave class and appear before the Hearing Administrator.
2. The appointed hearing administrator will outline the procedures to be followed and will state the purpose of the hearing.
3. The appointed hearing administrator will call for clarifying statements first from the principal or his designee and then from the student, parent/ guardian, or representative.
4. The appointed hearing administrator will hear witnesses and evidence presented first by the principal or his designee and then by the student, parent/ guardian, or representative. All testimony and evidence must be presented in front of the parties involved.
5. The parties shall have the right to ask questions of any witnesses concerning any testimony or evidence presented. It is required that all questions be addressed to the appointed administrator rather than to the witnesses directly.
6. After all the evidence has been presented and there are no further questions, the appointed hearing administrator will allow for closing statements, first from the principal or his designee and then from the student, parent/ guardian, or representative.
7. The appointed hearing administrator will adjourn the hearing.
8. The appointed hearing administrator will then prepare a written recommendation and send it to the student, parent/ guardian or representative, the principal or his designee, and the appropriate Director of Instruction.
9. Either party may appeal the recommendations of appointed hearing administrator to the Superintendent or his designee for a review of the recommendations within five (5) calendar days of the date of the written recommendation.

DISCIPLINARY HEARING PROCESS

Purpose

The disciplinary hearing is an administrative process to determine appropriate placement or further disciplinary action for students who have committed infractions that could result in alternative placement, long-term suspension or expulsion.

Format

- The school administration will present evidence that the student committed the offense(s) listed on the suspension; this evidence will include witnesses, witness statements and other school documents.
- The student will have an opportunity to present his/her side of the case, including witnesses and/or other relevant evidence.
- The student may be represented by an attorney, an advocate, or other interested party, but the student's parent/guardian must be present.
- If the parent/guardian and/or student fail to attend the hearing a decision will be rendered in their absence.
- After the evidence has been presented the committee will render a decision.
- The hearing will last approximately 30 minutes.

Outcomes

The possible outcomes are:

- return to school of origin with no further disciplinary action
- return to school of origin on a behavioral contract or other stipulations
- assignment to an age-appropriate alternative school
- a recommendation to the Division Superintendent for long-term suspension or expulsion

Appeals

If recommended to the Division Superintendent for long-term suspension or expulsion the parent/guardian and student have a legal right to appeal the decision of the Disciplinary Hearing Committee to the School Board.

Persistent Disobedience

When disciplinary consequences are considered for any infraction, the student's entire academic and behavioral history may be considered. A history of persistent disobedience may justify strict disciplinary action.

General Confiscation Form

Student's Name _____

Date of Confiscation _____

Person Responsible for Confiscation _____

Length of Confiscation _____

Cellular telephones are not to be visible during school hours. Students found in violation will have them confiscated and returned to a parent. All cell phones, electronic devices and other confiscated items must be picked up by a parent/guardian. When the parent/guardian picks up the confiscated item they will be required to sign the General Confiscation Form acknowledging that if the same or similar item is confiscated a second time it will be kept until a parent conference is held with an administrator, the third offense will result in the item being held until the student serves a minimum of one day of in-school suspension and a parent conference is held. The school must be contacted to schedule a pick up time.

Check which offense this confiscation represents

- _____ First offense -the device shall be confiscated and returned to a parent/guardian
_____ Second offense -returned at parent conference
_____ Third offense – one day in-school suspension and parent conference is held (see Confiscation of Items p 8)

Item confiscated: (check one)

- ___ Cellular Telephone
___ Electronic Device
___ Other items

Description of Confiscated Device:

Product _____ Name _____

Type _____

Color _____

Serial Number/Identifying Characteristics _____

Sign upon receipt of confiscated items:

Student _____ Date _____

Parent/Guardian _____ Date _____

Administrator/Designee _____ Date _____

STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

Students who become serious disciplinary problems on school buses shall be reported to the principal by the driver and may have their riding privileges suspended. In such cases, the parents of the student become responsible for seeing that their children get to and from school safely.

Adopted: December 19, 1996

Revised: June 27, 2002

Legal Refs.: Code of Virginia, 1950 as amended, sections 22.1-78, 22.1-176, 22.1-181, 22.1-293(B), (D).

8 VAC 20-70-390.

Cross Ref.:	EEA Student	Transportation Services
	EEACC	Student Conduct on School Buses

Guidelines for Student Who Ride School Buses

Meeting the School Bus

- Students are subject to all conditions out lined in the *Code of Student Conduct* while at the bus stop, going to and from the bus stop, or riding the bus.
- Students must be on time. Students should be at the stop at least five minutes before the regular pickup time.
- Students must not stand on the traveled portion of the roadway or on private property while waiting for a bus.
- While waiting at a bus stop, students must respect the property of homeowners in the area.
- Students must not run alongside a moving bus; they must wait until it has stopped, then walk to the front door.

Riding on the School Bus

- Students must obey the driver and be courteous to him/her and to their fellow students. The driver is in charge of the buss as well as the passengers and has the authority to assign seats to maintain discipline or promote safety.
- Students must never mar or deface the bus. The student performing the act must pay for any willful or careless damage.
- Students must not extend their arms, legs, or heads out of the bus window.
- Students must not talk to the driver while the bus is in motion except in an emergency.
- Students must not tamper with the emergency door.
- Students must not wave or shout at pedestrians or passengers in other vehicles.
- Students must not throw objects inside the bus or from a window.
- Books, book bags, band instruments, or other loose objects must not be placed in the aisle or on the floor at the front of the bus. These items will be permitted aboard **ONLY** if they can be held in the student's lap and not encumber another student.
- Eating, drinking, or selling any commodity on the bus is prohibited.
- Students must not open windows without the driver's permission.
- Items prohibited at school will **not** be permitted on the bus. This includes, but is not limited to, the following: live animals, glass objects, skateboards, scooters, surf/boogie boards, and other items that do not directly support the educational process.
- Portable communication devices, including cell phones, may not be displayed, activated, or used on the bus by students while being transported to and/from school.
- The bus driver has the right to refuse transportation to any student who has an unsafe object (e.g., matches, knives, firearms, etc.) in his/her possession.
- Parents, guardians, or their designees are required to accompany children under six years of age to and from the bus stop.
- No change will be made in the location of bus stops or bus routing without the approval of the Office of Transportation Services. (757) 393-8269.
- Students must ride their assigned buses. No change in a bus may be made without the school principal's permission.
- Riding a school bus is a privilege. Should any child be reported to the school principal, the principal will be responsible for taking disciplinary action, including the loss of the privilege of bus transportation.

Leaving the School Bus

- Students must remain seated until the bus comes to a full stop.
- Students must leave the bus at their regular stops.
- If the students must cross a highway, they are to do so at the front of the bus and at a distance of at least ten feet in the front of the bus. They must not cross until the driver has signaled that it is safe to do so.



2016-2017 Instructional and Holiday Calendar for All Employees

July 2016

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1 – 10+2 Employees Return
4 – **INDEPENDENCE DAY**

January 2017

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

3 – Employees & Students Return
16 – **DR. MARTIN L. KING, JR. DAY**
26-27 – Early Release
• High School Only
30 – Teacher Workday
• No School for Students
31 – Second Semester Begins

August 2016

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

1 – 10+1 Employees Return
18 – 200 day Employees Return
23-25 – New Teacher Institute
25 – All 10 month Employees Return

February 2017

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

20 – **PRESIDENT'S DAY**

September 2016

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

5 – **LABOR DAY**
6 – All Students Return
28 – Staff Development Day
• Early Release – All Students

March 2017

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

6 – Parent Conference Day
• Early Release – All Students

October 2016

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

10 – Parent Conference Day
• Noon-7:00 pm
• No School for Students
26 – Staff Development Day
• Early Release – All Students

April 2017

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

6-7 – Early Release
• High School Only
10-14 – **SPRING BREAK**

November 2016

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

*8 – No School Teachers & Students
• 12 Month Employees Report
9-10 – Early Release
• High School Only
11 – **VETERAN'S DAY**
23 – Early Release ALL
24-25 – **THANKSGIVING HOLIDAY**

May 2017

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

29 – **MEMORIAL DAY**

December 2016

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

21 – Early Release ALL
22-31 – **WINTER BREAK**

June 2017

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

14-15 – Early Release All Students
16 – Student's Last Day
19 – Teacher's Last Day
10 mo. Employees Last Day
22 – 10+1 Employees Last Day
22 – 200 Day Employees Last Day
28 – 10+2 Employees Last Day

Approved - April 16, 2015; Revised April 21, 2016

CALENDAR NOTES

- This calendar represents 192 Teacher Days and 182 Student Days.
- The Superintendent reserves the right to designate those days as deemed necessary to accommodate inclement weather.
- *Red Shaded areas are holidays for all employees with the exception of November 8 (**12-month employees report**).
- This calendar assumes the approval of the four day work schedule.

The Honorable Members of the School Board

Mr. Claude C. Parent, *Chairman*
Mrs. Costella B. Williams, *Vice-Chair*

Mr. James E. Bridgeford
The Reverend Joseph A. Fleming
Mrs. Sarah Duncan Hinds
Mr. Ted J. Lamb
Mr. B. Keith Nance, Sr.
The Reverend Cardell C. Patillo, Jr.
Dr. Ingrid P. Whitaker

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Members of the Superintendent's Cabinet

Dr. Elie Bracy, III
Division Superintendent

Dr. Anita Wynn Taylor
Assistant Superintendent for Curriculum and Instruction

Mr. Joseph L. Wiggins
Executive Administrator to the Division Superintendent

Mr. Scott Ziegler
Director of Human Resources and Interim Director of Operations

Ms. Brittany T. Dortch
Interim Chief Financial Officer

Dr. Michael T. Cromartie
Director of Programs

Mr. Derrick A. Nottingham
Director of Research and Evaluation

Mr. Dean M. Schlaepfer
Director of Information Technology

Handbook produced by the Office of Youth-Risk Prevention
Dr. Rosalynn L. Sanderlin, Coordinator of Youth-Risk Prevention