

King and Queen County Public Schools

King and Queen Court House, Virginia



Code of Student Conduct and Public School Regulations

2024-2025

Welcome to the 2024-25 school year!



The King and Queen School Division strives to engage our students in mastering the skills and knowledge needed to make productive contributions in the world. We believe that students, parents/guardians, and staff can collaborate in a safe and productive school environment that offers rigorous educational opportunities. The Student Handbook and Conduct Code provides information and policies that will support our partnership with you.

A significant portion of the Student Handbook and Conduct Code is dedicated to the division's conduct code. Please review this section with your child so that he or she is aware of the division's expectations for student behavior.

Additionally, in the back of the Student Handbook and Conduct Code is a form that must be completed and signed by all parents/guardians and students. Please complete this by the date indicated on the form.

I wish you and your child a successful and memorable school year. Thank you for your continued support of King and Queen Public Schools.

Remember, we are **"ONE TEAM, ONE MISSION, ONE FAMILY."**

All the best,

A handwritten signature in black ink that reads "Carol B. Carter, Ed.D.". The signature is written in a cursive, flowing style.

Carol B. Carter, Ed.D.
King and Queen County Public Schools
Division Superintendent

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Student Conduct Code

A Word to Parents

Dear Parents/Guardians:

Schools do the best job of educating your children when they can concentrate on teaching and not on maintaining order. We must all work together. Both the home and the school must support the proposition that students have responsibilities as well as rights.

When you think we are right, back us at home. When you think we are wrong, come to school and discuss it with us. That is a reasonable course for people who have the same goal—a good education for your child in a well-disciplined environment.

You can begin by reading this conduct code, discussing it with your student, and signing and returning the parental acknowledgement form at the back of this handbook.

Thank you for your continued support,

King and Queen County School Board

“At the end of the day, the most overwhelming key to a child's success is the positive involvement of parents.”

Jane D. Hull

King and Queen County Public Schools Leadership

King & Queen County School Board

Ms. Celestine Gaines, *Chairperson, Newtown District*

Ms. Harwood Hall, *Vice-Chairperson, Shanghai District*

Mr. Daryl Oakley, *Buena Vista District*

Mr. Howard Hill, *St. Stephens District*

Ms. Brenda Lee, *Stevensville District*

Mrs. Monica Gonzalez, *Board Clerk*

School Board Office Administrative Staff

Dr. Carol B. Carter
Superintendent

Mr. Michael Breunig
Director of Technology

Dr. David Curran
Director of Special Education

Mr. Joshua Herring
Director of Elementary Instruction

Mr. Don Weik
Director of Testing & Safety

Mrs. Becky Lane
Transportation Coordinator

Dr. Ashley Edwards
Director of Human Resources

Mrs. Jennifer Jackson
Director of Finance

Mr. Steve Morgan
Director of Maintenance

Mrs. Meredith Kesling
Director of Gifted & Special Programs

School Leaders

Ms. Jennifer Eddy
Central High School Principal

Mrs. Shanté Harvey
King and Queen Elementary School Principal

Mr. Justin Bartlett
Lawson-Marriott Elementary School Principal

A Code of Conduct for School Board Members

To promote the highest ethical standards of governance and therein to build and sustain the public trust, the King and Queen County School Board delineates the following Code of Conduct to be upheld by each of its members.

1. I will have integrity in all matters and support the full development of all children and the welfare of the community, Commonwealth and Nation.
2. I will attend scheduled board meetings.
3. I will come to board meetings well-informed concerning the issues under consideration.
4. I will make policy decisions based on the available facts and appropriate public input.
5. I will delegate authority for the administration of the schools to the superintendent, and establish a process for accountability of administrators.
6. I will encourage individual board member expression of opinion and establish an open, two-way communication process with all segments of the community.
7. I will communicate, in accordance with board policies, public reaction and opinion regarding board policies and school programs to the full board and superintendent.
8. I will bring about desired changes through legal and ethical procedures, upholding and enforcing all laws, state regulations, and court orders pertaining to schools.
9. I will refrain from using the board position for personal or partisan gain and avoid any conflict of interest or the appearance of impropriety.
10. I will respect the confidentiality of privileged information and make no individual decisions or commitments that might compromise the board or administration.
11. I will be informed about current educational issues through individual study and participation in appropriate programs, such as those sponsored by my state and national school boards associations.
12. I will always remember that the foremost concern of the board is to improve and enhance the teaching and learning experience for all students in the public schools of Virginia.

Therefore, I will always strive to demonstrate appropriate behavior/conduct as a public school board member.

King and Queen County Public Schools

Vision, Mission, Beliefs, and Goal Statements

VISION

To develop and empower exceptional learners.

MISSION

We engage and empower students to be active participants in their learning.

CORE BELIEFS AND VALUES

ACHIEVEMENT

Every student attains their personal best every day in our community of learners. Our students succeed when they set individual, measurable, and attainable goals that promote continuous personal growth. Every KQPS student will achieve success at their own, individual pace with the help of supportive, caring, and inspiring teachers, staff, and mentors.

SUPPORT

Our students share their hopes, goals, and dreams with us every day. We strive to listen to and understand these needs so we can best meet their individual learning goals. Our schools are places where caring and committed learners dedicate themselves to making a difference in the life of a child. No two learners are alike, so our faculty and staff will have resources, training, and facilities that promote achievement through the unique learning styles of each student.

COMMUNITY

Every King and Queen County citizen has a stake in supporting student success. Generations of students and their families who have been educated in our schools have become successful, productive citizens. As future generations of our community rely on our schools to lead learning for all, our community's involvement in and responsibility to our schools will determine their success.

COMMUNICATION

Speaking and listening are essential to strong and successful two-way communication; They are also critical to building deeper understanding. Our school division strives to communicate to our citizens and families with clear, consistent, and timely messages and information allowing them to build strong, successful partnerships with our schools.

DIVERSITY

Our schools bring together different cultures, experiences, and ideas that make learning richer, deeper, and more meaningful. We openly invite our community into the learning process so that we can better understand viewpoints, practices, and expectations that differ from our own. Respecting other's perspectives – while not necessarily agreeing with them – strengthens our community and nation as we recognize and understand our commonalities and differences.

INSTRUCTION

Teaching our students is what we do best every day. Classroom activities that engage and connect students to real-world learning experiences are designed and delivered to our students by a caring and committed group of teachers and staff who build personal relationships with our students that make learning meaningful and fun.

STRATEGIC GOALS - Empower 2029

- GOAL A: Talent Management and Development
 - Use innovative strategies to recruit and retain teachers and staff that reflect the diversity of our county
 - Invest in professional development that supports the growth and retention of highly qualified teachers and staff
 - Build a positive climate and learning environment by listening to and learning from employee and student voices
- GOAL 2: School Safety, Operations, and Facilities
 - Increase our levels of academic, behavioral, social, emotional, and family support for our students
 - Improve efficient and effective operational systems and processes across our facilities to support student learning
 - Upgrade classroom resources that support high-quality instruction and achievement
 - Improve our school resources, facilities, and buildings
- GOAL 3: Community Connections and Relations
 - Strengthen partnerships to expand opportunities for student growth, career development, and real-world learning
 - Increase parent and community engagement
 - Improve and expand communication with our community
- GOAL 4: Instruction, Technology, and Innovation
 - Ensure equitable and inclusive access to high-quality learning for all students
 - Increase options for 21st century student learning and real-world experiences
 - Provide teachers and staff with professional learning and resources that increase student achievement

Preface

The purpose of this Code of Conduct is to provide students, parents, school personnel and citizens with a concise yet comprehensive description of the standards of behavior for all students enrolled in King and Queen County Public Schools. This document applies to all King and Queen County students whenever they are on school property, traveling to and from school, at a bus stop, in a School Board owned vehicle, in attendance at school or at any school-sponsored activity, at the Bridging Communities Regional Career Technology Center, Chesapeake Bay Governor's School, on field trips, or attending an alternative school.

At King and Queen County Public Schools (KQPS), we believe that students deserve the right to a fair and appropriate education in which their race, ethnicity, culture, religion, and abilities will be valued, celebrated, and used as a vehicle during academic instruction. We are dedicated to being proactive in our efforts to implement discipline practices and policies that aim to keep our students in class, receiving access to instruction, and being provided the support to succeed. Likewise, we will identify and correct practices and policies that threaten to perpetuate gaps between discipline, achievement, and access to educational opportunities that benefit students.

KQPS is working to keep students in school with continuous access to instruction and reduce the practice of removing students from their classrooms for disciplinary reasons. KQPS believes in the use of graduated discipline to ensure severe punishments, such as exclusion from the learning environment, are reserved for serious behavior incidents that pose a credible threat to the safety of our students and staff. The goal of all discipline responses is to ensure students understand the school's behavior expectations, repair the harm caused by their choice of behavior, and identify how to prevent the problem in the future. When repeated or serious behavior incidents occur, school-based teams will conduct a functional behavior assessment for students to identify needs for academic and behavior support.

Pledge of Allegiance

All students are required by state law (Code of Virginia 22.1-202) to learn the Pledge of Allegiance and to demonstrate such knowledge through daily recitation in the classroom. Students are encouraged to stand and recite the Pledge. No students, however, shall be compelled to recite the Pledge if they, or their parents or legal guardians object on religious, philosophical or other grounds. Students who are thus exempt shall remain quietly standing or sitting and shall make no display that disrupts or distracts others who are reciting the Pledge.

Minute of Silence

The daily observance of one minute of silence in each classroom is required by state law (Code of Virginia 22.1-203). During the one-minute period of silence, the teacher shall take care that all students remain silent. The teacher further shall ensure that no student disrupts or distracts other students during the minute of silence.

Compliance

The School Board of King and Queen County, Virginia complies with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Act. The School Board does not discriminate on the basis of race, color, national origin, religion, sex, age, or disability in any of its programs and activities. The Superintendent of Schools or his/her designee is responsible for the coordination of compliance with these provisions. The Central Office is located in the Courthouse Complex at 242 Allen's Circle, Suite M, King and Queen Court House, Virginia, 23085.

Commitment to Equity

The United Nations Convention on the Rights of the Child states:

*“To guarantee the human right to education, schools shall provide all children and youth with the learning tools and content necessary to reach their full potential, to participate fully and effectively in a free society, to live and work in dignity, to improve the quality of their lives, to make informed decisions and to continue learning throughout life.”**

It is the goal of the King and Queen County Public School Division to develop policies and procedures to create conditions to provide the resources, services, and support to our school community to ensure equitable access to education and to achieve equitable outcomes in education for all of our students. KQPS will periodically evaluate school board policies regarding equity in school discipline, to make certain they include procedures that achieve the following:

- Ensure that students who are enrolled in early childhood programs provided by the division receive high quality education that includes proven research-based interventions for challenging behavior and assessments that identify and address the causes of behavior that puts young students at risk for exclusion. *The Virginia Guidelines for the Prevention of the Suspension and Expulsion of Young Children* is a resource for policies and practices;
- Provide professional development for all school staff to ensure the equitable application of school discipline policies, practices, and procedures;
- Use proactive, data-driven, and continuous efforts to prevent, identify, reduce, and eliminate inequitable outcomes or practices reflected in discipline data and unintended consequences that may result from such practices;
- Collect and analyze school discipline data by gender, ethnicity, race, socioeconomic, and disability status to understand the effectiveness and equity of school discipline policies and practices; and
- Involve parents and communities in analysis of school discipline data and in decision-making processes to address inequities.

**A Model Code on Education and Dignity: Presenting a Human Rights Framework, Dignity in Schools, 2013 p. 7; U.N. Convention on the Rights of the Child art. 29 cmt. 1.12.*

Student Rights & Responsibilities

Students in KQPS have both rights and responsibilities; a right is a privilege, to which one is justly entitled, while a responsibility is an obligation one has because it is right. It is the obligation of the school division to protect those rights and insist upon those responsibilities.

EQUAL EDUCATIONAL OPPORTUNITIES

Right

All students enrolled in the King and Queen County School Division are provided, by law, access to a free public education. Students have the right to a public education unimpaired because of gender, race, religion, national origin, pregnancy, disability, parenthood, marital status, or any reason not related to their individual capabilities.

Students who fail to graduate or who fail to achieve the number of verified credits required for graduation have the right to a free public education until the year in which the students reach their 20th birthday on or before August 1. Students with disabilities who have an individualized education program and students for whom English is a second language have the right to a free public education through the age of 21. (CODE OF VIRGINIA § 22.1-253-13-4 B-C)

Responsibility

Students are members of a learning community at each school. Students are expected to work with staff and their peers to protect the rights of others to study and learn in a discrimination and harassment free environment.

SCHOOL ENVIRONMENT

Right

Students have the right to a safe and orderly environment while in schools, classrooms, or at school activities.

Responsibility

Students have the responsibility to ensure that their actions do not disrupt the school environment by exhibiting safe and orderly behavior. Students should avoid actions or activities, individually or in groups, which interfere with the right of any person to a public education.

FREE EXPRESSION

Right

Students are entitled to express their opinions both verbally and in writing *within the boundaries of the law*.

Responsibility

Students have the responsibility to ensure that such expression does not disrupt the educational process, present health or safety hazards, damage public property, violate the law, or violate the requirements of this Code of Conduct.

FREEDOM OF RELIGIOUS BELIEF

Right

Students have the right to their own religious beliefs.

Responsibility

Students have the responsibility to ensure that in exercising their own religious freedom, they do not violate other students' constitutional rights to religious freedom.

FREEDOM OF ASSEMBLY

Right

Students may hold meetings at a time, place, and in a manner which does not disrupt or disturb classroom instruction.

Responsibility

Students have the responsibility to secure approval for using school facilities for assembly, to discuss with an administrator the appropriateness of the facility for the functions, and to ensure that such assembly does not disrupt the educational process. Non-availability of adequate supervision shall constitute grounds for disapproval of such assembly.

PRIVACY

Right

Students have the right to protection from unlawful search and seizures of their personal possession(s) or their persons.

Responsibility

Students have the responsibility not to endanger themselves, other students, school personnel, or the public by possessing material or objects that are potentially hazardous and/or prohibited by federal, state, or local law, or the provisions of this Code of Conduct.

Parent/Guardian Rights & Responsibilities

Family involvement is the key to a successful educational experience. As a parent, you are your child's first teacher, and oftentimes, you can help to provide positive options for your child when situations arise at school.

Parent/Guardian Rights

As a partner in the education of your child, you have the right to:

- Actively participate in the school community
- Work collaboratively with teachers, staff, and your child
- Ask questions about your child's academic or developmental progress
- Acknowledge positive experiences for your child and provide feedback
- Be informed of the School Division's policies and expectations for your child
- Receive information about your child's progress on a consistent basis
- Collaborate with school staff to advocate for your child
- Be involved in matters concerning your child
- Timely notice of matters concerning your child

Parent/Guardian Responsibilities

As a partner in the education of your child, you have the responsibility to:

- Support the school community
- Review the Student Conduct Code section with your child to help ensure understanding of the expectations
- Support staff in fulfilling the Student Conduct Code
- Promote positive behavior and good decision making by your child
- Make school attendance a priority for your child
- Notify the school when your child is absent, tardy, or leaves early
- Ensure your student is appropriately dressed for school
- Ensure your student is prepared with needed learning materials
- Work collaboratively to address matters in an age appropriate manner for the student
- Meet with school staff when requested
- Be respectful in all school-related interactions
- Provide updated emergency contact information in case of emergency and provide any custody documents (if applicable)
- Sign and return the form (located at the back of this document) acknowledging receipt and review of the KQPS Student Code of Conduct

Requirements Based on the Code of Virginia §22.1-279.3:

1. Each parent has an affirmative duty to collaborate with schools in implementing conduct codes and assuring student attendance. Schools should strive to establish positive, affirmative opportunities to build strong parent-school relationships before any specific academic, behavioral, or attendance-related issues arise.
2. The School Board will provide opportunities for parental and community involvement in each school. Schools will collaborate with students and families to host forums to discuss positive school climate and behavioral expectations, including student assemblies and family “Town Hall” discussions.
3. Within one calendar month of the opening of school, the School Board must, simultaneously with any other materials customarily distributed at the time, send to the parents of each enrolled student:
 - a. a notice of the requirements of the Code of Virginia §22.1-279.3;
 - b. a copy of the School Board’s *Standards of Student Conduct*; and
 - c. a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the rights to express disagreement with a school’s or school division’s policies or decisions.
4. Parents must sign and return a statement acknowledging receipt of the School Board’s *Standards of Student Conduct* and the notice of the requirements of the Code of Virginia §22.1-279.3 and the compulsory school attendance law.
5. Each school must maintain records of the signed statements. The school principal may request that the student’s parents meet with the principal or designee to review the standards of student conduct and the parent’s responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improving the student’s behavior and educational progress.
6. The school principal may notify the parent when a student violates a school board policy or the compulsory school attendance requirements when such violation could result in a suspension or the filing of a court petition, whether the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and facts of the violation; (ii) the parents’ obligation to take actions to assist the school in improving the student’s behavior and ensuring compulsory school attendance compliance; (iii) that, if the student is suspended, the parents may be required to accompany the student to meet with school officials; and (iv) that a petition with the juvenile and domestic relations court may be filed under certain circumstance to declare the student a child in need of supervision.
7. Suspended students may not be readmitted to the regular school program until the student and parent meet with school officials to discuss improving the student’s behavior, unless the principal or designee determined that readmission, without the parent conference, is appropriate for the student.
8. Schools should ensure parents and guardians understand and are able to exercise their rights to participate in decisions affecting their child’s education by:
 - a. Protecting and adhering to due process rights, including those related to attendance, school discipline, school policing, restraint and seclusion, and special education.
 - b. Assuring timely notice to parents—as required and otherwise—of academic or behavioral challenges in order to work with parents, guardians, and others to identify positive solutions and supports.
 - c. Accommodating – as required and otherwise – family schedules and availability to ensure family involvement in decision-making.
 - d. Providing parents with timely information regarding the process for appealing discipline decisions and allowing for situations that may affect their ability to respond to school division timelines.

Attendance

The Code of Virginia §22.1-254 requires every parent, guardian or other person in the Commonwealth having control or charge of any child who will have reached his/her 5th birthday on or before September 30th of any school year and who has not passed the 18th birthday, shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send each child to a public school or to a private denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child.

To comply with the Code of Virginia § 22.1-254, students are expected to attend school every day and be on time unless there is illness or death in the immediate family. Doctor, dental, or personal appointments should be made on days off, half days, or after school hours when possible. Parents/Guardians are responsible for providing the school with a note (within 24 hours) indicating the reason(s) for the absence. Legitimate reasons for absences are: illness, death in immediate family, doctor or dental appointment (not possible to be scheduled on non-school time), and/or exceptional circumstances as determined by the building principal.

Standards of Learning tests are federally mandated in conjunction with the Every Student Succeeds Act. Absences occurring on these pre-determined test dates should be avoided and will only be considered excused under extreme, extenuating circumstances. For any other reason, the absence is unexcused.

If a student accumulates excessive absences (10), a physician's note may be required for any further absences to be excused. At least one day will be allowed for make-up work for every day of excused absence. If a student is absent due to the observance of a religious holiday, the absence will be recorded as excused on the student's attendance record. A student cannot be deprived of any award or eligibility or opportunity to compete for any award or of the right to take an alternate test or examination, for any time missed due to the observance of a religious holiday.

When requesting make-up work, parents should give teachers 24 hours' notice to have the child's assignments prepared for take home work. At least one day will be allowed for make-up work for every day of excused absence. Failure on the part of the student to complete make-up work on time will result in the student receiving a lowered grade on the assignment. Students are not allowed to make up any daily work or quizzes missed during unexcused absences or unexcused tardies. Students may be given credit for extended assignments with a due date that occurs during an unexcused absence. Extended assignments include, but are not limited to, research papers, essays, book reports, projects, tests, and semester exams. To comply with the Code of Virginia § 22.1-258, the school will attempt to telephone a student's home to verify absences. Parents are encouraged to notify the school when a student is absent or tardy.

Evidence of a court appearance or a medical appointment should be presented to the principal for administrative review upon the student's return to school.

To comply with the Code of Virginia § 22.1-258, a student having more than 6 unexcused absences could result in a complaint being filed with the King and Queen Juvenile and Domestic Relations Court. Court action could

result in suspension of the driver's license of any minor who has had 10 or more unexcused absences from public school on consecutive school days (Code of Virginia § 46.2-334.001).

In accordance with state regulations, 15 days of consecutive absence will result in withdrawal of the student from enrollment in school.

Every reasonable effort will be made to ensure direct contact with the parent either in person or by telephone when student absences meet or exceed the Virginia Department of Education's definition of chronic absenteeism. Chronic absenteeism incorporates all absences: excused, unexcused and suspensions. Chronic absenteeism is defined as missing 10% or more of the school year. For example, 3 absences within a 30 day time span or 6 days within a 60 day time span may be considered chronic absenteeism.

Parents/Guardians will receive written notification from the school when a student has accumulated five unexcused absences. An accumulation of five unexcused absences will result in a referral to the school division attendance officer, and, if an additional unexcused absence occurs, the attendance officer and parents/guardians will be required to participate in the development of a plan to improve the student's attendance. Continued unexcused absences may result in a referral of the parent/guardian to court.

Parents/Guardians should discuss with the school principal any absence which the parent/guardian believes constitutes exceptional circumstances. In such an event, the principal shall make the final decision as to whether the absence is excused or unexcused.

Tardiness to School - Students are expected to be in all classes on time. Students should bring a note from a parent or guardian indicating the reason for the tardiness, sign in and secure a tardy slip from the attendance office. The determination of whether the tardy is excused or unexcused will be determined by the school administration.

Early Dismissal - Students should bring a note from a parent or guardian indicating the reason for the early dismissal, sign out in the office, and sign back in if and when they return. Parents/Guardians should report to the school office to sign a student out of school during regular school hours.

Afterschool Activities - In order to promote regular school attendance and prioritize academic engagement, students who are absent from school, regardless of the reason for their absence, will be ineligible to participate in any after-school activities or events on the day of the absence. This policy applies to all extracurricular activities, clubs, sports, and any other organized events taking place after regular school hours. Exceptions may be considered in extenuating circumstances, subject to the approval of the school administration. By adhering to this policy, we emphasize the importance of attending school regularly for both academic achievement and active participation in the school community.

High School Credit - The inability to make up work based on excessive absences may result in a failing grade and denial of high school credit.

Remote Work - With prior permission from the school principal or designee and in conformity with applicable regulations, students who complete work while at home due to quarantine, an extended illness that has been documented by a doctor's note, or a medical condition documented in a 504 plan may be marked "present-remote services" for purposes of school attendance on the condition that they complete school work remotely

while they are out of the building. Remote attendance is contingent upon students maintaining “meaningful interactions” with teachers per the guidelines set forth in VA Superintendent’s Memo #188-20.

Attendance Recovery - Students who are chronically absent may be required to make up time by attending academic sessions at school outside of normal school hours (e.g., before school, after school, Saturday sessions). Participation in two after school sessions can be used to recover one absence.

KQPS Dress Code

The King and Queen County School Division recognizes that clothing is one of the primary ways that students express their personalities and ideas when attending school. In doing so, expressions must be in a responsible manner suitable for the school setting, and should not interfere with or cause a substantial disruption to the learning environment or present a potential safety hazard. All King and Queen County School Division students are expected to dress appropriately for a K-12 educational environment. The following guidelines apply to all students while in attendance at school or school-sponsored events during the school day. The principal or principal designee at each school reserves the right to determine what dress and appearance is appropriate, and will be fair in addressing situations as they arise.

Pants/Shorts/Bottoms

Students must wear clothing that covers their skin from chest to mid-thigh with opaque (non-see-through) fabric in front, back, and on the sides. Dresses, skirts, shorts, athletic shorts, or other similar clothing must be at least mid-thigh in length (typically mid-thigh would be fingertip length when placed at sides – arms straight with palms down). We want students to be comfortable, however, when students sit or bend over, their buttocks should not be exposed.

Pajama pants are not permitted. Additionally, ripped/distressed pants that expose the upper thigh, undergarments, genitals, or buttocks will not be permitted; rips/holes in pants must be below the fingertips when placed at sides – arms straight with palms down. The principal or designee reserves the right to determine appropriateness of excessive rips. All pants must be worn at the natural waistline. No pants/shorts/bottoms should pose a safety hazard.

Shirts/Tee Shirts/Tops

Shirts must cover the torso (including back) and midriff. Muscle shirts, tube tops, halter tops, or shirts with spaghetti straps may not be worn during the school day. Shirt material may not expose anything being worn as an undergarment. Shoulder straps must be at an appropriate 3-finger width.

Head Coverings

In general, hats, caps, hoods, bandannas and sunglasses may not be worn during the school day. Headwear may be worn for educational, religious, and ethnic reasons; if culturally specific or significant; if necessary for medical purposes; or, if it serves a necessary function (examples may include but are not limited to hijabs, yarmulkes, head wraps, braids, locs, cornrows).

Face Coverings

During times of pandemics or widespread illness caused by viruses, students will be permitted to wear masks

that cover their mouth and nose. Guidelines that are more specific will be provided by the school division in these particular cases with guidance from the Center for Disease Control (CDC), Virginia Department of Health (VDH) and the Virginia Department of Education (VDOE).

Footwear

All students must wear footwear at all times while on school premises. Slippers and house shoes are not permitted due to safety concerns. In certain specialized classes or activities, such as physical education or laboratory sessions, additional safety footwear requirements may be imposed as per the teacher's instructions.

General Expectations Regarding Clothing and Accessories

Students' clothing, haircuts, tattoos or other accessories may not display any of the following:

- Weapons
- Pictures of tobacco products
- Drugs
- Alcohol
- Nudity
- Vulgarity
- Obscene, lewd, or profane words
- Anything perceived as gang affiliated
- Other prohibited expressions as outlined by the principal

Violations of the student dress code may result in disciplinary action.

Bus Safety

Students who attend King and Queen County schools and live within the county are provided free transportation to and from designated bus stops to their zoned school. Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior. The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions. If a student's riding privileges are suspended or revoked, the student's parents are responsible for seeing that the student gets to and from school safely. The bus driver is responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal and provide a copy of the report to the transportation office (School Board Policy JFCC).

School bus rules also apply when traveling for extra-curricular trips under school sponsorship.

Walking to the Bus Stop

- If possible, walk with a buddy or in groups of at least two (2) or three (3) friends.
- Be on time, and leave plenty of time to walk safely to the bus stop.
- Remain alert at all times by refraining from wearing headphones or texting while walking,
- Wait for the school bus at least ten (10) feet from the road and further away if the weather is bad.

- Avoid strangers. If an unknown adult approaches you, run away and immediately report the incident to a trusted adult.

Getting On and Off the Bus

- Wait for the bus to come to a complete stop before you get on or before you stand up to get off.
- If you drop something near the bus, do not pick it up, as the driver may not see you. Instead, ask the driver for help.
- Be safe by holding the handrail while going up and down the stairs.
- Quickly but safely, find a seat and sit down.
- Be careful to wear clothing and carry backpacks that will not be caught on bus handrails and doors.

Riding the Bus

- Be respectful, follow all bus driver instructions and be courteous to the driver.
- Be safe by keeping the bus aisle clear and remaining in your seat while the bus is in motion.
- Keep hands, feet, and inappropriate comments to yourself to ensure an orderly environment.
- Be responsible by talking with friends quietly so the driver will not be distracted.
- Headphones are required if listening to music or watching videos.
- Save food and drinks for when you exit the bus to prevent spills and accidents.
- Keep your personal belongings secure and with you at all times.

Leaving the Bus

- Be safe by remaining seated until the bus comes to a complete stop.
- Be responsible by removing all your belongings from the bus and cleaning up any trash in your seat.
- Keep your area neat and clean.
- Be respectful by exiting the bus at your assigned stop once the bus has come to a complete stop and the driver has indicated it is safe to disembark.

Requesting Bus Changes

Bus changes should be kept to a minimum and authorized in emergency or special circumstances. All requests for a student to ride a bus different from their regular bus must be in writing. A permanent bus change must be in writing and forwarded to the building Principal. If a student is going home with another student, parents of both students must send a note requesting the change. Generally, school buses operate at capacity; therefore, permission may be given for childcare purposes but not necessarily for other activities (e.g., parties, visit to play).

Bullying and Cyberbullying

Bullying and Cyberbullying

Bullying is intentional, repeated, aggressive and unwanted behavior, physical, psychological or emotional, that is intended to:

- Harm, intimidate, or humiliate the victim;
- Involves a real or perceived power imbalance between the aggressor(s) and victim; and
- Occurs over a period of time or causes severe emotional trauma.

Bullying does not include ordinary teasing, horseplay, argument or peer conflict(s). Behavior that is found to be bullying will result in disciplinary action.

Cyberbullying is a form of bullying that includes, but is not limited to, using information and communication technologies, such as email, call phone, text message, instant messaging, defamatory websites or polling sites, to support deliberate, hostile behavior intended to harm others. Cyberbullying using the KQPS network, KQPS computers, or other wireless communication devices on school grounds, on school property, or at school-related activities will result in disciplinary action.

Cyberbullying that occurs off school grounds and/or does not include the use of KQPS network or computers may also result in disciplinary action if it causes or is likely to cause a substantial disruption to the school environment or violate the rights of students, staff, or teachers.

Warning Signs

Possible warning signs that a child is being bullied:

- Has few, if any, friends with whom he or she spends time;
- Seems afraid of going to school, walking to and from school, riding the school bus, or taking part in organized activities with peers (such as clubs);
- Takes a long, “illogical” route when walking to or from the bus stop or school;
- Has lost interest in school work or suddenly begins to do poorly in school;
- Appears sad, moody, teary, or depressed when he or she comes home;
- Complains frequently of headaches, stomachaches, or other physical ailments;
- Comes home with torn, damaged, or missing pieces of clothing, books, or other belongings;
- Has trouble sleeping or has frequent bad dreams; or
- Experiences a loss of appetite.

Parent/Guardian Responses to Bullying

- Talk with your child. Tell your child that you are concerned and that you would like to help.
- Talk with staff at your child’s school. Call or set up an appointment to talk with your child’s teacher. He or she will probably be in the best position to understand the relationships between your child and other peers at school. If you are not comfortable talking with your child’s teacher or if you are not satisfied with the conversation, make an appointment to meet with your child’s counselor or principal to discuss your concerns.

Student Responses to Bullying

Student bystanders often feel uncomfortable when they see another child bullied. Unfortunately, many do

nothing to stop the bullying. They may even join in the bullying to avoid becoming targets themselves. Students who witness bullying should report it to a parent, teacher, or administrator. They can also stand up for the victim of bullying; research shows that most bullying incidents end when bystanders speak up.

THE CONTINUUM FROM PEER CONFLICT TO BULLYING

	CONFLICT	RUDE	MEAN	BULLYING
Frequency	Occasional	Occasional	Once or Twice	Is Repeated
Level of Intent	Not planned; in the spur of the moment	Spontaneous action; unintentional	Intentional	Is planned and done on purpose
Level of Impact	All involved are upset	Can cause hurt feelings; upset	Can hurt others deeply	The target of the bullying is upset and / or hurt
Perceived Motivation	All parties want to work things out	Based on thoughtlessness, poor manners or narcissism	Based on anger or impulsive cruelty	Bully tries to gain control over the situation and/or target
Observed Behavior	All parties involved accept responsibility	Rude person accepts full responsibility	Behavior is often regretted	Bully blames the target
Observed Behavior	An effort is made by all parties involved to solve the problem	Rude person apologizes or makes and effort to resolve the problem	Both parties may come to a resolution with or without a mediator	The target wants to stop the bully's behavior; the bully does not
How to Respond	May be addressed by using conflict resolution procedures	May be handled by speaking with a school counselor and requesting peer mediation	Should be handled by reporting the situation to a parent/guardian <u>and</u> notifying a school administrator or school counselor	Should be handled by reporting the situation to a parent/guardian <u>and</u> notifying a school administrator or school counselor

Conflict Resolution & Restorative Conferencing

Background

In compliance with the Code of Virginia §22.1- 279.6, the King and Queen County School Division is committed to ensuring that every student can learn in a safe, positive, and disruption free environment. Conflicts and disagreements are a natural part of human growth and development. Resolution and mediation skills are necessary for individuals to demonstrate progress and personal growth. Students are expected to use peaceful means to resolve conflict and should not rely on violence, verbal or physical confrontations to address disputes. Managing and dealing with conflict reinforces Virginia's "5 C's" and Profile of a Graduate expectations related to citizenship. Students are expected to be able to express views, opinions, and concerns in a manner that is respectful and appropriate.

In alignment with the American School Counseling Association Mindsets & Behaviors for Student Success, school counselors promote standards that enhance the learning process and create a culture of college and career readiness for all students. Students demonstrate the following learning strategies, self-management skills, and social skills through classroom lessons, activities and/or individual/small-group counseling, specific to conflict resolution:

- Gather evidence and consider multiple perspectives to make informed decisions
- Demonstrate ability to assume responsibility
- Demonstrate effective coping skills when faced with a problem
- Use effective oral and written communication skills and listening skills
- Create positive and supportive relationships with other students
- Demonstrate empathy
- Demonstrate social maturity and behaviors appropriate to the situation and environment

Peer mediation is available to students and families who experience conflict or need a peer-based dispute resolved.

Peer Mediation

Students who experience peer-to-peer conflict may schedule an appointment with their school counselor to arrange a peer mediation or restorative conference. Students may also be referred for peer mediation by parents, peers, school administrators, or school staff who become aware of a potential conflict or dispute. Before engaging in a peer mediation or restorative conference sessions, students will be asked to:

- Acknowledge that there is an incident resulting in a breach of trust or conflict that requires mediation to resolve;
- Show authentic desire to repair the relationship and harm caused by the conflict;
- Agree to abide by the resolution agreement developed by the school counselor or facilitator;
- Agree to treat information and conversations held during the mediation/conference as confidential; and
- Acknowledge that failure to abide by the resolution agreement may result in disciplinary sanctions if the conflict escalates to verbal or physical conflict.

Peer mediation is a tool intended to diffuse student conflicts in an appropriate manner. Student participation is voluntary. Students may elect not to participate in a mediation session. In these circumstances, the student conduct code will be used to address any violations of school board policy and/or school rules and disciplinary sanctions may apply depending on the situation.

Conduct Code Violations & Consequences

Introduction

Students are subject to discipline by the staff for any misconduct that occurs in school or on school property; in a school vehicle; while participating in or attending any school-sponsored activity or trip; and on the way to and from school. Students may be subject to discipline for misconduct that occurs off school property when such misconduct includes acts that lead to: (1) an adjudication of delinquency or a conviction for an offense listed in §16.1-260 of the Code of Virginia (including unlawful purchase, possession or use of a weapon, homicide, felonious assault and bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana, arson and related crimes, and burglary and related offenses), or (2) a charge that would be a felony if committed by an adult.

Leveled Administrative Responses to Student Behavior

Teachers shall have the initial authority to remove a student from class for disruptive behavior. Disruptive behavior is defined as a violation of school board regulation governing student conduct that disrupts or obstructs the learning environment. Administrators and leadership teams should engage in a data driven decision-making process to determine appropriate responses for behaviors at all levels. Consequent actions or punishment should always be addressed with instruction and intervention. Instruction should focus on helping students develop social-emotional competencies needed to change the behavior. Such processes help ensure the students' rights are respected and that all student behavior is addressed in an equitable manner. Ultimately, school officials are authorized to utilize any and all of the disciplinary actions permitted by Virginia state law, including the use of suspension or recommendation of expulsion of students for sufficient cause. All referrals to an administrator will include communication with the family. Family involvement is critical to addressing student behavior.

School Resource Officers

School Resource Officers (SROs) are sworn King and Queen deputy sheriffs assigned to provide the law enforcement expertise and resources to assist school staff in maintaining safety, order and discipline within the assigned school. The SRO will be considered an active member of the administrative team (i.e., school personnel) in his/her assigned school.

Investigative Decision-Making Process

The administrator may:

1. Determine if the behavior is an office-managed behavior (See the Discipline Process Flow Chart below). If it is a classroom-managed behavior, consult with the teacher, team, school counselor, or other personnel on appropriate next steps.
2. Gather information to determine the complete picture of the situation, including statements from the student(s).
3. Identify contributing factors and existing data and/or previous interventions.
4. Consult the regulations for students with disabilities, if the student is identified as having a disability.
5. Communicate with the family to inform and gather information.
6. Consider whether contributing factors, data, or previous interventions indicate that a support or intervention is appropriate for the student.
7. Refer the student to the support services, if supports are indicated.
8. Label the behavior according to the behavior descriptors; assign the appropriate level of consequence,

if disciplinary consequences are indicated.

9. Inform families of results of the investigation, the discipline consequence, and the academic and behavioral interventions that will be provided.
10. Document all interventions and consequences.
11. Notify the Superintendent Designee and Law Enforcement as required by policy.
12. Initiate a Threat Assessment, as indicated or required.
13. Follow through on the recommendations from the Threat Assessment Team.
14. Develop an action plan to provide for the student's academic and behavioral needs during the suspension or expulsion if the student is long-term suspended or expelled.

Administrative responses and interventions should be designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and prevent further behavioral issues.

Mandatory Reporting to Law Enforcement

School authorities are required to report any incidents which may "constitute a criminal offense" to the local law enforcement agency. The following is a list of incidents which school officials must immediately report to local law enforcement in accordance with the Code of Virginia §22.1-279.3:1(A):

1. The assault and battery that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in §18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
2. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance (as defined in §18.2-247), or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
3. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
4. The illegal carrying of a firearm, as defined in the Code of Virginia §22.1-277.07, onto school property;
5. Any illegal conduct involving fire bombs, explosive materials or devices, or hoax explosive devices, as defined in the Code of Virginia §18.2-85, or explosive or incendiary devices, as defined in the Code of Virginia §18.2-433.1, or chemical bombs, as described in the Code of Virginia §18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
6. Any threats or false threats to bomb, as described in the Code of Virginia §18.2-83, made against school personnel or involving school property or school buses;
7. The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefore.

Note: Juveniles may be prosecuted as an adult for the commission of certain crimes. More information can be found at: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-279.4/>

Notification of Charges

1. In accordance with the Code of Virginia §16.1- 260 (G), the Department of Juvenile Justice will notify KQPS when a student has been charged with an offense—meaning that a petition or warrant has been filed or is pending against the student—relating to one or more of the laws of the Commonwealth involving:
 - A. A firearm offense;
 - B. homicide;
 - C. felonious assault and bodily wounding;

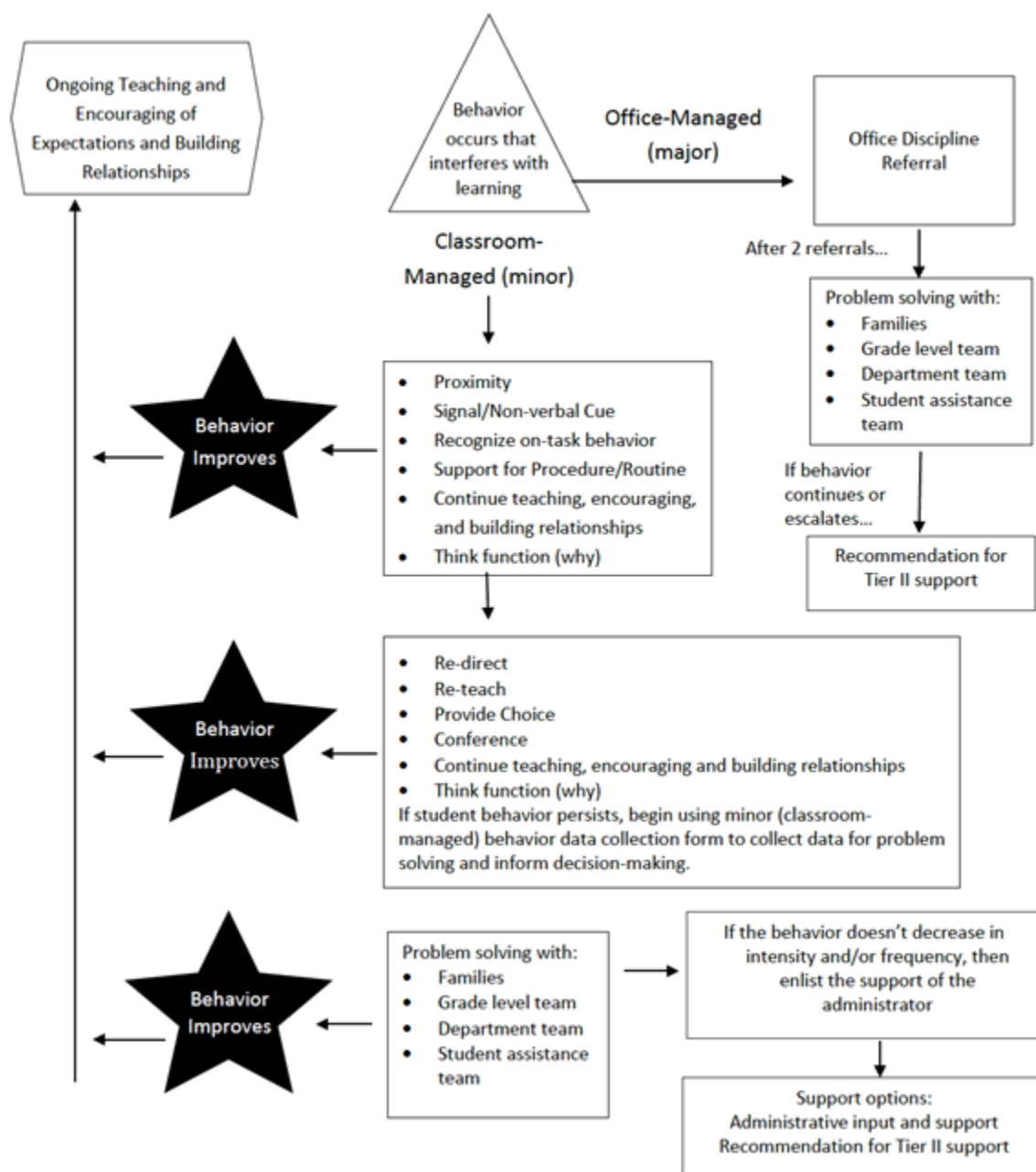
- D. criminal sexual assault;
- E. the manufacture, sale, gift, distribution or possession of a Schedule I or II controlled substance;
- F. the manufacture, sale or distribution of marijuana;
- G. arson and related crimes;
- H. burglary and related offenses;
- I. robbery;
- J. prohibited criminal street gang activity; or
- K. the recruitment of other juveniles for criminal street gang activity;
- L. an act of violence by a mob;
- M. abduction of any person; or
- N. a threat of death or bodily injury.

2. In accordance with the Code of Virginia §22.1-277.2:1, a school board may require any student who has been (i) charged with an offense relating to the Commonwealth's laws, or with an offense relating to the or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of §16.1-260; (ii) found guilty or not innocent of an offense relating to the Commonwealth's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of §16.1-260; (iii) found to have committed a serious offense or repeated offenses in violation of school board policies; (iv) suspended; or (v) expelled, to attend an alternative education program. Any such assignment shall be accomplished in accordance with the procedures set forth in the Code of Virginia §22.1- 277.2.3(B).

Discipline Process Flow Chart

This flow chart below is an example of the process for managing student behaviors through a positive, proactive, preventive, evidenced-based approach. The process will be adapted based on individual circumstances and at the discretion of the administrator. Staff members should establish regular and proactive communication via phone calls and other communication methods to foster a strong partnership between school and family as they problem solve and work to support appropriate student behavior.

Discipline Process: Continuum of Support for Discouraging Inappropriate Behavior



Tier II supports can include, but are not limited to community-based interventions, referral to School Based Intervention Team and/or referral to Child Study.

Categories of Behavior Descriptors and Responses

The following lists bring together the Categories of Student Behavior Descriptors and the Levels of Administrative Responses to facilitate the equitable, responsive application of standards of student conduct. School boards are encouraged to differentiate responses to behavior for elementary students and secondary students. The list of behaviors in this section is by no means exhaustive; students engaging in other forms of misconduct not listed will also be subject to consequences.

Category A: Behaviors that Impede the Academic Progress (BAP)

Behaviors in this category impede the academic progress of the student or of other students. For elementary students, level one responses are recommended for these behaviors. For secondary students, level one or level two responses are recommended. These behaviors should not involve or be reported to law enforcement.

- BAP1 - Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)
- BAP2 - Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)
- BAP3 - Scholastic dishonesty (cheating, plagiarism)
- BAP4 - Unexcused tardiness to class (Level one at elementary; up to level 2 at secondary)
- BAP5 - Unexcused tardiness to school (Level one at elementary; up to level 2 at secondary)

Category B: Behaviors related to School Operations (BSO)

These behaviors interfere with the daily operation of school procedures. Recommended responses to these behaviors for elementary and secondary students range from level one to level three. These behaviors should not involve or be reported to law enforcement.

- BSO1 - Altering an official document or record
- BSO2 - Giving false information, misrepresentation
- BSO3 - Refusal to comply with requests of staff in a way that interferes with the operation of school
- BSO5 - Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)
- BSO6 - Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building
- BSO7 - Dress Code Violation (Level 1 or 2 only)
- BSO8 - Gambling (games of chance for money or profit)
- BSO9 - Possessing items that are inappropriate for school (ex. toys, literature, electronics)
- BSO10 - Possession of stolen items *
- BSO11 - Unauthorized use of school electronic or other equipment
- BSO12 - Violation of the Acceptable Use of Technology/internet policy
- BSO13 - Violation of school board policy regarding the possession or use of portable communication devices
- BSO14 - Vandalism, graffiti, or other damage to school or personal property
- BSO15 - Student is not going to class as assigned
- BSO16 - Student is in an unauthorized area of the campus (cannot be related to school or class attendance/nonattendance)

Category C: Relationship Behaviors (RB)

Behaviors in this category create a negative relationship between two or more members of the school community (No physical harm is done.) For elementary and secondary students, recommended responses to these behaviors range from level one to level three. These behaviors should not involve or be reported to law enforcement.

- RB1 - Bullying with no physical injury *
- RB2 - Cyberbullying *
- RB3 - Posting, distributing, displaying, or sharing inappropriate material or literature, including using electronic means
- RB4 - Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature
- RB5 - Stealing money or property without physical force *
- RB6 - Speaking to another in an uncivil, discourteous manner
- RB7 - Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight
- RB8 - Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)
- RB9 - Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability *
- RB10 - Failure to respond to questions or requests by staff
- RB11 - Unwanted or inappropriate physical contact

Category D: Behaviors of a Safety Concern (BSC)

Behaviors in this category create unsafe conditions for students, staff, and/or visitors to the school. The range of recommended responses for elementary and secondary students is noted in parenthesis and should be based on the age and development of the student and the harm caused by the behavior.

- BSC1 - Alcohol: Possessing, using, or being under the influence of alcohol (Level 1 to 3)
- BSC2 - Alcohol: Distributing alcohol to other students (Level 2 to 4)
- BSC3 - Drugs: Possessing drug paraphernalia (Level 1 to 3)
- BSC4 - Drugs: Violating school board non-prescription (Over the counter) medication policy or look-alike drug policy (Level 1 to 3)
- BSC5 - Tobacco: Possessing/Using/Distributing tobacco products, paraphernalia, electronic cigarettes, vaping equipment (Level 2 to 3)
- BSC6 - Bullying Behavior without physical injury that continues after intervention. Bullying that leads to physical injury should be classified as Assault and Battery. (Level 2 to 4) *
- BSC7 - Cyberbullying that continues after intervention. Cyberbullying that relates to a threat to the safety of students and staff should be treated with a higher level of intervention and consequences (Level 3 to 5) *
- BSC8 - Harassment: Repeatedly annoying or attacking a student, group of students, or personnel creating an intimidating or hostile educational or work environment (Level 1 to 3) *
- BSC9 - Bus: Distracting the bus driver (Level 1 to 3)
- BSC10 - Bus: Endangering the safety of others on the bus (Level 1 to 3)
- BSC11 - Fire alarm: Falsely activating a or other disaster alarm (Level 1 to 3)
- BSC12 - Fire Related: Possessing items that could be used to set or cause a fire or produce large

amounts of smoke (Level 1 to 3)

- BSC13 - Engaging in reckless behavior that creates a risk of injury to self or others (Level 1 to 3)
- BSC14 - Fighting that results in no injury (Level 1 to 3)
- BSC15 - Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students (Level 1 to 3 for elementary; Level 2 to 5 for secondary)
- BSC16 - Throwing an object that has the potential to cause a disturbance, injury, or property damage (Level 1 to 2 for elementary; up to Level 3 for secondary)
- BSC17 - Shoving, pushing, striking a student with no visible injury (Level 1 to 3)
- BSC18 - Exposing body parts, lewd or indecent public behavior (Level 1 to 3 for elementary; up to 4 for secondary) *
- BSC19 - Physical contact of a sexual nature – patting body parts, pinching, tugging clothing (Level 1 to 3 for elementary; up to level 4 for secondary) *
- BSC21 - Stalking as described in the Code of Virginia §18.2-60.3 *+
- BSC22 - Stealing money or property using physical force; no weapon involved (Level 1 to 3 for elementary; Level 3 to 4 for secondary) *
- BSC24 - Leaving school grounds without permission (Level 1 for elementary; up to Level 2 for secondary)
- BSC25 - Trespassing (Level 2 to 3)
- BSC26 - Possessing dangerous instruments/substances that could be used to inflict harm upon another (Level 2 to 4)
- BSC27 - Weapons: Possessing any weapon as defined by school board policy, not including firearms, as defined by § 18.2-308.1 (Level 4 to 5)

Category E: Behaviors that Endanger Self or Others (BESO)

Behaviors in this category endanger the health, safety, and/or welfare of either the student or others in the school community. Recommended responses for all students range from level one to level five depending upon the age and development of the student and the danger caused by the behavior. The range of recommended responses is noted in parenthesis.

- BESO1 - Assault: Intending to cause physical injury to another person (Level 1 to 3 for elementary; Level 2 to 4 for secondary) *
- BESO2 - Assault and Battery: Causing physical injury to another person (Level 3 to 5) *+
- BESO3 - Fighting: The use of physical violence between students or on another person where there is minor injury as determined by the school administration (Level 2 to 4)
- BESO4 - Striking Staff: The use of force against a staff member when no injury is caused (Level 2 to 4 for elementary; Level 4 to 5 for secondary) *
- BESO5 - Drugs: Possessing controlled substances, illegal drug inhalants, or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5) +
- BESO6 - Drugs: Being under the influence of controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5)
- BESO7 - Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications (Level 3 to 5) +
- BESO9 - Fire: Attempting to set, aiding in setting, or setting a fire (Level 2 to 4)
- BESO10 - Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in §18.2-46.1 (Level 1 to 4 for elementary; Level 3 to 5 for secondary)
- BESO11 - Hazing as defined in §18.2-56. and noted in §22.1-279.6 (Level 5) *

- BESO12 - Threatening, intimidating, or instigating violence, injury, or harm to a staff member (not including written threats) (Level 1 to 4 for elementary; Level 2 to 5 for secondary) *
- BESO13 - Threatening, intimidating, or instigating violence, injury, or harm to another student(s) (not including written threats) (Level 1 to 3 for elementary; Level 2 to 5 for secondary) *
- BESO14 - Threatening, intimidating, or instigating violence, injury, or harm to another student(s) or others in writing (Level 2 to 4 for elementary; Level 2 to 5 for secondary) *+
- BESO15 - Using an object not generally considered to be a weapon to threaten or attempt to injure school personnel (Level 2 to 4) *
- BESO16 - Using an object not generally considered to be a weapon to threaten or attempt to injure students or others (Level 2 to 4) *
- BESO17 - Bomb threat: Making a bomb threat (Level 1 to 4 for elementary; Level 4 to 5 for secondary) *+

Category F: Persistently Dangerous Behaviors (PD)

Behaviors in this category are used in calculations to identify a school as persistently dangerous as described in the Virginia's Unsafe School Choice Policy, required by the federal Every Student Succeeds Act of 2015. These behaviors should be addressed in the manner consistent with a level 5 response.

- PD1 - Homicide - firearm *+
- PD2 - Homicide - other weapon *+
- PD3 - Sexual assault *+
- PD4 - Attempted sexual assault *+
- PD5 - Use of a bomb *+
- PD6 - Assault with firearm or weapon *+
- PD7 - Actual or attempted robbery *+
- PD8 - Kidnapping/abduction *+
- PD9 - Malicious wounding without a weapon *+
- PD10 - Aggravated sexual battery on a student *+
- PD11 - Illegal possession of a handgun +
- PD12 - Illegal possession of a rifle or shotgun +
- PD13 - Illegal possession of any other projectile weapon +
- PD14 - Illegal possession of a bomb +
- PD15 - Illegal possession of other firearms (firebombs, explosive materials or devices, hoax explosive devices (§ 18.2-85), explosive incendiary devices (§ 18.2-433.1), or chemical bombs (§ 18.2-87.1) +
- PD16 - Illegal possession of controlled drugs and substances with intent to distribute or sell +

* School is required to submit a victim count to the Virginia Department of Education

+ Mandatory reporting to law enforcement

Levels of Administrative Responses

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

- Behavioral Interventions:
 - Re-teaching or modeling of desired behavior
 - Recognize/Reward appropriate behavior
 - Administrator/Student conference and/or Administrator/Student/Teacher conference
 - Written reflection or letter of apology
 - Peer mediation or conflict resolution
 - Behavior progress chart
 - Community service (appropriate to correct the behavior)
 - Administrator/Teacher/Parent/Guardian conference
- Disciplinary Sanctions:
 - Restitution
 - Seat change
 - Loss of school privileges
 - Confiscation by the administration
 - Detention (before school, at lunch, after school)
 - In-school suspension (one-two days) with behavioral instruction and academic support

Level 2 Responses: Administrative responses and interventions at this level are designed to prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.

- Behavioral Interventions:
 - Student conference
 - Administrator/Teacher/Counselor/Student conference (includes re-teaching of expected behavior)
 - Administrator/Teacher/Parent/Guardian conference
 - Check-In/Check-Out
 - Mediation or conflict resolution
 - Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, and Problem Solving Team (ex. VTSS), Substance Use and Intervention Program)
 - Referral to Individualized Education Plan (IEP) Team
 - Community service (appropriate to correct the behavior)
 - Referral for community-based services
- Disciplinary Sanctions:
 - Schedule change
 - Detention (before school, at lunch, or after school)
 - Saturday school
 - Restitution
 - Confiscation
 - Temporary loss of privileges
 - In-school suspension with behavioral interventions and/or restorative practices (one-three days)

Level 3 Responses: Dependent upon the severity, chronic nature of the behavior and/or safety concerns, Level 3 behaviors may result in the student's short-term removal from school.

- Behavioral Interventions:
 - Administrator/Teacher/Parent/Guardian Conference
 - Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, Problem Solving Team, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
 - Referral for community-based services
 - Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Development (Special Education Students)
 - Functional Behavioral Assessment (FBA) and Behavior Support Plan (BSP) Development (General Education Students)
 - Behavior contract (developed with and signed by the student, parent/guardian, and school officials)
 - Community service as a part of a restorative practice
- Disciplinary Sanctions:
 - In-school suspension with restorative practices (three plus days not to exceed five days)
 - Detention
 - Revocation of privileges
 - Restitution
 - Referral to alternative education programs
 - Short-term out-of-school suspension (one-three days for elementary students/one-five days for secondary students) with restorative circle or conference upon return
 - Referral to law enforcement if required by local policy

Level 4 Responses: Some Level 4 behaviors require a report to the superintendent or superintendent's designee as outlined in the *Code of Virginia* [§22.1-279.3:1](#). Local school board policy may require additional reporting. A referral to the superintendent or superintendent's designee does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the superintendent or designee may return students to the comprehensive setting with additional supports and/or responses to be implemented.

- Behavioral Interventions (in addition to those listed in Levels 1 -3)
 - Parent-Administrator-Teacher-Student behavior contract
 - Referral for community-based services
 - Threat Assessment as indicated by the behavior
- Disciplinary Sanctions:
 - Referral to law enforcement for behaviors that may constitute a felony or that are required by local policy
 - Schedule change
 - Long-term revocation of privileges
 - Restitution via written contract
 - Short-term out-of-school suspension (for preschool to grade three students one to three days, four to ten days for fourth- to sixth-grade students, or five to ten days for seventh- to twelfth-grade students)

- Recommendation for a long-term suspension as determined by local policy or by Code. (11 to 45 days as defined in §22.1-276.01)

Level 5 responses: Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. For preschool to grade three students, any suspension beyond three days must be referred to the superintendent. A referral to the superintendent or designee may not automatically result in an expulsion, alternative placement, school reassignment, or long-term suspension.

- Required School-based Administrative Responses to Level 5 Behaviors
 - Threat Assessment as indicated by the behavior
 - Referral to law enforcement for behaviors that may constitute a felony or that are required by local policy
 - Referral to Superintendent or designee
- Examples of superintendent or designee responses to Level 5 behavior
 - Long term suspension (11 to 45 days as defined in §22.1-276.01)
 - Alternative placement
 - Expulsion
 - School reassignment: Students may be assigned to another school within the division. Board policy should establish the procedures for assigning any student to another school. Those policies and procedures should ensure equity.
 - Return the student to the school setting with appropriate supports and interventions.

Definitions

Behaviors referenced in the *Code of Conduct* and terms related to those references are listed alphabetically in this section. The *Code of Virginia* requires that certain behaviors be included in codes of student conduct and reported to law enforcement; those behaviors are noted in the preceding section. A school board may require reporting of other offenses to the division superintendent and/or law enforcement. Local school boards and law enforcement officials should consult to determine those offenses. The *Code* also states that whenever a student commits a reportable incident named in the *Code*, the student shall be required to participate in prevention and intervention activities as determined appropriate by the superintendent or designee (§22.1-279.3:1.C).

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

Violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as alcohol is forbidden. Students are forbidden to be under the influence of, to distribute, attempt to or conspire to distribute, to sell alcohol in any form, or have such items on school property, in vehicles on school property, or at school activities. An additional consequence for the violation of this offense shall be the loss of the privilege to participate in extracurricular activities, including academic clubs, athletics, school dances or proms for sixty (60) school days. With an alternative education program placement, the social probation may be more than sixty (60) school days.

2. Arson

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

3. Assault/Battery on Students or Staff

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

4. Attendance – Tardiness, Truancy and/or Failure to Report to Class

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

5. Bullying and Cyberbullying

Bullying is the systematic and chronic infliction of physical hurt or psychological distress on another person. The **Code of Virginia §22.1-276.01** defines bullying as any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. Bullying includes cyberbullying, the use of electronic means for purposes of bullying, harassment, and intimidation. Bullying does not include isolated incidents of ordinary teasing, horseplay, argument or peer conflict.

The King and Queen County School Division School Board adopts the definitions of bullying and cyberbullying as stated in the **Code of Virginia** and expounded upon it for further clarification to ensure an anti-bullying learning environment is maintained in all schools.

Bullying involves physical and emotional behaviors that are intentional, controlling and hurtful that create harassing, intimidating, hostile or otherwise offensive educational environments. Bullying is unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult that is severe or pervasive enough to create feelings of intimidation, alienation, or humiliation and/or unreasonably interferes with the school performance or participation of others.

Cyberbullying which occurs off school grounds and/or does not involve the use of the KQPS network or computers may result in disciplinary actions if it causes a substantial disruption to the operation of a school or the school division, if it threatens the safety and mental or physical well-being of students or staff, or if it threatens the safety of school buildings or school property.

6. Breaking and Entering

Unlawfully entering or attempting to enter a building or other structure on school property with or without intent to commit a crime is forbidden.

7. Disorderly Conduct/Insubordination

Unwillingness to submit to authority or refusal to respond to a reasonable request is forbidden. Any act that intentionally disrupts the orderly conduct of a school function is also forbidden. Students are required to obey school rules and submit in a respectful manner to the authority and directions of teachers and other school personnel. No student may assist another student in the breaking of a school rule. The following behaviors that substantially disrupt the orderly learning environment are considered to be disorderly conduct.

a. Cursing or using offensive language, including remarks intended to demean a person's race, religion, sex, national origin, disabling condition or intellectual ability. This includes actions or displays of an obscene nature, the wearing of clothing or adornments which themselves convey sexually suggestive messages, or any materials that are obscene or sexually suggestive. Cursing or violent abusive language that provides a breach of the peace is considered a Class 3 misdemeanor (**Code of Virginia §18.2-416**).

b. Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function or process of the school, is dangerous to the health or safety of students or others, or results in destruction of property. Noise, activity or possession of items including, but not limited to: toys, laser pointers, skateboards, radios, and unauthorized photographs and video records which disrupt the peaceful and normal operation of the school and/or which threaten the student's own safety or the safety and activities of others is forbidden. Violations may be cited for actions in any part of the building, on school grounds, on the school bus or at other

school activities.

c. *Elementary Schools* - To avoid disruption of the instructional process, students shall not display, use, or activate portable communication devices during the instructional day, during after-school activities or on the school bus. The instructional day is to include, but is not limited to, lunch breaks, class changes and other structured instructional activities that occur during the normal school day. Students must ensure that such devices are turned off and out of sight during the instructional day, during after-school activities and on the school bus. **Note:** *Certain instructional activities supported by portable communication devices or cell phones may occur during the school year. Use of such devices in opposition to the above-referenced instructions will be directly supervised by a teacher.*

Central High School - Cell phone, smartwatch, and ear bud (one ear, not both) usage is allowed in common areas to include the cafeteria and hallways. To avoid disruption of the instructional process, however, students shall not display, use, or activate portable communication devices or ear buds during instructional time. Students must ensure that such devices are turned off and out of sight during instructional time. Cell phones should not be used during the school day to photograph, record video, or record audio of students or staff. **Note:** *Certain instructional activities supported by portable communication devices or cell phones may occur during the school year. Use of such devices in opposition to the above-referenced instructions will be directly supervised by a teacher.*

d. Public Displays of Affection (PDA) – Students may be disciplined for kissing, touching, hugging and other public displays of affection.

8. Drug Violations

Students are forbidden to:

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

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

Second offense for being under the influence, possession, and/or use of Marijuana, Synthetic Cannabinoids,

Controlled Substances, Imitation Controlled Substances or Drug Paraphernalia: (a) a ten (10) day out-of-school suspension with a recommendation for expulsion.

9. Electronic Devices

The use of electronic devices that are deemed inappropriate in an educational setting is forbidden.

10. Extortion

Extortion is defined as unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat or eventual physical injury or other harm to that person or person's property. The use of threats, physical force or weapons for the purpose of obtaining money or possessions is forbidden.

11. Fighting/Altercation

Mutual participation in a fight or altercation involving physical violence or verbal abuse where there are no minor injuries is forbidden. Engaging in a physical fight, regardless of which participant is the aggressor, is defined as fighting. This includes luring others to a fight, instigating a fight, encouraging others to fight and/or cheering on a fight. Exceptions may result when the evidence clearly supports that a student is assaulted and then acted solely in self-defense after having made previous efforts to avoid such confrontations and/or reporting concerns to teaching or administrative staff.

12. Gambling

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

13. Gang Activity

A street gang is defined as any ongoing organization, association, or group of three (3) or more persons, whether formal or informal, that has as one of its primary objectives or activities to commit one (1) or more criminal or non criminal gang activities. Displaying articles of clothing that symbolize association, rituals, or activities identified by groups of students (**§18.2-46.1**). Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e. clothing that symbolizes association, hand gestures or signs, graffiti, rituals associated with, or activities by an identified group of students).

14. Harassment

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

15. Hazing

Committing an act or acts against a student or coercing a student to commit an act that creates risk of harm to a person in order to be initiated into groups such as, but not limited to, student organizations, athletic teams or classes is forbidden. Hazing is a Class 1 misdemeanor (**§18.2-56**).

16. Homicide

Causing the death of a student or staff member from the use of a firearm or other weapon is forbidden.

17. Inciting a Riot

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

18. Kidnapping

Unlawfully seizing, transporting, and/or detaining a person against his/her will, or a minor without the consent of his/her custodial parent(s) or legal guardian is forbidden. This includes hostage taking.

19. Other Violations

Conduct that is inappropriate for school, including, but not limited to, the following, is forbidden.

- a. Cheating – includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
- b. Plagiarism – includes the copying of the language, structure, ideas and/or thoughts of another and representing it as one's own original work.
- c. Falsification – includes the verbal or written statement of any untruth and/or the misrepresentation of person, official record or other document.
- d. Promotion of alcohol or other illegal substances – includes the promotion or display of the use of alcohol and/or other illegal substances through, but not limited to, clothing, jewelry, pictures, buttons, bumper stickers or other paraphernalia.
- e. Unauthorized sale, purchase or distribution of items – includes attempting to sell, purchase or distribute anything which is against school rules or not authorized by school personnel.
- f. Violation of the law/criminal charges - conduct which is a violation of the law on or off school grounds will be a violation of the law on school grounds. In accordance with Virginia Code Section 22.1-277.2:1, students can be disciplined and required to attend an alternative education program when criminally charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of Section 16.1-260 or who is found guilty or not innocent of an offense relating to the Commonwealth's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to **§16.1-260 (G)**. An additional consequence for the violation of this offense

will be the loss of the privilege to participate in extracurricular activities, including academic clubs, athletics, school dances or proms for sixty (60) school days.

Repeated violations and other conduct – include continual violations of the Conduct Code. In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise in violation of federal, state or local law.

20. Robbery

Taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or putting the victim in fear is forbidden. Restitution to the property owner may be required.

21. School Threat

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

22. Sexual Misconduct Offenses

Sexual misconduct is forbidden. Sexual offenses may include but are not limited to the following actions: Indecent Exposure- the uncovering of any personal or private area of one's body, including "mooning." Consensual Sex- any activities involving any act of consensual sex between two persons on school board property.

a. Sexual Harassment- unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct or communication of a sexual nature, including gender-based harassment. Sexual harassment shall be understood to be any action or statement which creates an intimidating, hostile or offensive school environment (i.e., exposure, gestures). All complaints of sexual harassment by a student, whether the alleged perpetrator is another student or an adult, will be handled in accordance with the school board's Procedure for Student Complaints of Sexual Harassment or Other Types of Discrimination.

b. Sexual Battery- any unwanted touching of a person's intimate areas or clothing covering such areas. Sexual battery includes, but is not limited to, an offensive or intentional threat, intimidation, deception or physical helplessness of sexual abuse.

c. Aggravated Assault – penetration without consent

d. Improper Physical Contact- any unwanted touching of a sexual nature that is offensive, undesirable, and/or unwanted.

e. Sexual Offense without Force- lewd behavior, indecent exposure that includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat. Consider age, developmentally appropriate behavior, and disability status before using this category.

23. Stalking

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

24. Technology Use Violations

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

- a. Unauthorized use of, revealing, sharing, or transferring any user password.
- b. Uploading or downloading unauthorized files including but not limited to: any instant messenger software and companion files, MP3 or other audio files, any video clips, files or full-length movies not approved for instructional use by a teacher.
- c. Accessing files using division hardware or network resources without a signed Network Services/Internet Acceptable Use Policy.
- d. Intentionally altering or damaging files, applications or standard hardware or network configuration settings.
- e. Intentionally introducing viruses or other destructive executables to computer or network resources.
- f. Unauthorized use of portable communication and/or privately-owned electronic devices.

25. Theft

The taking of the property of others without permission is forbidden. Restitution to the property owner may be required. Consult the Department of School Administration regarding reporting to law enforcement.

26. Threats Against Students and Staff

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

27. Tobacco/Electronic Cigarette/Vaporizer Pen Offenses

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

Note: The Dangers of Vaping and Tobacco use surgeon generals warning:

- (1) SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, and May Complicate Pregnancy.
- (2) SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
- (3) SURGEON GENERAL'S WARNING: Smoking By Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.
- (4) SURGEON GENERAL'S WARNING: Cigarette Smoke Contains Carbon Monoxide.

28. Trespassing

Entering or remaining on a public-school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension, or expulsion, or in an alternative education placement and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave is forbidden.

29. Vandalism

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

30. Weapons

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

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

- a. Handgun or pistol;
- b. Shotgun or rifle;
- c. Any item designed to expel a projectile or that may be readily converted or modified manufactured guns to expel a projectile by the action of an explosive device;
- d. Knife with blade of three inches or more;
- e. Any other item that will or is designed to expel a projectile by the action of an explosive. This includes firearms not mentioned previously (operable or in-operable, loaded or unloaded) such as, but not limited to, a zip or starter gun;
- f. Any item, instrument or object that is designed or may be readily converted to inflict harm on another person (i.e., chains, nunchucks, or Billy club);
- g. Pneumatic gun or rifle that is air powered (i.e., BB, paintball, or pellet gun);
- h. Any weapon that explodes or is designed to or may be readily converted to explode;
- i. Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion;
- j. Ammunition;
- k. Look-alikes;
- l. Any substance used as a weapon to include mace, tear gas, or pepper spray;
- m. Knife less than 3 inches, razor blades, box cutters, fireworks, firecrackers, stink bombs; and
- n. Taser or stun gun

Procedures for Dealing with Violations & Right of Appeal

Fair rules should not be unfairly enforced and must be enforced in accordance with existing laws and regulations

PROCEDURAL DUE PROCESS

No student may be punished for alleged violation of the student code of conduct without due process. All students are entitled to an oral or written notice of the charges, an explanation of the evidence and an opportunity to present his/her side of the story.

STUDENT RIGHT TO DUE PROCESS BEFORE ISSUANCE OF DISCIPLINARY SANCTIONS AND CONSEQUENCES

The principal, assistant principal, or designee shall meet with the student for the purpose of:

- Presenting oral or written notice of the reported code of conduct infraction,
- Giving an explanation of the evidence concerning the infraction report, and
- Giving the student an opportunity to present his/her side of the story.

In all circumstances, the process of questioning a student begins with considering the nature of the offense, whether it rises to the level of criminal activity, and the age/development of the student.

School officials have a direct responsibility for student behavior as well as school safety and security. That responsibility allows school officials the latitude to question students in an effort to maintain safe schools. Law enforcement officers should not be involved in questioning students as a part of routine school operations when no evidence suggests a crime has been committed. (Reference: 8 VAC 20-131-210)

ISSUANCE OF DISCIPLINARY SANCTIONS AND CONSEQUENCES

Upon completion of procedural due process and based on the nature of the violation, the principal, assistant principal, or designee may:

- Issue a school-based intervention (peer mediation, community service, teacher-student conference, etc.).
- Assign Alternative to Suspension (ATS): alternative setting for less than half of the instructional day.
- Assign In-school Suspension (ISS): alternative setting for half or the entire instructional day.
- Issue an Out-of-School Suspension (OSS): removal from school setting for one (1) to ten (10) instructional days.

PROCEDURES FOR OUT-OF-SCHOOL SUSPENSION

When a student is suspended, the principal or designee will make multiple efforts to contact and inform the parent or guardian by phone or by email. Parents and guardians are asked to ensure that contact information is correct. In addition, within one (1) school day, the principal or designee will send a notice to the parent/guardian containing the following information:

- A statement of the facts leading to the decision to suspend.
- The date and time when the student will be allowed to return to school.
- A statement of the parent's or student's right to have access to the student's records.

RE-ENTRY MEETING FOLLOWING AN OUT-OF- SCHOOL SUSPENSION

Following an out-of-school suspension, school officials will schedule a student re-entry meeting. In most cases, the meeting will include the student, school administrator, and school counselor. Parents/guardians may be required to attend the meeting if deemed appropriate by school-based staff. If requested by school officials, the parent/guardian is required to attend the re-entry conference regarding their behavior and/or conduct of concern.

APPEAL PROCESS FOR AN OUT-OF-SCHOOL SUSPENSION

A review of a short-term suspension may be requested in writing from the principal within five (5) days of the incident. Appeals should specifically address the reason the parent(s)/ guardian(s) disagree with the administrator's disciplinary decision. For example, the parent(s)/ guardian(s) believe there was an issue with the investigation process, an improper violation was cited, or inappropriate disciplinary consequences were rendered. During the appeal process, the student will serve the disciplinary consequences(s). If the original disciplinary disposition is overturned or reduced, the student disciplinary record will be amended and any academic impacts will be corrected.

The decision of the principal may be appealed to the superintendent or his designee in writing within five (5) days of the principal's decision. The decision of the superintendent or his designee is final.

A review of a long-term suspension may be requested of the superintendent or his designee in writing within five (5) days of the incident. Thereafter, the decision of the superintendent or his designee may be appealed further to the School Board in writing within five (5) days of receipt of the superintendent's decision. The School Board has the ability to increase or decrease the consequence.

STUDENTS WITH DISABILITIES (IEP or Section 504)

A student with a disability may be suspended for 10 days or less in accordance with the school division's suspension policies. The principal/designee is responsible for keeping a tally of the number of days of suspension received by each student with disabilities. Assignment to an In-School Suspension Program may count toward the ten-day suspension if the student does not receive the appropriate IEP services during the In-School Suspension period.

If further suspension occurs beyond the tenth day, a Manifestation Determination Review meeting must be held. If a pattern of misconduct is evident in the suspensions, a Manifestation Determination Meeting must be held in order to:

- review the student's current educational/behavioral situation and all available information
- discuss the misconduct which resulted in the suspension
- determine if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability, or
- determine if conduct in question was the direct result of King and Queen County Schools' failure to implement the Individualized Education Program.

If the committee determines that either of the last two statements apply, there is a manifestation and the student is not disciplined (except for any applicable 45 school day removal). The IEP or 504 may be reviewed and revised, and a Functional Behavior Analysis (FBA) and/or Behavior Intervention Plan (BIP) may be considered.

Manifestation Determination Meetings must be held within 10 days of the suspension decision. The case manager, who also schedules the meeting and notifies the participants, typically chairs Manifestation Determination Meetings. The following individuals are typically invited to the Manifestation Determination Meeting:

- special education administrator
- building principal/designee
- student's general education teacher
- student's special education teacher

- psychologist
- student's parents/guardians, and
- student, if appropriate

If the committee members find that the misconduct was a manifestation of the student's disability, the student may not be given a long-term suspension or expelled. If, on the other hand, the committee finds that the misconduct was not a manifestation of the disability, the student may be disciplined, just as if they were non-disabled.

Education services, however, may not be terminated. Students whose misconduct involves illegal drugs, weapons, or serious bodily injury to another person may be suspended for 45 school days to an alternate educational setting. Suspensions of longer than 10 days automatically require that a Manifestation Determination Meeting be held. For any student whose IEP specifies the handling of discipline, the IEP provisions will supersede this policy.

DISPOSITION DEFINITIONS

Student Conference: The first line of discipline is with the classroom teacher. Formal and informal conferences are held between the student and teacher. If problems become more serious, the administrator will hold a conference with the student in an attempt to improve behavior. Many times the student's counselor will also be included in the conference. Where appropriate, the student may be given a warning that a particular behavior is unacceptable and that repetition of such behavior could result in more severe consequences. Parents/guardians will not necessarily be contacted before administrators discuss an incident with students who are directly involved or who are witnesses.

Parent/Guardian Contact: The most effective person in dealing with student discipline problems is the parent/guardian. Teachers, counselors and administrators will contact parents/guardians by phone or letter in an effort to keep parents/guardians informed of student conduct.

School Conference with Parent/Guardian: Parents/ guardians are encouraged to set up an appointment with any teacher, counselor or administrator to discuss their student's progress or problems. In the case of a suspension, a parent/guardian may be asked to come to school to reinstate the student.

Confiscation: Any student's property, which disrupts the learning environment, will be removed from that student's possession.

Restitution: The replacement of or payment for property lost, damaged, destroyed or stolen will be required. The **Code of Virginia §22.1-280.4** provides that the School Board may take action against a student or the student's parent(s)/ guardian(s) for any actual loss, breakage, destruction or failure to return property.

Detention (before school, lunch, after school, Saturday): Detaining a student for disciplinary reasons during non-instructional time. Detention requires a student to spend additional time at school or denies a student access to a class or activity. This is a method of discipline that may be employed by any teacher or administrator to keep a student beyond school hours in the hope of correcting inappropriate behavior. Parents/ guardians must be notified, and detention generally should not exceed two (2) hours. Students may be assigned detention on Saturdays for a maximum of four (4) hours.

Loss of Privilege to Ride a School Bus: This is a method of discipline, which may be employed by an administrator in the hope of correcting inappropriate behavior on the school bus. Parents must be notified when their child will not be permitted to ride the bus. If bus privileges are denied, parents are responsible for providing transportation to and from school.

Social Probation and Loss of Privilege to Participate in Academic Clubs or Athletics: This is a method of discipline employed by administrators as a consequence for inappropriate behavior and for Level 2, 3 or 4 violations of the conduct code. Length of exclusion from extracurricular activities, including academic clubs,

graduation activities or athletic participation, may extend to the end of the academic year or longer.

Alternative to Suspension (ATS): ATS is a short-term removal from the classroom of less than one-half (1/2) school day that is not considered a suspension (ISS or OSS). During ATS, students will complete schoolwork in an isolated, supervised setting.

In-School Suspension (ISS): ISS is a short-term removal from the classroom of one-half (1/2) day or more. During ISS, students will attend school and complete schoolwork in an isolated, supervised setting. During this time, the student will be denied school privileges and participation in or attendance at school activities.

Short-Term Suspension of Students: A short-term suspension is any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten (10) days of school.

Making up Work: Students are responsible for the completion of their assignments and classwork during a short-term suspension. Students are allowed to make up all work and assignments, including, but not limited to, quizzes, research papers, essays, reports, projects, tests, and quarterly assessments for full credit.

Long-Term Suspension of Students: A long-term suspension is any disciplinary action whereby a student is not permitted to attend school for more than ten (10) school days but less than forty-six (46) calendar days. In accordance with state and federal regulations, students with disabilities who are suspended for greater than ten (10) days constitute a change in placement and requires a manifestation determination review (MDR).

A student under any out-of-school suspension is not to enter onto any KQPS property or bus in King and Queen County nor is he/she to participate in or attend a school-sponsored activity in which a King and Queen County school is utilized. To do so is considered trespassing. This includes King and Queen County Parks and Recreation activities occurring on School Division property.

Long-Term Suspension for Aggravating Circumstances: A long-term suspension may extend longer than forty-five (45) calendar days if a student's conduct represents aggravating circumstances, as defined by the Virginia Department of Education. Aggravating circumstances includes: (1) A student engaged in misconduct which caused serious harm (including, but not limited to, physical, emotional and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s) as determined by a threat assessment; or (2) A student's presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff or others in the school; or (3) A student engaged in a serious offense that is (a) persistent (repeated similar behaviors are documented on the student's disciplinary record) and (b) unresponsive to targeted interventions as documented on the student's disciplinary record. Long-term suspension of a student for more than forty-five (45) calendar days for aggravating circumstances can be applied by the division superintendent or the School Board.

EXPULSION

An expulsion is any disciplinary action imposed by the School Board whereby a student is not permitted to attend school within the School Division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

A student with a disability may be recommended for expulsion only after an IEP committee has determined through a MDR that the misconduct was not caused by, or directly and substantially related to, the student's disability.

EXPULSION OF STUDENTS UNDER CERTAIN CIRCUMSTANCES

In compliance with the federal Improving America's Schools Act of 1994 (Part F – Gun Free Schools Act of 1994) and the **CODE OF VIRGINIA §22.1-277.07**, the School Board shall expel from school attendance for a period of not less than one (1) year any student whom the School Board has determined, in accordance with the procedures set forth in this article, to have possessed a firearm on school property, or at school-sponsored activities as prohibited by **§18.2-308.1** of the **CODE OF VIRGINIA**; to have possessed a firearm or destructive device as defined in subsection E of the **CODE OF VIRGINIA**, a firearm muffler or firearm silencer, or a

pneumatic gun as defined in subsection E of **§15.2-915.4** of the **CODE OF VIRGINIA** on school property, or at school-sponsored activities. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate. The School Board may expel from school attendance for a period of not less than one (1) year any student whom the School Board has determined to have possessed a firearm in a vehicle on school property, or at school-sponsored activities in accordance with **§18.2-308.1** of the **CODE OF VIRGINIA**. Nothing in the **CODE OF VIRGINIA §22.1-2 77.07** shall be construed to require a student's expulsion regardless of the facts of the particular situation.

EXPULSION OF STUDENTS FOR CERTAIN DRUG OFFENSES

The School Board shall expel from school attendance any student whom the School Board has determined, in accordance with the procedures set forth in the **CODE OF VIRGINIA §22.1-277.08**, to have brought a controlled substance, imitation controlled substance, or marijuana as defined in **§18.2-247** onto school property or to school-sponsored activities. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate. Nothing in the Virginia code section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

DISCIPLINE/ADMINISTRATIVE HEARING

As defined by the Virginia Department of Education, a discipline hearing is an opportunity for a review of facts known about an alleged incident. It is an opportunity to learn more about the incident and to address any information that the parent/guardian or student believes is inaccurate. Discipline hearings are the only administrative avenue for exercising due process rights. If parents/guardians fail to take part in hearings, they may waive their opportunity to be heard and to appeal decisions they may disagree with. Discipline hearings are required for certain violations of the student code of conduct or can be initiated if a school principal makes a recommendation for long-term suspension or expulsion.

The hearing officer may make a decision at the end of the hearing or wait to send the decision in a written format. Per the **CODE OF VIRGINIA**, while the decision may be shared verbally, the hearing officer is required to send the final decision in writing.

A review of a 10-day or more suspension with a recommendation for long-term suspension, alternative placement, or possible expulsion may be conducted by the division superintendent or the hearing officer. During the hearing, an assessment of the facts will be completed regarding the recommendations made by the school's administrators. Thereafter, any recommendation for expulsion shall be forwarded to the School Board in accordance with the policies contained herein.

APPEAL PROCESS FOR LONG-TERM SUSPENSION ISSUED BY THE HEARING OFFICER

A review of a long-term suspension may be requested of the superintendent or his designee in writing within five (5) days of receipt of the hearing officer's written decision. Thereafter, the decision of the superintendent or his designee may be appealed further to the School Board in writing within five (5) days of receipt of the superintendent's decision. The School Board has the ability to increase or decrease the consequence.

RECOMMENDATIONS FOR POSSIBLE EXPULSIONS

All recommendations for expulsion require a formal hearing before members of the school board. Parents/guardians must receive written notice that a recommendation for expulsion has been made regarding a student. An administrative hearing will be held by the superintendent or his designee to further assess the recommendation made by the school principal prior to the recommendation for expulsion being forwarded to the School Board for formal action. A parent/guardian must receive written notice that the School Board will

thereafter consider expulsion. This notice will include the date, time, place of the hearing and the specific charges. The student and his/her parent/guardian (or a legal representative) has the right to call witnesses, question school officials, and present information on behalf of the student.

LAW ENFORCEMENT AND STUDENT CONDUCT

Law enforcement officials will be permitted to question students while they are under the authority of the school. The following provisions will be met:

- Parents or guardians will normally be notified of requests to interview students to allow parents to be present, unless otherwise requested by law enforcement.
- If the interview occurs at school, a school administrator may be present at the request of the student, parent/guardian or law enforcement. In these situations, the school administrator will serve in a supportive but non-advisory role.
- Information derived from questioning will be kept in strict confidence by school officials unless legal procedures will require otherwise.
- Students are not to be released into the custody of others without establishing the fact that the person assuming custody is the parent, legal guardian, a person designated by same, or law enforcement official.

SEARCHES AND SEIZURES

When enforcing this Code of Conduct, students and their property, including but not limited to, backpacks, purses, other containers, automobiles, lockers, and computers may be searched. Metal detectors, surveillance cameras, and detection dogs may be used on school property and at school-sponsored activities in order to maintain a safe and productive learning environment.

Lockers and other storage facilities are the property of the school board and are lent to the student for his/her use during school hours. School officials have the authority to open and inspect all storage spaces.

School officials also have the right to search any student and/or a student's personal effects (e.g., purse, book bag) when there is reasonable suspicion to believe that the student possesses an item which violates the law, school policies and regulations, or which may be harmful to the school or its students. Such searches will be conducted by the administration with another person present. In no event will strip-searches of students be conducted.

The school administration has the authority to conduct routine patrols of student parking lots. Automobiles on school property are subject to search whenever a school administrator has reasonable suspicion to believe that illegal or unauthorized materials are contained in or on an automobile.

Random searches may be conducted on school property using metal detectors or dogs capable of detecting drugs, bombs and firearms. These searches may be conducted by school administrators or by law enforcement officers in coordination with school administrators. Canines shall not be used to search students.

Weapons of any nature on school property or at school functions are prohibited by policy and state law. The school administration has the authority to use stationary or mobile metal detectors to ensure that weapons and other dangerous objects are not brought onto school property or to school-sponsored functions. School authorities may seize any illegal, unauthorized or contraband items or materials discovered on school grounds. Illegal or contraband materials shall be turned over to the proper legal authorities for ultimate disposal.

VOLUNTARY SURRENDER OF INAPPROPRIATE ITEMS

If a student discovers something in his or her possession which is not permitted at school, that student should immediately report it to an administrator or other staff. Staff responsible for initiating follow-up action shall take into account that the student voluntarily brought the matter to the attention of the staff.

Appendices

Appendix A - School Board Policy GBA/JFHA Prohibition against Harassment and Retaliation

I. POLICY STATEMENT

The King and Queen County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the school board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The King and Queen County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

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

The school division shall: (1) promptly investigate all complaints, written or verbal, of harassments based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. DEFINITIONS

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;
- Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- Conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment

(i.e., the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

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

- Unwelcome sexual physical contact;
- Unwelcome ongoing or repeated sexual flirtation or propositions, or remarks;
- Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions;
- Graphic comments about an individual's body;
- Sexual jokes, notes, stories, drawings, gestures or pictures;
- Spreading sexual rumors;
- Touching an individual's body or clothes in a sexual way;
- Displaying sexual objects, pictures, cartoons or posters;
- Impeding or blocking movement in a sexually intimidating manner;
- Sexual violence;
- Display of written materials, pictures, or electronic images; and,
- Unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct:

- Creates an intimidating, hostile or offensive working or educational environment;
- Substantially or unreasonably interferes with an individual's work or education; or
- Otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

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

- Graffiti containing racially offensive language
- Name calling, jokes or rumors
- Physical acts of aggression against a person or his property because of that person's race, national origin, disability, or religion
- Hostile acts which are based on another's race, national origin, religion or disability
- Written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

C. Additional Prohibited Behavior

Behavior that is not unlawful or does not rise to the level of illegal harassment or retaliation may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation.

The King and Queen County School Division expects its entire staff, including the division superintendent, the school board, teachers, other school board employees, employees of virtual school programs, school volunteers who work with or in its schools ("division personnel") and other vendors providing services to the division and/or students, to set examples for students in terms of appropriate conduct and behavior.

Students are best served by a school climate that is both welcoming and professional with very clear standards of conduct. All adults in the division share the responsibility in creating a safe learning and teaching environment that is free from adult misconduct including adult sexual misconduct.

The protection of students from such misconduct is a division priority and it is the obligation of all division personnel to observe boundaries governing interaction and communication with students. The division demonstrates its commitment to protecting students from sexual abuse and misconduct through:

- Strict compliance with all state laws and regulation related to the screening of prospective employees for the conviction of barrier crimes and founded cases of child abuse and neglect;
- The development, effective implementation, training and education relating to and enforcement clear and reasonable policies governing the interaction of students and division personnel;
- The establishment of channels of reporting by students and parents of suspected misconduct and abuse, and the prompt notification of law enforcement when criminal activity is alleged or suspected;
- Disclosure of formal reprimands and dismissals for violating division policies on sexual misconduct and abuse prevention to school divisions seeking references; and
- Strict compliance with all state laws and regulations related to reporting to the Virginia Department of Education of resignations and dismissals of licensed employees related to convictions of barrier crime and founded cases of abuse.

Adherence to division policy on student—Division personnel interactions not only creates a safe and healthy environment for students, it also serves to protect division personnel from false accusations and accusations based on misunderstandings.

This policy expands upon, and is established in addition to, the division policy on the prevention of unlawful harassment.

The division superintendent shall take appropriate steps to implement and oversee this policy by promulgating and implementing regulations which address:

- Communication between division personnel and students;
- Physical contact between division personnel and students;
- Social interaction between division personnel and students;
- Training relating to and dissemination of this policy;
- Reporting of suspected misconduct or abuse; and
- Such other topics may be necessary for the implementation of the provisions of this Policy.

III. COMPLAINT PROCEDURE

A. Formal Procedure

1. File Report

Any student or division personnel who believes he or she has been the victim of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the compliance officers designed in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the compliance officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the compliance officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the compliance officers designated in this policy. The principal shall immediately forward any report of the alleged prohibited harassment to the compliance officer. Any complaint that involves the compliance officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited harassment, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than thirty (30) school days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the compliance officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the compliance officer determines that more than thirty (30) school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser, and any other who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation. In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case-by-case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The compliance officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the division superintendent, then the report shall be sent to the

school board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any. All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within ten (10) school days of receiving the compliance officer's report, the division superintendent or designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the King and Queen County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or designee determines that prohibited harassment occurred, the superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal

If the superintendent or designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the school board within five (5) school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the school board. The school board shall make a decision within thirty (30) calendar days of receiving the record. The school board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the school board deems relevant. Written notice of the school board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through relevant employee grievance procedures instead of the complaint procedure in this policy.

IV. COMPLIANCE OFFICER

The King and Queen County School Board has designated the division's human resources officer as the compliance officer responsible for identifying, investigating, preventing and remediating prohibited harassment. Complaints of harassment may also be made to the alternate compliance officer, the division's chief operations officer.

The compliance officer shall:

- Receive reports or complaints of harassment;
- Conduct or oversee the investigation of any alleged harassment;
- Assess the training needs of the school division in connection with this policy;
- Arrange necessary training to achieve compliance with this policy; and
- Ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, and has the authority to protect the alleged victim and others during the investigation.

B. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator. If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the formal procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

V. RETALIATION

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

VI. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURE

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

VII. PREVENTION AND NOTICE OF POLICY

Training to prevent harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information should be included in employee and student orientations as well as employee in-service training.

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

VIII. FALSE CHARGES

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

ADOPTED: January 27, 2014

REVISED: January 22, 2018; May 21, 2018; May 18, 2020

LEGAL REFERENCES: 20 U.S.C. §§ 1681-1688; 29 U.S.C. §794; 42 U.S.C. §§ 2000d-2000d-7; 42 U.S.C. §§ 2000e-2000e-17; 42 U.S.C. § 2000ff-1; 34 C.F.R. 106.9; Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902

CROSS REFERENCES: AC Nondiscrimination; GB Equal Employment Opportunity/Nondiscrimination; GBA-F/JFHA-F Report of Harassment; GBM Professional Staff Grievances; JB Equal Educational Opportunities/Nondiscrimination; JFC Student Conduct; GCPD Professional Staff Discipline; JHG Child Abuse and Neglect Reporting

Appendix B - School Board Policy GB-F/JFHA-F Report of Harassment

Name of complainant:		
For students, school attending:		
For employees, position and location:		
Address:	Phone number:	Email:
Date(s) of alleged incident(s) of harassment:		
Name of person(s) you believe harassed you or others:		
If the alleged harassment was toward another, please identify that person:		
<p>Describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Note any witnesses that may have observed the incident(s). Include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.</p>		
I certify that the information provided in this report is true, correct, and complete to the best of my knowledge:		
Signature of complainant:	Date:	
Complaint received by:	Date:	
<p>ADOPTED: January 27, 2014 RESTATEMENT: January 22, 2018 LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.1 © 10/12 VSBA</p>		

Appendix C - Acceptable Computer Use

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the division's computer system must be (1) in support of education and/or research, or (2) for legitimate division business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy and the Technology Use Guidelines established by the superintendent.

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. The superintendent is also responsible for reviewing and updating, as necessary, the Guidelines at least every two years. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

- (1) a prohibition against use 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 Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b. obscenity as defined by Va. 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 Va. 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 requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;
- (8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- (9) a component of internet safety for students that is integrated in the division’s instructional program.

Use of the school division’s computer system must 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.

Users of the division’s computer system have no expectation of privacy for use of the division’s resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division’s computer system without the prior approval of the superintendent or superintendent’s designee.

The failure of any user to follow the terms of this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damages relating to or arising out of any violation of this policy or the Technology Use Guidelines.

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 is not responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board reviews and amends, if necessary, this policy every two years.

School Board Policy File: GAB/IIBEA

Adopted: 4/23

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78.

Cross Refs.: ECAB
EGAA
GBA/JHFA
GCPD
GCQB
JFC

Vandalism
Reproduction and Use of Copyrighted Materials
Prohibition Against Harassment and Retaliation
Professional Staff Discipline
Staff Research and Publishing
Student Conduct

KQPS Code of Conduct Family Acknowledgement Form

Parents/guardians and students are required to acknowledge that they have received the King and Queen County Public Schools Student Code of Conduct and have reviewed and discussed it with their children.

This acknowledgement should be completed digitally using Ecollect in the KQPS Parent Portal no later than August 2024 or within one week of enrollment in KQPS.

Please be advised that by digitally signing this form, you do not waive any of your rights. Under Virginia law, parents, in signing the acknowledgement, expressly reserve rights protected by the constitutions of the laws of the United States and the Commonwealth of Virginia. Furthermore, a parent/guardian has the right to express disagreement with a school's or the King and Queen County School Division's policy or decision, despite having acknowledged reading and discussing the Handbook.

PARENT PORTAL LOGIN INFORMATION (web browser)

- To access KQPS Ecollect Forms to go: <http://kqps.powerschool.com/public>
- If you already have a current Parent Portal account, use that account information that you have used in prior years. If you do not, an Access ID and Access Password will be provided to you to create a new account.
- Once you receive your Access ID and Password, go to the website address and click on the tab, "Create Account." Enter all the required information. Then enter the student's name, Access ID, Access Password, and select your relationship to the student from the drop-down menu. After you have completed this one-time process, you will log in under the "Sign In" tab.
- Once you have logged in, in order to access your student's forms, on the main Parent Portal screen click the "Ecollect Forms" button on the left. There will be a list of forms as well as their submission status. Once a form is submitted, school staff will be notified.
- If using the Parent Portal App, you will need to input the District Code during the login process: NGXM

If you have difficulty accessing Parent Portal or completing the form, please contact your student's school.

If you require a [paper copy of the Code of Conduct Acknowledgement Form](#), please contact the front office of your school.