

Buckingham County Public Schools

Code of Conduct 2023-2024 Grades PreK-12



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The mission of Buckingham County Public Schools is to cultivate successful citizens by creating a safe, positive learning environment where all students and staff can adapt, create, collaborate, think critically and meet the challenges of an ever-changing society.

July 2023

Code of Student Conduct

PREFACE

The purpose of this publication is to provide students, parents/guardians, school personnel, and the community with a concise and comprehensive description of the minimum standards of behavior for all students enrolled in the public schools of Buckingham County. It defines appropriate student conduct and presents a menu of alternatives to be employed by school administrators to address individuals who exhibit inappropriate behavior.

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

The superintendent shall issue Standards of Student Conduct, and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights. The Standards of Student Conduct, a notice of the requirements of section 22.1-279.3 of the Code of Virginia, 1950, as amended, and a copy of the compulsory school attendance law shall be sent to all parents/guardians within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parents/guardian's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents/guardians shall be notified that by signing the statement of receipt, parents/guardians are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school shall maintain records of the signed statements. Section 22.1-279.4 of the Code of Virginia states: School Boards shall provide information developed by the office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes. Methods of providing such information may include, but not be limited to, public announcements in the schools, written notification to parents/guardians, publication in the student conduct manual, and inclusion in those materials distributed to parents/guardians pursuant to § 22.1-279.3.

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

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

All parents/guardians are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents/guardians are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents/guardians' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

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

The principal or his/her designee shall notify the parents/guardians of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education.

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

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

The Code of Student Conduct applies to all BCPS students. Students are subject to corrective action for any misconduct that occurs:

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school;
- off school property conduct that may endanger the health or safety of students within the school district or adversely affect the educative process. Examples of off-campus misconduct subject to discipline include, but are not limited to: illegal activity, threats of violence, alcohol use, fighting, hazing, drug possession or sales, firearm possession, violent offenses, robbery, burglary, arson and sexual assaults. Students may be subject to the full range of disciplinary penalties for off-campus misconduct; and
- off school property, when the acts lead to: (1) an adjudication of delinquency pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260 or (2) a charge that would be a felony if committed by an adult.

This *Code* also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in this *Code* are expected to report such incidents to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

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

- possession or use of alcohol, illegal drugs, including marijuana, synthetic cannabinoids as defined in VA Code 18.2-248.1:1, and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;

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

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the Superintendent or his/her designee. Further, any student who has been found to be in possession of, or under the influence of, drugs or alcohol on school property or at a school sponsored activity may be required to:

1. undergo evaluation for drug or alcohol abuse and
2. participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

The principal of each school shall collect and maintain information on the above listed acts which occur on school property, on a school bus, or a school sponsored event.

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

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

This *Code of Student Conduct* specifically outlines 15 (fifteen) major categories of behavior and states consequences which may occur as a result of misconduct. It is stressed that the descriptions include minimum expectations and in determining dispositions for a specific action, the student's past history will be considered.

When enforcing this *Code*, students and their property, including but not limited to, backpacks, purses, other containers, automobiles, lockers, desks, 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. Search and seizure is defined in more detail in the definition section of this Code.

Procedures for Questioning of Students by Third Parties

Principals are to allow a child protective services worker with proper identification to interview a student who is an alleged victim of abuse and/or neglect. A private setting should be provided. Parental notification is the responsibility of the Department of Social Services and should not be done by school personnel.

Law enforcement officers may question students who are witnesses to a crime or victims of a crime during the school day, on school grounds, without the permission of the parents or guardian, provided that the law enforcement officer ascertains that the student is capable of consenting to, and the student does consent to, the interview. Student consent is not necessary when a law enforcement officer has a warrant for the arrest of a student.

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When a law enforcement officer makes contact with, or is contacted by, the school principal or his or her designee concerning the questioning of a student as a witness or victim, the following procedures should be followed:

1. The principal shall make an attempt to contact the parent or guardian of the student.
2. The student shall be called or escorted to the office by the principal. Under dangerous circumstances, the principal may ask the law enforcement officer to accompany him or her to the classroom to escort the student to the office.
3. A private place shall be provided for the conference/interview. The parent, child and/or law enforcement officer may request that a staff member be present as an observer while the student is being questioned.
4. If the law enforcement officer removes the student from the school grounds, the principal shall contact the parent or guardian of the student and the division superintendent's office immediately.

When an incident occurs on school grounds during the school day that is potentially a crime under the law of Virginia, the principal should contact the local law enforcement office immediately. The law enforcement office will follow all appropriate legal procedures in terms of advising students of their rights and conduct a thorough investigation. The principal should follow applicable School Board policy according to the Code of Student Conduct in determining the involvement of a student or students in the incident and the type of disciplinary action to be taken on the part of the school.

It is recognized that certain misconduct that may constitute just cause for suspension or expulsion may also constitute probable cause that a state or federal law has been violated. A principal shall impose penalties provided by School Board policy for misconduct and shall seek through the appropriate legal means criminal adjudication of the misconduct.

School administration and law enforcement officials will make every effort to work cooperatively with the least possible disruption to either the schools or the local law enforcement office.

The School Board of Buckingham 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 designee is responsible for the coordination of compliance with these provisions. The School Board Office is located at 15595 West James Anderson Hwy. Buckingham, Virginia, 23921.

Behavior Interventions and Responses

Behavior modification is a useful tool for staff and parents in helping students to change an undesired behavior in order to start a desired behavior. While supporting students who exhibit undesired behavior, Buckingham County Public Schools considers the ABC's of behavior in an effort to provide the student with Positive Behavior Interventions and Supports. The ABCs of behavior are:

- Antecedent - what is triggering or going on prior to the behavior?
- Behavior - what behavior is actually occurring?
- Consequences - what consequence or event is occurring following the behavior?

The PBIS philosophy of Buckingham County Public Schools is based on the premise that student behavior can be changed by focusing on the positives. BCPS staff are encouraged to reduce negative behavior by using positive reinforcement; which can be done by employing appropriate interventions and responses. The strategies and interventions that are implemented in BCPS are based on information from collected data and should decrease the number of negative behavior incidents through prevention.

On page 95, there is a list of some interventions and responses that are available to students, as well as, examples of interventions that may be implemented to support students who are exhibiting behaviors that violate this Code of Student Conduct.

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INTERVENTIONS & RESPONSES

The list below is neither exclusive nor all-encompassing, but reflective of the range of options available and utilized in changing student behavior.

Apology/ Restitution: Student makes amends for negative actions by taking responsibility to correct the problem created by the behavior through verbal or written declaration of remorse.

FBA/BIP: Functional Behavioral Assessment to determine the root causes of student behavior followed by a Behavior Intervention Plan to address those root causes and outline clear, measurable action steps for teaching alternative behaviors.

Check In/Check Out: Daily contact with an assigned adult on campus. Student should see the adult before school starts each day as well as at the end of the day.

Conference with Parent/Guardian: Teacher communicates with student's parents/guardians by phone, email, written notes, or in person about behavior.

Conference with Student: Private time with a student to discuss behavior interventions/ solutions. This can include direct instruction in or modeling of expected or desirable behaviors.

Corrective Assignment/Restitution: Student completes a task that compensates for the negative action and triggers a desire not to revisit the negative behavior. (i.e., clean- up, helping another person).

Daily Progress Sheet: Teacher documents student behaviors daily on pre-determined format which includes both positive and corrective notation.

In-School Suspension (ISS): Required attendance for a monitored period of time, during school hours. ISS may be assigned during a period, day, or multiple days. Recess should not be utilized except in special situations.

Home/School Plan: Parents/guardians and teacher agree on a consistent approach. The plan should be consistent, emphasizing teaching and rewarding of appropriate behaviors and shared with the student by the teacher and parents.

In-Class Separation from Peers: Predetermined consequence for breaking classroom rules of short duration (five minutes or less, usually separated from group, but remains in class) or brief withdrawal of attention and other reinforces (a time for student to reflect on his or her action).

Mentoring: An agreed-upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a role model.

Morning Meeting: Regularly scheduled structured class meeting to build student social skills and develop relationship under guided leadership from the teacher.

Privilege Loss: Incentives given for positive behavior are lost, (i.e., five minutes off computer time).

Reflective Assignment: Help student realize why his/her misbehavior was wrong by asking him/her to compose a reflective essay.

Teach/Re-Teach Model: Teach and model behavioral expectation that students are having difficulty with adherence.

Student Behavior and Administrative Response (SBAR)

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents, and counselors of students' social-emotional learning and emphasize the importance of helping students achieve academically and behaviorally.

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

(BSO) Behaviors Related to School Operations: These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social-awareness skills.

(RB) Relationship Behaviors: These behaviors create a negative relationship between two (2) or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.

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

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

Levels of Interventions and Responses

Levels of Interventions and Responses offer school administrators guidance when determining the appropriate interventions, supports, and/or responses for student misconduct. Each level represents the maximum consequence permitted for specific code violations; however, depending on the circumstances, administrators may provide an intervention, support, or consequence from a lesser category.

Please note for levels 3, 4, & 5: Elementary students (PK-3rd grade) may not be suspended for more than three (3) school days or expelled from attendance at school unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or his/her designee finds that aggravating circumstances exist, as defined by the Department of Education.

Level 1:

Interventions and Responses at this level are designed to help improve student behavior in the classroom and/or school. If these interventions are successfully implemented, a referral to the school administrator may not be necessary. However, documentation will be required. These responses are intended to prevent further behavioral issues while keeping the student in school. Violations under this level/category shall result in classroom supports, interventions, or minor consequences (ISS/RISE) for one (1) to two (2) days.

Level 2:

Interventions and Responses at this level are designed to prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom and/or school may be appropriate. Violations under this level/category shall result in classroom supports, interventions, or minor consequences (ISS/RISE) for one (1) to three (3) days.

Level 3:

Interventions and Responses at this level may result in the student's short-term suspension between one (1) and five (5) days.

Level 4:

Interventions and Responses at this level may require a short-term suspension, or a long-term suspension hearing with the Discipline Hearing Officer. Violations under this category may result in a suspension between one (1) and 45 days. The long-term suspension may extend beyond a 45-school-day period, if the division superintendent or his/her designee finds that (i) the offense involves a firearm or destructive device, firearm muffler or firearm silencer, a pneumatic gun, drugs, or serious bodily injury or (ii) the local school board or the division superintendent or his/her designee finds that aggravating circumstances exist, as defined by the Department of Education.

Level 5:

Interventions and Responses at this level shall require a recommendation for expulsion hearing.

Levels of Interventions and Responses

These interventions aim to teach appropriate and alternative behavior, so students can learn and demonstrate safe and respectful behavior. The examples below are neither all-inclusive nor required to be exhausted. In every case the staff should consider revisions to plans supporting students with special needs (Response to Intervention, Child Study, IEP or 504). In appropriate cases, staff should refer the student to the Child Find team if they suspect the student has a disability and has not been identified as such.

Level 1	Examples of Classroom Interventions and Responses Teachers are encouraged to try a variety of teaching and classroom management strategies.	
	<ul style="list-style-type: none"> • Re-teach or model the desired behavior • Recognize/Reward appropriate behavior • Establish relationships with students • Pair or group students into positive peer groups • Written reflection or letter of apology • Peer mediation or conflict resolution • Behavior progress chart • Verbal correction • Establish buddy teacher system • Seat change 	<ul style="list-style-type: none"> • Loss of school privileges • Confiscation by the administration • Administrator/Teacher/Parent/Guardian conference • In-school suspension with behavioral instruction and academic support one (1) or two (2) days • Parent/Teacher conference • Lunch detention
	Examples of Student Support Team Interventions and Responses These interventions often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and change the conditions that contribute to the student's inappropriate or disruptive behavior.	
	<ul style="list-style-type: none"> • Parent or guardian notification • Referral to after-school program • Community service • Mentoring program • Conflict resolution • Peer mentoring • In-school suspension w/restorative practices 	<ul style="list-style-type: none"> • Referral to school-based health clinic • Referral to community resources • Develop behavioral contract • Conduct Functional Behavioral Assessment • Behavior Intervention Plan (FBA/BIP)
Level 2	Examples of Administrative Interventions and Responses These interventions involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. These interventions may involve the short-term removal of a student from the classroom environment because of the severity of the behavior.	
	<ul style="list-style-type: none"> • Parent or guardian notification • Student conference • Administrator/Teacher/Parent conference • Mediation or conflict resolution • Temporary loss of privileges • Mentoring 	<ul style="list-style-type: none"> • Schedule change • Referral for community-based services • Confiscation by the administration • In-school suspension with behavioral interventions and/or restorative practices - one (1) to three (3) days

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Level 3	Examples of Suspension and Responses These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior. The duration of any short-term suspension is to be limited as much as possible while adequately addressing the behavior but may not exceed five (5) school days (may not exceed 3 days for PK-3).	
	<ul style="list-style-type: none"> • Parent or guardian notification by administrator • Short-term suspension (1 to 5 days) • Develop Behavior Support Plan • Referral to appropriate community-based agency, mental health services, substance abuse counseling services, etc. 	<ul style="list-style-type: none"> • Referral to substance abuse counseling • Referral to community resources • Referral to alternative program • Behavior contract (developed with and signed by the student, parent/guardian, and school officials)
Level 4	Example of Extended Suspension and Responses These interventions involve the removal of a student from the school environment because of the severity and/or frequency of the behavior(s). They may involve the placement of the student in a safe environment that provides additional structure to address behavior. These interventions focus on monitoring the safety of the school community and ending self-destructive and dangerous behavior. Short-term suspension within this category is reserved for 1-10 days and may not exceed 10 consecutive days (may not exceed 3 days for PK-3).	
	<ul style="list-style-type: none"> • Parent or guardian notification by administrator • Alternative education placement • Develop Behavior Support Plan • Threat Assessment as indicated by the behavior • Referral to law enforcement as required • Long-term revocation of privileges 	<ul style="list-style-type: none"> • Schedule change • Referral for community-based services • Confiscation by the administration • In-school suspension with behavioral interventions and/or restorative practices - one (1) to three (3) days
Level 5	Referral to School Board for Expulsion Hearing	
	<ul style="list-style-type: none"> • Parent or guardian notification by administrator • Threat Assessment as indicated by the behavior • Referral to law enforcement as required • Referral to Director of Student Services • Alternative placement 	<ul style="list-style-type: none"> • Expulsion • Additional supports may be provided throughout the expulsion period.

Note: Elementary students (PK-3rd grade) may not be suspended for more than three (3) school days or expelled from attendance at school unless (i) the offense involves physical harm or credible threat of physical harm to others, or (ii) the local School Board or the Division Superintendent or his/her designee finds aggravating circumstances exist, as defined by the Department of Education.

Restorative practices will be implemented as deemed appropriate, and Intervention plans developed, reviewed and/or modified, on an as-needed basis. Restorative practices can be a part of a school-wide approach to remedy unwanted student behavior. Restorative practices involve the intentional intervention on the part of school staff to address and repair harm caused by a violation of the Code of Student Conduct.

Attendance

I. Student Attendance Policy (*Pursuant to Policy JED*)

Student attendance is a cooperative effort and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

Parents of students who are absent must inform the school of the reason for the absence no later than upon the student's return to school. Absences are excused for the following reasons: funeral, illness (including mental health and substance abuse illnesses), injury, legal obligations, medical procedures, suspensions, expulsions, religious observances, and military obligation.

The superintendent, by regulation, establishes procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence, would not be an excused absence.

The superintendent's regulations include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which the student missed by reason of such absence, if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless excused by the principal or principal's designee. High school students may spend school days each academic year participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

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

II. Compulsory Attendance Procedures

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation.

School staff records the student's absence for each day as "excused" or "unexcused". Early intervention with the student and parent or parents takes place for repeated unexcused absences.

A. Upon Fifth Absence Without Parental Awareness and Support

If (1) a Student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the Student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the Student's absence and to explain to the parent the consequences of continued nonattendance. The school principal or principal's designee, the Student, and the Student's parent shall jointly develop a plan to resolve the Student's nonattendance. Such plan shall include documentation of the reasons for the Student's nonattendance.

B.Upon Additional Absences Without Parental Awareness and Support

If the Student is absent for more than one additional day after direct contact with the Student's parent and school personnel have received no indication that the Student's parent is aware of and supports the Student's absence, the school principal or principal's designee shall schedule a conference with the Student, the Student's parent and school personnel. Such conference may include the attendance officer and other community service providers to resolve issues related to the Student's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the Student, regardless of whether his parent approves of the conference. The conference team shall monitor the Student's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the Student is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall make a referral to the attendance officer. The attendance officer shall schedule a conference with the Student and Student's parent within 10 school days and may (i) file a complaint with the juvenile and domestic relations district court alleging the Student is a child in need of supervision as defined in Va. Code § 16.1-228 or (ii) institute proceedings against the parent pursuant to Va. Code § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this policy. In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Report for Suspension of Driver's License

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

III. Attendance Reporting

Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public school principal reports to the superintendent the number of Students by grade level for whom a conference was scheduled pursuant to Part II (B) above. The superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.

IV. Dismissal Precautions

Principals do not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the Student. Students are released only on request and authorization of parent or guardian. The superintendent establishes procedures for release of students who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system is maintained in each school.

Elementary & Secondary Code Violations:

- BAP4/Level 1 or 2:** Excessive Tardiness and/or Absences
- BAP5/Level 1 or 2:** Truancy
- BSC24/Level 1 or 2:** Leaving Without Permission

Chemical Abuse

(Alcohol, Drugs/Illegal Substances, and/or Drug Paraphernalia)

Each student has the right to learn in an environment free of drugs and alcohol. **Alcohol and other drugs not prescribed for the student are prohibited.** A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, marijuana, vapes, or other drugs on school property, on school buses, or during school activities, on or off school property.

Chemical Abuse: possessing, which includes bringing substances onto school property or to a school-sponsored event; using, or having evidence of prior use of illegal chemicals, alcohol, look- alike/imitation drugs, chemicals and alcohol, anabolic steroids, inhalants, any drug not prescribed for the student by a physician, or any substance represented as a drug; theft or attempted theft of student prescription medications, OR possession or use of drug paraphernalia. **Chemical Abuse also encompasses manufacturing, distribution, and intent to distribute, which includes sale, gift, sharing, and taking orders for or arranging for a sale before, during, or after school.**

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

Procedures for handling chemical abuse violations

I. Possession: Possession, Use, or Evidence of Prior Use of Alcohol or Drugs; Possession or Use of Drug Paraphernalia.

Circumstances may warrant a recommendation for expulsion; however, the following dispositions will apply:

First Offense Disposition

Report the incident to the Sheriff's Department, Superintendent or designee.

- A minimum out-of-school suspension of 3 school days is mandatory.*

Second Offense Disposition

In addition to any of the penalties described under possession, the following will be implemented:

1. A minimum out-of-school suspension of 5 school days is mandatory.
2. If a student has an illegal substance in a motor vehicle, parking permit privileges will be revoked for 30 school days. A 30 school day exclusion from all extracurricular activities is mandatory.

Subsequent Offense Disposition

In addition to any of the penalties described under possession, the following will be implemented:

1. A minimum out-of-school suspension of 10 school days is mandatory.
2. The parents may enroll the student in community drug counseling program of their choice and sign permission to share information between school and program. If the student successfully completes the Program, any suspension IN EXCESS OF 10 SCHOOL DAYS may be waived. This option may only be used once during a student's school career.
3. Report to Sheriff Department
4. Referral to Superintendent or designee
5. RECOMMENDATION FOR EXPULSION TO THE SCHOOL BOARD

II. Distribution, Bringing onto School Property, or to a School-Sponsored Event

Manufacturing, Distribution, Intent to Distribute or Bringing onto School Property or to a School-sponsored Event, any of the following: Alcohol, Drugs, Chemicals or Look-Alike/Imitation Drugs or Chemicals (whether sale, gift, sharing, or taking orders for or arranging for a sale before, during, or after school)

Disposition

In addition to any of the penalties described under possession, the following will be implemented:

1. Report to Sheriff's Department
2. Referral to Superintendent or designee
3. RECOMMENDATION FOR EXPULSION TO THE SCHOOL BOARD

Students with Disabilities

- A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA will be followed in addition to the regular disciplinary procedures.
- B. Additional authority to remove a student with a disability from school for a drug violation. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

Prescription Medications & Non Prescription Medications

See Section 6 of Parent/Student Handbook – Health - “Medicines At School” - Pages 64-65.

Violation of this policy may result in the following disciplinary action.

(Any medication that is not picked up by the last day of school will be destroyed.)

Elementary & Secondary Code Violations**A. Alcohol****Use/Possession of Alcohol**

BSC1/Level 3: Alcohol Use

BSC1/Level 2: Alcohol Possession

Possession with Intent to Sell or Distribute

BSC3/Level 3: Alcohol Sales/Distribution

B. Drugs**1. Possession/Use**

BESO7/Level 3: Schedule I & II Drug Use (e.g., heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, Adderall®, Hydrocodone®, Percocet®, Ritalin®, Oxycontin®, etc. including controlled substance analogs and cannabimimetic agents)

BESO5/Level 3: Schedule I & II Drug Possession (includes controlled substance analogs and cannabimimetic agents)

BESO5/Level 2: Synthetic Marijuana Use or Possession

BESO7/Level 3: Marijuana Use

BESO5: Marijuana Possession

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BSC3/Level 2: Other Drug or Paraphernalia Possession (includes cannabimimetic agents)

BESO5/Level 2: Possession of Inhalants

BESO7/Level 3: Use of Inhalants

BSC4/Level 2: Substances Represented as Drugs (Look-alikes)

BESO5/Level 3: Anabolic Steroid/Use and Possession

2. Possession with Intent to Sell or Distribute

BESO8/Level 5: Schedule I & II Drug Sale/Distribution

BESO8/Level 5: Synthetic Marijuana Distribution and Sale

BESO8/Level 4 or 5: Over-the-Counter/Prescription Medication/Sale/Distribution

BESO8/Level 5: Marijuana Sale/Distribution

BESO8/Level 5: Other Drug Sale/Distribution (includes cannabimimetic agents)

BESO8/Level 4: Substances Represented as Drugs (Look-Alikes)

BESO8/Level 5: Anabolic Steroid Sale/Distribution

BESO8/Level 5: Drug violations of prescription drugs, theft, or attempted theft of prescription drugs

3. Possession or use of Medication and Prescription Drugs

BSC4/Level 3: Over-the-Counter Medication Use

BSC4/Level 3: Over-the-Counter Medication Possession

BSC4/Level 3: Drug violations of prescription drugs, theft, or attempted theft of prescription drugs

Tobacco Products & Nicotine Vapor

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity. In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Elementary & Secondary Code Violations

BSC5/Level 2 or 3: Tobacco Use

BSC5/Level 2 or 3: Tobacco Possession

BSC5/Level 3 or 4: Tobacco Sales/Distribution

BSC5/Level 2 or 3: Bringing Tobacco Paraphernalia to School or School Event

Dangerous objects, firearms, explosives, arson, bomb threats

Each student has the right to learn in a safe environment with others who respect his/her well-being. Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. The following categories are considered extremely serious violations which threaten a suitable and secure learning environment:

- I. The possession of dangerous objects is prohibited. Dangerous objects include, but are not limited to, bullets, machetes, brass knuckles, razors, switchblades, knives, Chinese stars, mace, laser pointers, firecrackers, fireworks, stink bombs, any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, slingshots, spring sticks, brass or metal knuckles, blackjacks, etc. Possession includes bringing the item(s) onto school property, or to a school-sponsored activity. Also included is the use as a dangerous object of common place objects, including but not limited to keys, locks, etc. Violation of this rule may result in a recommendation for expulsion.
- II. The possession of look-alike weapons, including, but not limited to, cap guns, squirt or water guns, toy pistols, comb knives, etc., is prohibited on school property. Possession includes bringing the item(s) onto school property or to a school-sponsored activity.
- III. The use of any objects noted in A or B used or intended to intrude on the security and safety of fellow students and school personnel **WILL RESULT IN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- IV. The possession of a **firearm or destructive device**, whether loaded or unloaded, operative or inoperative, on any school property or during any school activity, is prohibited unless specifically authorized by school officials. Possession includes bringing a firearm onto school property or to a school-sponsored event and storing it in a vehicle, locker, or other receptacle. Firearms include pellet guns, BB guns, CO2 air pistols, air rifles, stun weapon, paint ball guns, any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, any destructive device, or any unloaded firearm in a closed container, and any other device which meets the definition of firearm in the *Code of Virginia*. Destructive device includes any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device. **VIOLATION OF THIS RULE WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- V. The use of a firearm or look-alike firearm, whether loaded or unloaded, operative or inoperative, in a manner which threatens a person's safety or health, **WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**

A student in possession of a firearm on school property or at a school-sponsored activity as prohibited by VA Code 18.2-308.1 or who is in possession of a firearm or destructive device as defined in VA Code 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in VA Code 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE.

- VI. The possession or representation of any **explosive** or **flammable** material considered to have the capacity to create an explosion or start a fire, including, but not limited to, firecrackers, lighter fluid, and other flammable substances, is prohibited unless specifically authorized by school officials. Possession includes bringing the item(s) onto school property or to a school-sponsored event. Unloaded firearms in closed containers are prohibited.
- VII. Students shall not engage in any illegal conduct involving fireworks, cherry bombs, pop rocks, smoke/stink bombs, firebombs, explosive or incendiary materials or devises or hoax explosive devises or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property. Possession includes bringing the items onto school property or to a school-sponsored event.
- VIII. The use or the intent to use any material which may result in a fire on school property, or setting fire to the property of students, staff, or volunteers is prohibited unless specifically authorized by school officials.

Elementary & Secondary Code Violations

BSC26/Level 3 or 4: Possession of Ammunition

BSC26/Level 4 or 5: Possessing or Bringing to School or a School-Sponsored Event any Substance Used as a Weapon (Mace, Tear Gas, or Pepper Spray)

BSC26/Level 4: Possession of Pneumatic Weapon (BB Gun, Paintball Gun, or Pellet Gun)

BESO14/Level 5: Possession of Firearm

BESO14/Level 5: Possession of a Shotgun or Rifle

BSC26/Level 4: Bringing a Toy/Look-alike Gun to School or School Event

BSC27/Level 5: Possession of Weapon That Expels a Projectile (By action of explosion or combustion)

BSC27/Level 5A: Possession of a Knife (Blade 3 inches or longer)

BSC26/Level 4: Bringing Fireworks, Firecrackers or Stink Bombs to School or School Event

BSC27/Level 4 or 5: Possession of Explosive Device or a Bomb

BESO15/Level 5: Use of Explosive Device or a Bomb

BSC27/Level 5: Possession of Other Firearms

BSC27/Level 4 or 5: Possession of Other Weapons

BSC27/Level 4: Bringing Razor Blades/Box Cutter to School or School Event

BSC27/Level 4: Possession of Stun Gun

BSC27/Level 4: Possession of Taser

Disorderly Conduct/Disruptive Behavior

Students are entitled to a learning environment free of unnecessary disruption. Any physical, written or verbal disturbance, communication or activity, within the school setting or during related activities, which is dangerous to the health or safety of students or others, or may interrupt or interfere with teaching and orderly conduct of school activities is prohibited.

I. Dress Code- The responsibility for the dress and grooming of a student rests primarily with the student and his or her parents or guardians. This document defines students' attire for school. The dress code is one means of helping students learn a life skill: successfully getting and keeping employment with an attire requirement. We adults already know that we generally dress one way in our professional lives and likely dress another at home or in recreational situations. Practicing this skill is one way to help students be successful in the long-term. The dress code helps prepare students for their future workplaces while it also sets a tone of pride and good morale for the school day.

Allowable Dress

- Students must wear clothing, including both a shirt with pants or a skirt or the equivalent.
- Shirts and dresses must have fabric in the front and on the sides.
- Clothing must cover all undergarments.
- Students must be covered from just below their clavicle to their mid-thighs.
- Fabric covering all private parts must not be see-through. (Private parts include chests (below the clavicle/collarbone to below the breasts), buttocks, and genitals.) (Include an image of what is covered.)
- Shoes must be worn at all times and should be safe for the school environment; bedroom shoes or slippers shall not be worn except for school activities approved by administration.
- Hats and other headwear (including hoodies, bonnets, beanies, bandanas, etc.) are not allowed unless permitted for religious, medical, or other reasons by school administration.
- Clothing must be suitable for all scheduled classroom activities, including physical education, science labs, woodshop, and other activities where unique hazards exist.
- Specialized courses may require specialized attire, such as sports uniforms or safety gear.

Non-Allowable Dress

- Clothing may not depict, advertise or advocate the use of alcohol, tobacco, marijuana, other controlled substances, weaponry, or illegal acts.
- Clothing containing vulgar, suggestive, racist, or profane language or pictures are not permitted.

- Clothing may not use or depict hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation or any other protected groups.
- Clothing, including gang identifiers, must not threaten the health or safety of any other student or staff.
- Sunglasses may not be worn inside the building.
- Examples of clothing that does not meet the expectations of this dress code include the following:
 - clothing with rips or holes above the midthigh
 - see through tops that expose a student's back or front
 - cropped or cut-off tops
 - garments with spaghetti straps
 - halter tops
 - tube tops
 - muscle shirts
 - jerseys with long armholes
 - corsets
 - pants worn below the waist
 - onesie pajamas
 - bathrobes
 - mesh garments
 - Slippers

If the student's attire threatens the health or safety of any other person, then discipline for dress violations should be consistent with discipline policies for similar violations.

Changes and additions to clothing styles may occur during the school year that may require revisions and adjustments to guidelines. The school dress policy is not intended to include or cover all possible situations. Necessary additions or adjustments to this policy can occur during the school year. Changes will be reviewed and approved by school administration and the school board.

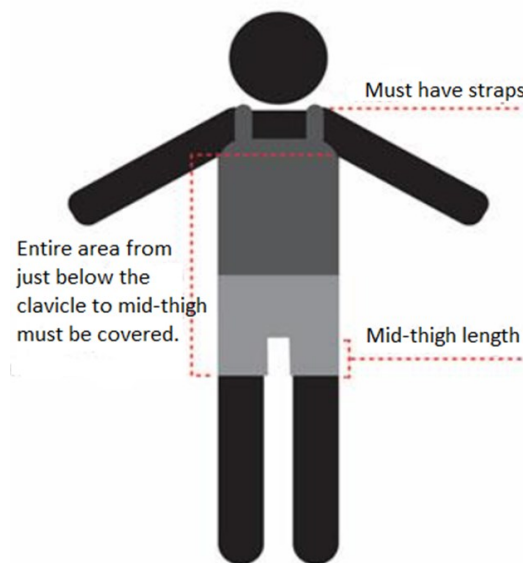


Image Credit: Sara Cubberley, Roanoke County Public School

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- II. **Gambling** is prohibited. A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.
- III. **The possession or distribution of print or electronic materials** which are obscene, violent, inappropriate or significantly disruptive to the educational process is prohibited. Included are inappropriate student expression, threats, hit lists, distribution of non-authorized literature, and illegal assembly. No card playing is allowed unless of an educational activity.
- IV. **Possession of Electronic Communication Devices.** Students may possess a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device on school property, including school buses, provided that the device **must remain off and out of sight during the regular school day.**

BCPS Cell Phone Policy

Students may possess a cellular telephone or other communications device on school property, including school buses, provided that the device remains off and out of sight during times as outlined in the table below:

High School Students	Primary, Elementary & Middle School Students
Phones are to be stored in the student's book bag while in class	Phones are to be off and stored in the student's book bag while at school.
Students may access their phone during the following times: <ul style="list-style-type: none"> • Before homeroom • At lunch • After 3:05 bell 	If a student possesses any electronic device that is turned on, the device may be confiscated from the student.
Consequences Devices may be confiscated from the student if they are out at any other time. <ol style="list-style-type: none"> 1. Office desk, phone call to parent, return to student at the end of day. 2. Office desk, phone call to parent, parent must come pick it up. 3. Office desk, phone call, parent must come pick up, office referral and possible disciplinary action that may include 1-3 days of ISS or OSS 	Consequences Devices may be confiscated from the student if it is turned on and/or out while at school. <ol style="list-style-type: none"> 1. Office desk, phone call, return at the end of day. 2. Office desk, phone call, parent must come pick it up. 3. Office desk, phone call, parent must come pick up, office referral and possible disciplinary action that may include 1-3 days of ISS or OSS

Buckingham County Schools will assume NO responsibility in any circumstance for loss, destruction, theft or charges made on monthly statements for cell phone devices.

If a student possesses such a device other than as permitted in this policy, such as CB radios, boom boxes, Walkman, laser pointers, etc., in addition to other disciplinary sanctions which may be imposed, the device will be confiscated from the student and returned only to the student's parent.

- V. **Profane, Obscene or Abusive Language.** Cursing, threatening, or using abusive language or remarks intended to demean a person is prohibited. This violation includes, but is not limited to, actions, displays, or written material of an obscene, violent or inappropriate nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements towards school personnel and/or students, i.e., vulgar language.
- VI. **Failure to respond appropriately written or verbal directions** given by school personnel, chaperones/volunteers, or law enforcement officers is considered **insubordination**. Also included is disobedience or defiance of reasonable requests made by school personnel, chaperones/volunteers, or law enforcement officers.

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VII. Gang Activity or Association. Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e. clothing that symbolizes association, rituals associated with, or activities by an identified group of students). Section 16.1-260.G. of the *Code of Virginia* requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including, prohibited criminal street gang activity pursuant to 18.2-46.2. and recruitment of other juveniles for a criminal street gang activity pursuant to 18.2-46.3. Students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. A gang is defined as any group of two or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school activities
- creation of an atmosphere of fear and intimidation

VIII. Hazing. Students shall not engage in hazing. Hazing means to recklessly or intentionally endanger the health or safety of a student or students or inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

- IX. **Other activities which disrupt** the orderly functions of the school include, but are not limited to: demonstrating hostile or disruptive behavior, habitually committing offences under this Code, sexually explicit behavior, sexual harassment, unauthorized sales by students, possession of inappropriate toys, and inappropriate use of school lockers and facilities, and setting off false fire alarms.

Elementary & Secondary Code Violations

- BAP1/Level 1, 2, or 3:** Classroom or Campus Disruption
- RB8/Level 1:** Using Obscene or Inappropriate Language or Gestures
- RB10/Level 1:** Minor Insubordination
- BESO10/Level 2:** Gang Activity (Level 3 - for a subsequent offenses)
- BSO8/Level 1:** Gambling
- BSC15/Level 4:** Inciting a Riot
- BSC15/Level 3:** Attempting to Incite a Riot
- BSO9/Level 2:** Inappropriate Personal Property
- BSC9/Level 1:** Other School Code Violation
- BSC11/Level 3:** Setting Off False Fire Alarm
- BSO13/Level 1:** Electronic Devices
- BSO13/Level 1:** Cellular Telephones
- RB10/Level 1:** Disrespect (walking away, etc.)
- RB10/Level 1:** Defiance (refuses to follow directives)
- BAP1/Level 1 or 2:** Disruptive Demonstrations
- RB3/Level 1 or 2:** Possession or Distribution of Obscene or Disruptive Materials
(Level 3 - for a subsequent offenses)

Fighting/Assaults/Threats

Students and school personnel are entitled to a school environment free from threat and aggression. A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery. Battery is the unlawful application of force to the person of another.

- I. Actions, comments, or written messages intended to cause others to fight or which may result in a fight are prohibited.
- II. Intentionally hitting, shoving, scratching, pushing, biting, kicking, blocking the passage of, or throwing objects at a student is prohibited.
- III. Conveying by gestures, notes, or verbal comments the intent to cause bodily injury or to deprive a student of his rights is prohibited.
- IV. **Fighting** involving two or more parties in conflict when they are striking each other for the purpose of causing harm or injury is prohibited. This action may extend to mutual shoving, wrestling, or other aggressive actions which may result in the danger of harm or injury to either party, bystanders, or school property.
- V. The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury is prohibited.
- VI. Aggression directed toward a teacher, administrator, coach, bus driver, or other School Board employee, Law Enforcement Officer, School Security Officer, or volunteer is prohibited. **VIOLATION OF THIS RULE WILL RESULT IN AN IMMEDIATE RECOMMENDATION FOR EXPULSION.**
- VII. Conveying by gestures, notes, or verbal comments the intent to cause bodily injury or to deprive **a teacher, administrator, coach, bus driver, or other School Board employee, Law Enforcement Officer, School Security Officer, or volunteer of his/her rights, or demonstrating hostile act, is prohibited.**
- VIII. Any inappropriate behavior which is of a sexual nature, including, but not limited to, touching of private areas of a person's body, is prohibited.
- IX. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited or for any other reason.

- X. **Assault or assault and battery** with or without bodily injury of any person on a school bus, on school property or at a school-sponsored activity is prohibited.
- XI. Unsafe conduct which endangers either oneself or others is prohibited. Physical assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting and fighting; or assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as described in Va. Code 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity.

Elementary & Secondary Code Violations

- BESO2/Level 5:** Battery/Assault (Staff with Weapon)
- BESO4/Level 4 or 5:** Battery/Assault (Staff no Weapon)
- BESO2/Level 5:** Battery/Assault (Student with Weapon)
- BESO1/Level 4 or 5:** Battery/Assault (Student no Weapon)
- BESO2/Level 5:** Malicious Wounding (No Weapon)
- BESO1/Level 4:** Battery/Assault (No Injury)
- BESO17/Level 4 or 5:** Bomb Threat
- BESO15/Level 4 or 5:** Chemical/Biological Threat
- BESO15/Level 4 or 5:** Terrorist Threat
- BSC22/Level 2:** Extortion
- BSC19/Level 2:** Attempted Extortion
- BSC14/Level 2:** Fighting - No/Minor Injury (Level 3 or 4- subsequent offenses)
- BSC17/Level 2:** Minor Physical Altercation
- BESO11/Level 3:** Hazing
- BSC21/Level 2:** Stalking
- BESO12/Level 4:** Threat/Intimidations (Staff)
- BESO13/Level 4:** Threat/Intimidations (Student)

Integrity/Larceny/Theft

Students are expected to perform honestly through the production of their own work. They should also demonstrate respect for the belongings and rights of others, including, but not limited to, staff members and volunteers.

The following acts are prohibited:

- I. **Cheating** includes the actual giving, receiving, or use of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work or tests.
- II. **Plagiarism** includes using or copying language, structure, ideas, and/or thoughts of another and representing it as one's own original work.
- III. **Falsification** includes, but is not limited to, a verbal, written or electronic transmission (i.e., e-mails, images), including the production or use of forgery.
- IV. **Theft.** A student shall not intentionally take the personal property of another person without consent under duress, threat or otherwise.
- V. **Attempts** toward completion of any act described above would constitute a violation and may be punishable to the same extent as if the attempted act had been completed.
- VI. Unauthorized use of technology and information accessed through technology without permission is prohibited as specified in School Board Policy IIBEA "Acceptable Computer System Use." (See Section 12 of this Code). Student files are subject to search at any time.
- VII. Willful or malicious false accusations/reports against school personnel or other students.

Elementary & Secondary Code Violations

BSO2/Level 1: Misrepresentation

BAP3/Level 1: Cheating

BAP3/Level 1: Plagiarism

BSO2/Level 1: Falsification

BSC18/Level 3: Actual Burglary

BSC18/Level 3: Attempted Burglary

BSC22/Level 5: Actual Robbery

BSC22/Level 4 or 5: Attempted Robbery

RB5/Level 3: Theft of School Property

RB5/Level 3: Theft of Staff Property

RB5/Level 3: Theft of Student Property

BSO10/Level 3: Possession of Stolen Property

Transportation

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus to assure that the rights of others, including private residents whose property may be affected by student behavior, are respected. Students must ride the bus to which they are assigned unless granted permission to do otherwise by an administrator.

I. The School Bus

School bus transportation is provided for many Buckingham students. This service exists for elementary, middle, and high school students to and from school, instructional field trips, athletic trips, special after-school activities, as well as for transportation from base schools to locations where specialized educational programs are available.

Riding a school bus is a privilege. Students who violate the *DOE of Student Conduct* and designated bus rules on the school bus may have the privilege of riding revoked for a specified time or permanently. In addition, other dispositions may apply. The driver of the bus has the authority and the responsibility for maintaining order and providing a safe environment. When the driver requires assistance to resolve a potentially harmful situation on the bus, a principal, or designee, of the school served by the driver will render assistance.

Disposition for Bus Discipline*

1st Bus referral the student receives a warning**.

2nd Bus referral the student receives 1 day suspension from the bus.

3rd Bus referral the student receives 3 days suspension from the bus.

Additional bus referrals - suspension may be increased incrementally; 6 days, 10 days, 30 days and finally for the remainder of the school year.

*PreK-2nd grade students - at the discretion of the Principal.

**Behaviors of a more serious nature (fighting, assault, property destruction, etc.) may require more significant consequences than a warning upon the first referral

II. Drivers

Motorized vehicles of any type are not permitted as means of transportation to and from school when driven by students enrolled in the elementary or middle schools of Buckingham County. High school students who meet the requirements and accept the responsibilities of driving vehicles to school are permitted to do so. This privilege depends upon the student's compliance with the parking and vehicle regulations as prescribed by the individual high school, including consent to search. Students are assumed to have knowledge of and will be held responsible for all items in their vehicles. Failure to adhere to these regulations could result in disciplinary action as listed in the recommended dispositions of the *Code of Student Conduct*, including loss of driving privilege and having one's vehicle booted or towed from the premises at the operator's expense.

III. Bicycle Riders

Bicycles may be ridden to elementary, middle, and high schools. The safety of the riders and the securing of their bicycles are the responsibility of the riders. Improper use of bicycles, such as riding in bus-loading areas, constitutes grounds for the loss of bicycle parking privileges at school. Bicycle riders are prohibited from violating the rights of homeowners, apartment dwellers, and businesses on their way to and from school.

IV. Walkers

Students in elementary, middle, and high schools who live within the designated no transportation zones are required to arrive promptly at school. Parents are encouraged to identify and assist in the choice of a safe route. Student walkers are prohibited from violating the rights of others including homeowners, apartment dwellers, and businesses on their way to or from school.

Elementary & Secondary Code Violations

BSC10/Level 1: Motor Vehicle Regulations (Bus)

Vandalism

Members of the school community are entitled to enjoy property free from the abuse of others. Vandalism is the willful marring, defacing, or destruction of School Board property, including leased property or any employee's or other person's property. This section includes, but is not limited to, the buildings, both exteriors and interiors thereof, books, computer equipment and software, school buses, private automobiles, school grounds, and property as designated above. Causing, intent to cause, or attempt to cause damage to school or personal property of others is prohibited.

Elementary & Secondary Code Violations

BSO14/Level 2: Vandalism of School Property (Level 3, depending on cost of repair/replacement)

BSO14/Level 2: Vandalism of Private Property (Level 3, depending on cost of repair/replacement)

BSO14/Level 2: Graffiti (Level 4, if gang related)

Trespassing

The student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion. Students, patrons, and school personnel are expected to have the appropriate authorization to be on School Board property.

- I. Any student who has been suspended from attendance will be considered a trespasser if he/she appears on any Buckingham County Public School property during the suspension period without permission of the Superintendent or the relevant school principal. Violation of this section will be considered an additional infraction and will require a separate disposition.
- II. Students who arrive at school before school opens or remain after the close of their school day without specific need or appropriate authorization and supervision may be considered trespassers.
- III. Any student who is requested by an administrator to leave school property is expected to do so immediately. Failure to do so will be considered trespassing.
- IV. No student or other person may attend or visit a Buckingham County school as a guest during the regular school day without authorization from the school's administration.

Elementary & Secondary Code Violations

BSC25/Level 1: Trespassing (A)

BSC25/Level 2: Trespassing (B, C, D)

Arson-Actual/Attempted

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

- I. The use, intent to use, or threat to use an explosive, including, but not limited to, fireworks, cherry bombs, smoke/stink bombs, or any device contributing to a fire or representation of an explosive device, including a bomb threat, is prohibited. These actions include bringing the items on school property or to a school-sponsored event.
- II. The use or intent to use any material (matches, lighters, etc.) which may result in a fire on school property or setting fire to the property of students, staff or volunteers, is prohibited, unless specifically authorized by school officials.

Elementary & Secondary Code Violations

BESO9/Level 5: Arson: Actual

BESO9/Level 5: Arson: Attempted

BSC12/Level 5: Lighted Firecrackers, Cherry Bombs, Stink Bombs (That Contribute to a Damaging Fire)

Reports of Conviction or Adjudication of Delinquency

Pursuant to §16.1-305.1

Students convicted or adjudicated delinquent of an offense listed in the Code of Virginia, 1950 as amended, §16.1-305.1, may be suspended or expelled.

For the purpose of furthering the ability of the juvenile justice system to effectively serve the Student prior to adjudication. The principal or his designee may disclose identifying information from a Student's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a Student referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the Student or by such Student if the Student is eighteen years of age or older.

Felony Charges

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/intervention activities.

Disciplinary Authority Under Certain Circumstances

The Superintendent may require any student to attend an alternative education program regardless of where the crime occurred if the student has been:

- Charged with an offense relating to Virginia law or with a violation of school board policies, on weapons, alcohol or drugs, intentional injury to another person;
- Found guilty or not innocent of an offense relating to Virginia laws on weapons, alcohol or drugs, or of a crime that resulted in or could have resulted in injury to others, or for which the disposition ordered by a court is required to be disclosed to the Superintendent pursuant to the *Code of Virginia* section 16.1-305.1;
- Found to have committed a serious offense or repeated offenses in violation of School Board policies;
- Suspended pursuant to *Code of Virginia* section 22.1-277.05; or
- Expelled pursuant to *Code of Virginia* sections 22.1-277, 22.1-277.06, 22.1-277.07, or 22.1-277.08.

Sexual Harassment

It is policy of the Buckingham County School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from sexual harassment.

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronic or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment. A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions.

It is prohibited for any student or employee, male or female, to harass another student or employee by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal, written, electronic, or physical conduct 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; or
- 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
- that 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 activities which could constitute sexual harassment if it meets the immediately preceding definition include:

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

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:

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

Any student who believes that he or she has been subjected to sexual harassment should file a complaint of the alleged act with the principal or to any school personnel. Oral or written reports shall be accepted. The principal must immediately report the complaint of the alleged incident to the compliance officer. If the complaint is against the principal, the student shall file the complaint with the Superintendent. The compliance officer is the Superintendent or her designee. Refusal to put the complaint in writing shall not preclude an investigation of the complaint. The complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents.

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.

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.

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.

Elementary & Secondary Code Violations

RB4/Level 4: Sexual Harassment (Cat. 5A for subsequent offenses)

BSC19/Level 4: Offensive Sexual Touching - Staff (Cat. 5A for subsequent offenses)

BSC19/Level 4: Offensive Sexual Touching - Student (Cat. 5A for subsequent offenses)

BSC20/Level 5: Forcible Assault/Rape (Staff)

BSC20/Level 5: Forcible Assault/Rape (Student)

BSC20/Level 5: Attempted Forcible Assault/Rape (Staff)

BSC20/Level 5: Attempted Forcible Assault/Rape (Student)

BSC19/Level 4: Sexual Offenses (Consensual)

BSC20/Level 5: Aggravated Sexual Battery

BSC20/Level 5: Sexual Battery (Staff)

BSC20/Level 5: Sexual Battery (Student)

Bullying/Harassment

A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to: physical, verbal, or written intimidation, taunting, name-calling, insults, lies, rumors, social exclusion or isolation, threatening body posture, money or possessions taken or damaged, being threatened or forced to do things, and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or physical abilities or characteristics, or intellectual ability, or associates of the targeted person or group. Any aggressive behavior that involves unwanted negative actions and a pattern of behavior repeated over time, and an imbalance of power or strength is considered bullying and will not be tolerated.

- I. "Bullying" means 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 cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.
- II. Bullying methods (repeated) such as verbal abuse, social exclusion or isolation, physical abuse, intimidation, lies, rumors, sexual inferences, robbery, damaged personal items, threats, racial attacks, and bullying through electronic devices will not be tolerated.
- III. **Electronic Bullying or Cyber Bullying.** related activity of any nature and that which is obscene, pornographic, threatening, or otherwise inappropriate, including (but not limited to) email, instant messaging, web pages, and use of hardware and/or software which substantially disrupts or interferes with the safety and welfare of the school and its students, are strictly prohibited, even if such uses/actions take place off school property (i.e., home, business, private property, etc.). A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. This includes, but is not limited to, social chat rooms or web space - **i.e. Facebook, You Tube, Twitter, Snap-Chat, TikTok, or any other social media platform**), physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.
- IV. The principal or his/her designee is directed to notify the parent(s) of any student involved in an alleged incident of bullying and of the status of any investigation within five (5) school days of the allegation of bullying.
- V. Conveying by gestures, notes, or verbal comments with the intent to cause bodily/emotional injury or to deprive a student of his rights is prohibited.

- III. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited.
- IV. Cursing, using abusive language, teasing, hazing, or other acts of intimidation are prohibited. This includes, but is not limited to: any verbal, written, physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.

Buckingham County Public Schools takes bullying seriously; therefore, additional offenses under this category may warrant more serious consequences.

Elementary & Secondary Code Violations

RB1/Level 2 or 3: Bullying

RB2/Level 2 or 3: Cyber Bullying

RB11/Level 2 or 3: Harassment (Non-Sexual) - physical, verbal, or psychological

Technology and the Internet

NETWORK ACCEPTABLE USE POLICY

The purpose of telecommunications technology in Buckingham County Public Schools (BCPS) is to support research, communication, and education, and to provide access to unique resources and opportunities for collaborative work. The use of BCPS computer networks, including Internet access, must be in support of education and consistent with the educational objectives of Buckingham County Public Schools and the Virginia Board of Education. This policy applies to all users of BCPS electronic information, services, and networks.

In accordance with Va. Code § 22.1-70.2, Buckingham County Public Schools requires all students to receive Internet safety training. Through an implementation plan, Internet safety is both taught to and practiced by students, and integrated into the curriculum, K-12. Special emphasis is placed on safety, security, and ethics in the instructional program.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, 18.2-372, 17.2-374:1, 18.2-390, 22.1-70.2, and 22.1-78 18 U.S.C. Section 1460, 2256 47 U.S.C. Section 254

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, 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, multimedia devices, workstations, 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 school 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.

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

1. prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
2. provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
 - A. child pornography as set out in 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 by minors;
4. provisions establishing that the online activities of minors will be monitored;
5. provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response;
6. provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online; and
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 personal information regarding minors.
9. a component on Internet safety for students that is integrated in the division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The Division's computer system is not a public forum.

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 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.

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

The school board will review, amend if necessary, and approve this policy every two years.

Legal Refs: Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78. 18 U.S.C. §§ 1460, 2256. 47 U.S.C. § 254.

Code of Conduct 23-24

ACCEPTABLE COMPUTER SYSTEM USE FOR STUDENTS AND GUESTS

All use of the Buckingham County School Division's computer system shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, main-frame and personal computers, tablets, cellular phones, smart phones, the internet and any other internal or external network.

Computer System Use-Terms and Conditions:

Acceptable Use. Access to the Division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.

Privilege. The use of the Division's computer system is a privilege, not a right.

Unacceptable Use. Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:

- using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state or local law.
- sending, receiving, viewing or downloading illegal material via the computer system.
- unauthorized downloading of software.
- using the computer system for private financial or commercial purposes.
- wastefully using resources, such as file space.
- gaining unauthorized access to resources or entities.
- posting material created by another without his or her consent.
- submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate material.
- using the computer system while access privileges are suspended or revoked.
- vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
- vandalizing or destruction of devices and/or physical components of electronic equipment.
- intimidating, harassing, or coercing others.
- threatening illegal or immoral acts.

Network Etiquette. Each user is expected to abide by generally accepted rules of etiquette, including the following:

- Be polite.
- Users shall not forge, intercept or interfere with electronic mail messages.
- Use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
- Users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
- Users shall respect the computer system's resource limits.
- Users shall not post chain letters or download large files.
- Users shall not use the computer system to disrupt others.
- Users shall not modify or delete data owned by others.

Liability. The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.

Security. Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

Vandalism. Intentional destruction of physical components or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

Charges. The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.

Code of Conduct 23-24

Electronic Mail.: The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

Enforcement. Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.**

Violations of the above rules may result in a loss of access to the computer system as well as other disciplinary or legal action.

Elementary & Secondary Code Violations

BSO13/Level 1: Unauthorized Use of Technology or Information

BSO11/Level 2: Causing/Attempting to Cause Damage to Computer Software or Files

BSO13/Level 1: Violations of Acceptable Usage Policy

BSO13/ Level 2: Violations of Internet Policy

Buckingham County Public Schools

Chromebook Care and Use Guide

The procedures, guidelines, and information within this document apply to all Chromebooks used at Buckingham County Public Schools (BCPS). Teachers may set additional requirements for use within their classrooms.

Chromebooks are to remain in the cases at all times.

GENERAL PRECAUTIONS

- No food or beverages should be near your Chromebook.
- Cords, cables, and removable devices should be inserted carefully into the Chromebook.
- Chromebooks should not be exposed to extreme temperatures (hot or cold).
- Students should never carry their Chromebooks while the screen is open unless directed to do so.
- Chromebooks should never be left in an unlocked vehicle or an unsupervised area.

SCREEN CARE

The Chromebook screens can be damaged if subjected to rough treatment and are sensitive to excessive pressure.

- Do not lean on the top of the Chromebook when it is closed.
- Do not place anything on the keyboard before closing the lid (e.g., pens or pencils, flash drive, etc.).
- Clean the screen with a soft, dry cloth or anti-static cloth. ***Do not use commercial glass cleaners.***

USING YOUR CHROMEBOOK AT SCHOOL

- Chromebooks are intended for use at school each day. Students are responsible for bringing their Chromebooks to all classes.
- The use of a Chromebook in school is subject to school staff members' rules, procedures, and instructions.

FULLY CHARGED BATTERIES

- Chromebooks should be brought to school each day with a full charge.

MANAGING YOUR FILES & SAVING YOUR WORK

- Student files should be stored in Google Drive or other cloud-based storage.
- BCPS is not responsible for the loss of student work.

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SECURITY

- Always be alert for suspicious emails containing links and websites that ask for personal information such as name, date of birth, or passwords.

CHROMEBOOK IDENTIFICATION

- Chromebooks will be labeled in the manner specified by BCPS.
- Students will not remove the Chromebook serial number, asset tag number, name, and ID number label.

INTENTIONAL OR NEGLIGENT DAMAGE

Chromebooks are provided for your benefit and are to be handled with care. Mishandling and misuse can cause damage to the Chromebook and may result in disciplinary action and fees for repair or replacement. The chart below shows the fees applied to damaged/abused Chromebooks.

Charger	\$15
Case	\$20
Keyboard/Touchpad	\$50
Screen	\$50
Full Replacement	The student may be charged up to \$200. Exact charges determined by the age and condition of the device.

CHROMEBOOK TECHNICAL SUPPORT

- **All repair requests for off-site students must be made to the BCPS Technology Department using the Chromebook Service Request link located under the Student Resources tab on the division website www.bcpschools.org. If the student does not have access to the website, they may call 434-969-6100 Ext. 118 and leave a detailed message with a contact phone number.**
- If a student experiences an issue with their Chromebook while in class, they will notify the teacher of the problem, so that the teacher can create a tech ticket.
- If the BCPS Technology Department does not have an immediate resolution, the student will be issued their work on paper until the Chromebook issue can be resolved.
- Students will be notified when their issue has been resolved. Service and repairs will be documented and reviewed to ensure the proper use and maintenance of the Chromebook. Excessive requests for service/repair are subject to review by the school administration and may result in the suspension of the student's Chromebook use and Google account.

Chromebook Loan Agreement

Students in the Buckingham County Public Schools 1:1 Chromebook Initiative are issued a Chromebook and charger. The Chromebook and charger are on loan and remain the property of the BCPS. Students will keep the Chromebook until graduation or withdrawal from BCPS.

STUDENT: I have read this Buckingham County Public Schools Chromebook Loan Agreement. I understand and abide by the Student Technology and Online Acceptable Use Guidelines and the Student Rights and Responsibilities Handbook policies. I further understand that school disciplinary action may be taken with any violation of the guidelines outlined below.

PARENT/GUARDIAN: As the parent or guardian of this student, I have read this Buckingham County Public Schools Chromebook Loan Agreement. I understand that the Chromebook access is designed for educational purposes. I recognize it is impossible for the BCPS District to restrict access to all controversial materials, and I will not hold BCPS responsible for materials acquired on the network. Further, I accept full responsibility for supervision when my child's use is not in a school setting. I hereby give permission to issue a device intended for my child and certify that the information contained on this form is correct.

BOTH STUDENT & PARENT/GUARDIAN: Damage/Repairs: If a Chromebook is damaged beyond repair and needs to be replaced, BCPS will evaluate replacement options on a case by case basis. A student may be held responsible for some or all of the replacement costs and possible disciplinary action. Theft/Vandalism/Fire: In cases of theft, vandalism, fire, and other criminal acts, the parents/guardians should report to the principal's office. The principal will connect the family to the resource officer to help file police or fire reports. This report **MUST** be filed by the parent/guardian to request a replacement Chromebook.

Code of Conduct 23-24**Student Pledge for Chromebook Use:**

I pledge to follow the guidelines in the BCPS Chromebook Agreement. I agree to the terms and conditions of the Student Technology and Online Acceptable Use Guidelines and the Student Rights and Responsibilities Handbook policies. Also, I pledge to:

- Keep the Chromebook in the case at all times and carry it by the bottom of the case.
- Keep food, beverages, and all liquids away from the Chromebook.
- Gently insert cords, cables, and removable devices.
- Before closing the lid, make sure nothing is placed on the keyboard (examples: pens, pencils, flash drive, earbuds, etc.).
- Avoid putting pressure or leaning on the lid of the Chromebook when it is closed.
- Keep the Chromebook in a safe, secure place. Avoid leaving it unattended or leaving it in a place where it may be damaged.
- Keep markers and pens away from the Chromebook keyboard and screen to avoid marking on it.
- Keep the Chromebook in a place where it will not be exposed to extreme temperatures.
- Chromebooks are intended for use at school each day. Students are responsible for bringing their Chromebooks to all classes.
- Chromebooks should be brought to school each day with a full charge.

Chromebooks are provided for your benefit and are to be handled with care. Mishandling and misuse can cause damage to the Chromebook and may result in disciplinary action and fees for repair or replacement.

Chromebook Repair Requests

Charger	\$15
Case	\$20
Keyboard/Touchpad	\$50
Screen	\$50
Full Replacement	The student may be charged up to \$200. Exact charges determined by the age and condition of the device.

- All repair requests for off-site students must be made to the BCPS Technology Department using the Chromebook Service Request link located under the Student Resources tab on the BCPS website www.bcpschools.org. If the student does not have access to the website, they may call 434-969-6100 Ext. 118 and leave a detailed message with a contact phone number.
- If a student experiences an issue with their Chromebook while in class, they will notify the teacher of the problem, so that the teacher can create a tech ticket.
- If the BCPS Technology Department does not have an immediate resolution, the student will be issued their work on paper until the Chromebook issue can be resolved.

Student Signature: _____ Date: _____

Parent Signature: _____ Date: _____

Procedures and Definitions

After consideration of circumstances surrounding the incident, the student's previous record, the age and developmental stage of the student, in addition to the safety of the school community, disposition of the case will be determined through review by appropriate staff.

Definitions of terms related to the disciplinary process follow:

Alternative Placements/Suspensions/Expulsions - Any student who has been charged with an offense relating to the Commonwealth's laws or a violation of School Board policy dealing with weapons, alcohol, drugs or intentional injury to another may be required to attend an alternative placement. Any student found guilty or not innocent of a crime required to be disclosed under Virginia Code § 16.1-305.1 may be suspended, expelled or required to attend an alternative placement after a hearing by the Superintendent or designee. This section applies regardless of the location of the incident. Refer also to File JGD/JDE "Suspension or Expulsion."

Alternative School Program – An instructional program on school site for students who require an administrative intervention for certain violations of the *Code of Student Conduct*. This allows the continuation of the academic program while counseling and/or other interventions may be employed.

Alternative Education (Off-Campus)— An off-site alternative education program, affording students the opportunity to continue their education in an environment dedicated to meeting their academic and social needs. This opportunity is presented to students on long term suspension or expulsion from campus classes, and is extended to students recommended based on other disciplinary factors. In our off-site alternative education program, teachers and administrators will insure that all students have opportunities to:

- Develop confidence in their individual potential to contribute to society
- Explore potential careers in relation to themselves, educational alternatives, and their desired lifestyles
- Expand their knowledge, skill, and attitudes needed to make appropriate post-secondary decisions
- Develop an understanding of effective social relationships

Curriculum requirements are met by combining teacher instruction and computer based instruction. A minimum of four(4) subject lessons will be presented daily using our online learning service. This technology will allow the student to progress through subject material at a pace that enhances their learning style. In addition to core subject material, classes will include strengthening social skills, anger management, communication skills, etiquette, and self-esteem. Often-times, members of our community will be invited to be guest presenters in their area of expertise.

Appeal - To make a request to a higher authority for the review of a disciplinary case.

Arson – Deliberately setting a fire on school property which endangers life, limb, or property.

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Assault – The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury to an individual.

Bodily Injury – (A) a cut, abrasion, bruise, burn or disfigurement; (B) physical pain; (C) illness; (D) impairment of the function of a body part or mental faculty; or (E) any other injury to the body, no matter how temporary.

Bomb/Explosive Device – Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion in accordance with §22.1-279.3:1 of the *Code of Virginia*.

Bullying – 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 cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

Community Service - Authorized work in the building, grounds, and/or other appropriate services provided by the student to the school or the community.

Confiscation - Any item prohibited by this *Code of Student Conduct* or the law will be removed from the student's possession.

Court Referral – The student is taken to court in the case of a drug offense, assault, weapon possession, truancy, or other violation of the *Code of Virginia*. The Truancy Officer will initiate appropriate legal action.

Criminal Street Gang – Any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.

Destructive Device - (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device.

Disciplinary Review Hearing – The Superintendent coordinates and enforces the school division's efforts to maintain safe, healthy learning environments in each school. The Superintendent conducts interviews and hearings that are required due to the severity of a student's behavior.

Dispositions - Recommended actions administrators are to use in handling alleged infractions of the *Code of Student Conduct*.

Disruptive Behavior - A violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

Drug Paraphernalia – Those items described in Section 18.2-265.1 of the *Code of Virginia*, including items such as pipe fittings, stems, bowls, or bongs.

Exclusion - A school board's denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

Expulsion – Expulsion is the immediate and permanent cessation of all services, including Adult Education and the G.E.D. program, provided by the School Board of Buckingham County. An expelled student is considered a trespasser if that student is present on any School Board property or at any school activity. Students may be expelled only by a majority vote of the School Board of Buckingham County. Expelled students are eligible to return to school under conditions outlined in "Readmission." A student is ineligible for readmission for 365 calendar days, in accordance with the Code of Virginia, Sections 22.1-277, 22.1-277.07.

Enrollment Hearings:

- A. **Expulsion** - A hearing must be initiated with the Superintendent for any student who has been expelled and seeks readmission. The parent may initiate contact with the Superintendent to schedule the hearing 60 calendar days prior to the expiration of the 365-calendar-day expulsion time frame.
- B. **Detention, long-term suspension, expellable offense, charge or violation of the law** – A hearing must be initiated with the Superintendent for any student who has been discharged from a detention facility; been long-term suspended; committed an expellable offense while attending another school, public or private; or been charged or found guilty of a violation of the law. The hearing will determine if the student will be allowed to enroll in BCPS. The Superintendent's decision will be final unless the parent files a written request for review by the School Board within 10 school days of the Superintendent's written decision. The School Board will make a determination based on the record.

Firearm - Any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or

- A. any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material;
- B. the frame or receiver of any such weapon;

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- A. any firearm muffler or firearm silencer;
- B. any destructive device; or
- C. any unloaded firearm in a closed container.

Habitual Offender – A student who commits eight (8) or more violations of the *Code of Student Conduct*, in the areas of disruptive classroom behavior and fighting/assault/threats (Sections 4 and 5 of the *Code of Student Conduct*). The student has had at least two (2) ten-day out of school suspensions AND there has been a minimum of two (2) formal face-to-face conferences between the principal/designee and parent/guardian.

Habitual Offense - A habitual offense shall include, but not be limited to, situations when a student violates one or more sections of the *Code of Student Conduct* (excluding attendance) and the school has addressed these behaviors with the student with no marked improvement in the student's behavior.

Harassment – Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating or hostile education or work environment.

Hazing – Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the Principal or Superintendent, who shall report it to the local law enforcement agency.

Instructional Support Services Intervention - When a student experiences repeated problems in school, the school personnel may refer this student to the child study team. The student is counseled and, if necessary, evaluated for alternative placement and educational program modifications.

Jurisdiction - The *Code of Student Conduct* and these related policies apply to any Buckingham County Public School student. It is enforced when he/she is on school property, while traveling to school or from school, to, from and at bus stops, in School Board vehicles, in attendance at school or at any school-sponsored activity. In addition, the *Code* applies to incidents off school property as referred to in *definitions Alternative Placements/Suspensions/Expulsions*. The *Code* also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in the *Code* are expected to report such incidences to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

Law Enforcement Agencies - In cases of serious violations of the *Code of Virginia*, the Buckingham County Police, Child Protective Services, and Juvenile Probation Departments may be included in the disposition.

Long-Term Suspension – A disciplinary action whereby a student is not permitted to attend school for a period of more than ten (10) days, but less than 365 days.

Look-alike Imitation Drugs – A pill, capsule, tablet, or other item, which is not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit, appearance, including color, shape, size, marking or package, or by representations made, is intended to lead or would lead a reasonable person to believe that such a pill, capsule, tablet, or other item is a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana.

Mediation/Conflict Resolution - Mediation/Conflict Resolution is a process led by either student and/or staff mediators in which disputants in a conflict are encouraged to meet and resolve their dispute.

One Year - 365 calendar days as required in federal regulations.

Parent / Guardian - A parent is considered a natural parent, parent by legal adoption, or court appointed legal custodian. Teachers, counselors, and administrators are expected to contact parents by phone or letter in an effort to keep them informed of their child's conduct.

Re-admission - A hearing must be initiated with the Superintendent for any student who has been expelled and seeks readmission. The parent may initiate contact with the Superintendent to schedule the hearing 60 calendar days prior to the expiration of the 365-calendar-day expulsion time frame. The review will be based on written information only unless otherwise requested by the School Board. In the event approval for readmission is granted, the School Board will determine appropriate school placement and the date of reentry.

Restitution - The replacement of or payment for property taken, damaged, or destroyed will be required.

School Conference with Parent - Parents are encouraged to set up an appointment with any teacher, counselor, or administrator to discuss their son's or daughter's progress or problems. If a student is suspended, a parent may be asked to come to school to initiate reinstatement of the student.

School Property and Activities - Includes real and personal property owned, leased or operated by or on behalf of the School Board. It also includes any school-sponsored event, bus stops, and activity to and from school and bus stops.

Search and Seizure - School authorities reserve the right to conduct random searches of lockers, desks, computers, computer hardware and software and other property, as well as individuals and their belongings. This action will be taken to protect the safety and security of the school environment. School authorities may also conduct a search when there is reasonable suspicion for believing that items will be found that violate the law or school policy, rules, and regulations. The search should be reasonable in scope, duration, and intensity in relation to the item being sought. Students shall be held responsible for all items in their lockers and vehicles. The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored activity. If articles violate school policy, rule, regulation, or the law, they will be taken by an administrator. Illegal articles will be turned over to a police officer.

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1. Automobiles—Parking on school grounds is a privilege. All personal vehicles parked on school property may be searched as part of a random search or with reasonable suspicion. Parking on school property shall be deemed a consent to such search.

2. Canines—In an effort to ensure that each school maintains a safe environment, police dogs will be brought onto school property to inspect school premises, including, but not limited to, students, lockers, desks, back packs, instrument cases, hand bags and vehicles.

3. Surveillance Cameras—Surveillance cameras may be used in buses, in school facilities, and around school grounds in order to monitor and maintain order, discipline, and school safety.

Serious Bodily Injury – Bodily injury which involves (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a body part or mental faculty.

Shortened School Day - The school administrator may recommend shortening a student's day if such a move is deemed beneficial to the school and/or student.

Short-term Suspension – A disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten (10) school days.

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. The student's counselor often will be included in the conference.

Truancy Sweep – An activity that is performed routinely in a predetermined school zone that involves identifying, locating, picking up and processing truant students in the community. Truancy sweeps are performed by authorized county personnel from the schools, police and courts.

Verbal Assault – The act of cursing, threatening, or using abusive language or written remarks, intended to demean or harm a student, staff member, or visitor.

Video Surveillance – As a component of a comprehensive safe school plan, video surveillance, with or without audio capability, may be used in the common areas of certain schools and on school buses to maintain the security of students, staff members and visitors. Surveillance equipment may or may not be monitored at any time. Video recordings may be used for disciplinary purposes. To protect the confidentiality of all students, only school personnel may view video recordings that include more than one student. Law enforcement representatives in the course of a criminal investigation may view video recordings.

TECHNOLOGY RELATED TERMS

Application – A program that helps the user accomplish a specific task. Examples include word processing programs or spreadsheet programs.

Cyber Bullying – Abusive behavior including, but not limited to, taunting, threatening, stalking, intimidating, and/or coercing by one or more individuals against other students or staff, perpetrated with computers, cellular phones, internet websites, and/or any other electronic devices.

Extensions – Small programs that add to or extend the capabilities of the computer's system software.

Hacker – One who uses programming skills to gain illegal or unauthorized access to computers, computer networks, or files.

Preferences – Settings that are altered by the user to personalize the computer. Examples include track pad, date, time, internet settings, and network settings.

Software Image – The pre-set software image is defined as the configuration of the system software, preferences, and extensions that reside on the computer.

System Software – The programs and routines that control the functioning of the hardware and direct its operation.

Procedure in the Disciplinary Process

Suspensions and Expulsions of Students Generally

Students may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy. Except as provided in subsection C of Va. Code § 277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the School Board or the superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education. Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance. The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

Short-Term Suspensions

A Student may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal, or teacher may suspend the Student after giving the Student oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any Student whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the Student may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any Student, the principal, assistant principal, or teacher responsible for such suspension shall report the facts of the case in writing to the division superintendent or his designee and the parent of the Student suspended. The division superintendent or his designee shall review forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any party in interest and confirm or disapprove such action based on an examination of the record of the Student's behavior.

Appeal – A decision to suspend a student may be appealed by the student or parent/guardian. An appeal of any suspension shall not hold the suspension in abeyance. A student shall remain on out-of-school suspension while awaiting the appeal. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A student or parent/guardian may appeal a suspension to the principal of the school, then to the Superintendent or designee in the following manner:

Procedures for Appealing In-School Suspensions / Bus Suspensions:

In-school disciplinary actions and bus suspensions taken by a school administrator other than the principal may be appealed in person to the principal. If the initial action is taken by the principal, parents may appeal to the Superintendent of Schools or designee whose decision **shall be final**.

Procedures for Appealing Out-of-School Suspensions of ten days or less:

Out of school suspensions of 10 school days or less levied by a school administrator may be appealed in person to the principal, and subsequently to the Superintendent of Schools or designee whose decision **shall be final**. If the principal levies the initial out of school suspension of 10 school days or less, parents may appeal in person to the Superintendent or his designee, whose decision shall be final. The appeal of the principal's decision must be scheduled and held within 10 school days.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent of the student.

Long-Term Suspensions

A Student may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the Student and his parent of the proposed action and the reasons therefore and of the right to a hearing before the superintendent or superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (i) the offense is one described in Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) the School Board or division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

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Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

Expulsion**A. Generally**

Students may be expelled from attendance at school after written notice to the Student and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board in accordance with the regulations of the School Board. The School Board confirms or disapproves of the proposed expulsion regardless of whether the Student has exercised the right to a hearing.

The written notice given to the Student and his parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based

educational, training and intervention programs. The notice also states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion is borne by the parent of the student.

Nothing in this Policy shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board establishes, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule is designed to ensure that any initial petition for readmission will be reviewed by the School Board or the superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the superintendent denies such petition, the student may petition the School Board for review of such denial.

B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;

the results of any mental health, substance abuse or special education assessments;

the student's attendance and academic records; and

other appropriate matters.

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

Reporting

- A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports shall be made to the division superintendent and to the principal or his designee on all incidents involving
- 1.the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
 - 2.the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
 - 3.any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
 - 4.any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
 - 5.the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
 - 6.any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85 or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
 - 7.any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property of school buses;
 - 8.the arrest of any student for an incident occurring on a school bus, on school property, or at a school sponsored activity, including the charge therefore; and
 - 9.any illegal possession of weapons, alcohol, drugs, or tobacco products.
- B. The division superintendent and the principal or his designee shall receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of § 16.1-260 shall report such information to the principal of the school in which the juvenile is enrolled.

C. The principal or his designee shall submit a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent of the school division. The division superintendent shall annually report all such incidents to the Department of Education.

--In submitting reports of such incidents, principals and division superintendents shall accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection VII.B. of this policy.

D. The principal or his designee shall also notify the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students.

E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or his designee. Prevention and intervention activities shall be identified in the local school division drug and alcohol violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV-Safe and Drug-Free Schools and Communities Act).

F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal shall immediately report to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

--In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal shall also immediately report any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal shall report that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

Re-Admission of Suspended and/or Expelled Students

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

A hearing must be initiated with the superintendent for any student who committed an expellable offense while attending another school, public or private, or have been charged or found guilty of all violation of law and/or any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the Schools. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the local school board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding school board shall not impose additional conditions for readmission to school.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that re-admission, without parent conference, is appropriate for the student. If the parent fails to comply, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the school board, committee thereof, or superintendent or his designee, as the case may be at the relevant hearing, the student may re-petition the school board for admission. If the petition for admission is rejected, the school board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the school board for admission. The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

Disciplining Students with Disabilities

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long Term Removals and Considered a Disciplinary Change in Placement

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

- A. the removal is for more than 10 consecutive school days at a time; or
- B. Pattern analysis; there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
 - the length of each removal,
 - the proximity of the removals to each other,
 - the total time the student is removed, and
 - the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year.
 - the pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed. A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long- term removal.

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II. Short-Term Suspensions

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

III. Functional Behavior Assessments and Behavior Intervention Plans

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals. If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

IV. Educational Services While Disciplined

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

- A. continue to progress in the general curriculum, although in another setting, and
- B. make progress toward meeting the goals set out in the student's IEP.

The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

V. Manifestation Determination Review

When a disciplinary action is proposed that will result in a disciplinary change of placement, an MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

- considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and determines that:
 - ⇒ the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
 - ⇒ the conduct in question was not the direct result of the school division's failure to implement the IEP.

DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INTERIM ALTERNATIVE EDUCATIONAL SETTINGS FOR WEAPONS, DRUGS AND INFLECTION OF SERIOUS BODILY INJURY

Students with disabilities

1. who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency;
2. who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or
3. who inflict serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim alternative educational setting for up to 45 school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

Grievance Procedure

Any student or employee of this school division who believes he or she has been discriminated against, denied a benefit, or been excluded against, or been excluded from participation in any division education program or activity on the basis of sex in violation of this policy, may file a written complaint with the division Title IX compliance administrator. A written response will be mailed to the complainant within ten working days after receipt of the written complaint. A copy of the written complaint and the compliance administrator's response shall be provided the Superintendent of Schools and each member of the Buckingham County School Board. If the complainant is not satisfied with such response, he or she may submit a written appeal to the School Board indicating with particularity the nature of the disagreement with the response and his or her reason underlying such disagreement.

The Buckingham County School Board shall consider the appeal at its next regularly scheduled Board meeting following receipt of the response.

The Buckingham County School Board shall permit the complainant to address the Board in public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

RIGHTS/APPEALS FOR STUDENTS

RIGHTS:

Every student in Buckingham County School System is guaranteed the full exercise of his or her civil rights as guaranteed by the Constitution and laws of the United States, and by the Constitution and laws of the Commonwealth of Virginia. While at school, students are free to exercise their individual rights so long as their behavior does not materially or substantially interfere with discipline in the operation of a school or school-sponsored activity, or pose threat of harm to others, or prevent others from exercising their rights and freedoms.

APPEALS:

Whenever a parent (legal guardian) of a student enrolled in the Buckingham County Public Schools believes that his or her child has been denied his or her rights or has been mistreated, he or she may call the matter to the attention of the child's school principal. If said parent (legal guardian) is not satisfied with the principal's action, he or she may appeal in writing to the division superintendent or his designee. Said written appeal must be filed within five school days following the principal's decision, and must state the specific nature of the complaint. Finally, if not satisfied with the superintendent's decision, a written appeal may be taken to the school board. Said appeal must be in writing and filed with the Superintendent within five days following the superintendent's decision. In all matters, the decision of the Buckingham County School Board is final.

(The above grievance procedure is in accordance with Title IX of the 1972 Education Amendments and utilization of these procedures is not a prerequisite for filing of complaints with the Office Civil Rights.)



Buckingham County Public Schools

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