

BEHAVIOR SUPPORTS & CODE OF STUDENT CONDUCT



MESSAGE FROM THE SUPERINTENDENT

Dear VBCPS parents and guardians:

As we enter the 2024-2025 school year, we would like to assure you that our division, administrators and dedicated team of educators stand ready to welcome your child to a safe, respectful and inclusive school environment. Knowing that classrooms are places where all children can thrive academically, we encourage families to partner with administrators and teachers to ensure learners are personally and socially responsible.

Please know that protecting the health and well-being of all students is of utmost importance to VBCPS. This is consistent with Goal 2 of *Compass to 2025* – our strategic plan. To this end, I ask you and your child to read carefully through this *Behavior Supports and Code of Student Conduct* – a guide to ensure every school continues to offer all students a safe and productive environment, and most importantly, one that is free of disruptions. It also outlines our School Board policies and expectations for student conduct – whether that be in the classroom, on the bus or at any school-related activities. It is important to understand that anyone who disrupts our school day as described in this document, whether they are physically in a school building or not, will face disciplinary action as outlined in our *Code*.

An area of emphasis for us this year continues to be student use of technology. As a reminder, student use of personal cell phones, personal communication devices and accessories, such as ear buds or personal wireless headphones, are prohibited during instructional time and in instructional settings to ensure they are not a distraction from learning. Students must be cognizant of this with support from their teachers and parents or guardians.

In addition, social media and other technologies have expanded the learning environment far beyond our school grounds and well before or after school hours. Let's continue to teach our children to apply digital citizenship wisely and sensibly. That, of course, is entirely in keeping with the division's strategy of being social, being smart and being safe. The goal is to help our students and families understand what it means to be responsible digital citizens and realize that the impact of social media posts, regardless of whether they are deleted or not, can be life-altering. Please help your child understand that threats shared on social media are taken seriously and could end in a range of disciplinary actions, including expulsion from school, as well as potential legal action.

And finally, please remember that our schools are to be free of tobacco products, including electronic cigarettes and all vaping paraphernalia. To be clear, any vaping on school grounds violates this code, regardless of the substance.

Please read and discuss the *Behavior Supports and Code of Student Conduct* as a family. Afterward, please log into Parent VUE and complete the electronic Parent Acknowledgment Form by September 6, 2024. In addition, please note that the *Behavior Supports and Code of Student Conduct* is always available on vbschools.com, under the "Families" section of the menu on the homepage.

On behalf of our School Board, principals, teachers and staff, food service teams, bus drivers and everyone here at VBCPS, we thank you for your support and extend our best wishes for a school year that is safe and productive for your family. We can and will continue to do great work together!



Donald E. Robertson Jr., Ph.D.
Superintendent

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DISTRICT INFORMATION

Equity in Virginia Beach City Public Schools

Equity is central to the VBCPS core values and equity mission. As defined in the division's [Educational Equity Policy 5-4](#), *the concept of educational equity is not the same as equality. Equity refers to fostering a barrier-free environment whereby by all students, regardless of race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, childbirth or related medical conditions, age, marital status, disability, or genetic information, have the opportunity to benefit from the establishment of high standards and the provision of access, support, effective and inclusive learning environments and resources required for a high-quality education.* To achieve this mission, we must promote practices, policies, and interventions that advance diversity, equity, and full inclusion of all students, families, and school communities in proactive discipline approaches and understandings.

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

Specifically, some of the actions taken by VBCPS are:

- Adopting [Educational Equity Policy 5-4](#)
- Implementing the VBCPS Educational Equity Plan
- Providing cultural competency training to all licensed staff
- Partnering with [Virginia Center for Inclusive Communities](#) (VCIC) to continue to build capacity for implementing strategies based on best practices in education
- Working collaboratively with internal and external stakeholders to lead, communicate and support our division's equity priorities

VBCPS School Board Members

[Virginia Beach City Public Schools – School Board](#)

VBCPS Leadership

[Virginia Beach City Public Schools - Leadership](#)

Important Contact Information

To contact VBCPS employees with questions or concerns:

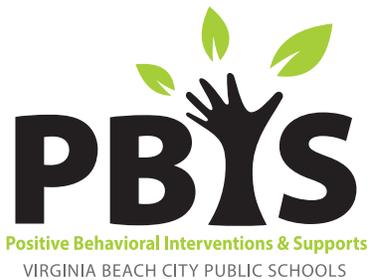
- Call us at (757) 263-1000
- email the Superintendent;
- communicate with the School Board; or
- visit us in person at one of our schools or administrative offices

Contact information for specific departments can be found on ***VBSchools.com*** under [Contact Us](#). We ask that you please discuss specific situations with your child's school prior to contacting the division office.

BEHAVIOR SUPPORTS

Framework for Student Support

VBCPS is committed to creating safe, supportive learning environments for all students. School discipline processes within VBCPS are consistently approached from an instructional, prevention-based perspective and contribute to a positive school environment which ensures equity, fairness, and continuous improvement.



Positive Behavioral Interventions and Supports (PBIS) develops a foundation for proactive support and emphasizes prosocial skills and expectations by teaching and acknowledging appropriate student behavior. PBIS aims to strengthen our practices and implement strategies to equitably support prosocial behavior, high quality learning experiences and social emotional development.

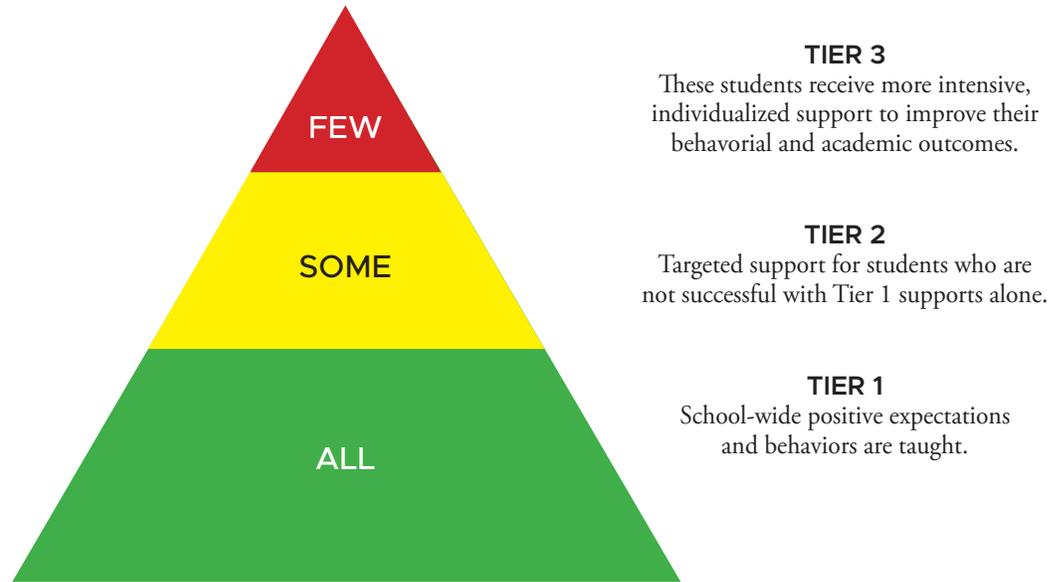
The PBIS framework emphasizes the use of data decision making, which can guide the purposeful integration of Social Emotional Learning (SEL) practices. Through PBIS, students understand behavior expectations, and through SEL students develop the social and emotional competencies needed to meet those behavioral expectations. PBIS practices involve:

- The development of safe, supportive and predictable learning environments
- Proactive approaches centered on teaching and reinforcing future ready skills
- Social emotional development linked with academic and life success
- Data used to inform effective classroom practices
- Student voice and family engagement

For more information regarding PBIS in VBCPS, you may contact your child's school. You may also visit the [Center on PBIS](#).

Tiered Framework for Behavior & Social Emotional Learning

VBCPS has adopted PBIS as a behavior framework that is preventive, instructional, and responsive to the strengths, needs, and values of its students, families, and community. The PBIS multi-tiered framework provides the structure through which academic, behavioral and social emotional learning takes place within the school environment for all students. It provides an ideal framework for increasing equity in student outcomes.



TIER 1: ALL	TIER 2: SOME	TIER 3: FEW
<p>Universal supports establish the foundation for consistent, proactive support and preventing problem behaviors. These supports focus on relationship and community building and social emotional skill development.</p>	<p>Small group interventions are available for students who need more than universal supports for success.</p>	<p>Individual interventions are provided for more intensive, focused support.</p>
<p>Examples: Teaching of school-wide positive expectations and classroom routines, effective procedures and supervision school wide, Consistent definitions and responses for problem behavior, Integration of SEL strategies in instruction</p>	<p>Examples: Targeted social skills instruction, Counselor facilitated small groups, Choices Program group support, Mediation</p>	<p>Examples: Individual School Counseling, Functional Behavior Assessment (FBA), Student Response Team (SRT), plan Corrective Action Plan</p>

Restorative Practices

The use of restorative practices as a response to behavior provides an opportunity for a student to learn from an experience in an effort to improve. Restorative practices focus on what happened, who was affected and how things can be made right. The student has an opportunity to understand the impact of his or her actions on others and repair the harm that was done and/or repair any relationships that may have been damaged by his or her behavior.

Restorative practices are helpful in preventing an incident from occurring (proactive) and helpful in resolving an incident that has occurred (responsive). Proactively, they provide an opportunity for students to build relationships and learn appropriate conflict resolution skills so that problems can be solved without incident. They are responsive because they provide an opportunity for all involved and affected by an incident to come together to explore what occurred, what affect it had on others and what can be done to repair harm and/or restore damaged relationships. In incidents that involve harm, restorative practices empower the person harmed by giving him or her a voice and allowing him or her to have a say in the solution to the problem.

The use of restorative practices helps to improve school climate, increase school safety, decrease suspensions and decrease disproportionality in discipline.



Examples of restorative practices include mediation, restorative circles or groups, formal restorative conferences and restitution.

For more information on restorative practices in VBCPS, you may contact your child's school. You may also visit the [International Institute for Restorative Practices](#)

School Attendance

Attending school each day and being on time to school are extremely important to a student's academic development and achievement. All students are expected to be in school, in class, and ready for instruction every day.

Each parent/legal guardian is responsible for regular and punctual attendance of any child in his or her charge within the compulsory age for school attendance. Emancipated students are responsible for their own regular and punctual attendance. Parents/legal guardians and emancipated students are expected to work cooperatively with school personnel to correct attendance problems, including meetings with teachers, counselors, or administrators.

What is considered an absence?

At the elementary and middle school level, if a student does not attend school for at least a portion of the day, he/she is counted absent.

At the high school level, absences are computed for each class. At the middle school level, absences are computed for each credit course. A student who misses more than fifteen (15) minutes of any class will be counted absent for that class.

What are the procedures if a student is absent?

The school will make a documented attempt to contact the parent/legal guardian if a student is absent without administrative approval or knowledge. The parent/legal guardian is required to provide written notice to the school of the reason for the student's absence or tardiness.

Requests for pre-approved excused absences should be made in writing by the parent/legal guardian and should state the reasons for absence and the time of absence. Such requests must be approved in advance of the absence by the Principal.

ATTENDANCE MATTERS

DID YOU KNOW?

Many absences, even in Kindergarten, can cause children to fall behind in school.

Missing just a day or two every month can make it harder to learn to read by the third grade.

Students with too many absences struggle to catch up, even with take-home assignments.

Students who miss 10 days or more during a school year are less likely to graduate from high school and or ever enroll in college.

All families have hopes and dreams for their children. Being in school every day will enable children to do well in school, and graduate from high school ready for work or college.

<https://www.attendanceworks.org/>

What is the difference between an excused absence and an unexcused absence?

School Board of the City of Virginia Beach Regulation 5-17.1 defines excused and unexcused absences. Examples are shown in the chart below.

Examples of Excused Absences	Examples of Unexcused Absences
Personal illness	Student employment or work schedule
Illness or death in family	Lack of transportation or missed bus
Exposure to contagious disease	Oversleeping or general tiredness
Religious holiday	Taking a personal day off for a break
Extremely inclement weather	Out-of-school suspension
School-sponsored/related activities	Activities unrelated to school

It is extremely important that any student absence only be for a valid reason (as outlined in the example above) and that the parent/legal guardian submits the appropriate documentation either in advance of, during or directly following the absence so that it can be documented as excused.

If there is a medical or disability-related reason for a student’s absence(s), the parent/legal guardian should communicate with support staff at the school, such as the school nurse, school counselor, teacher or administrator so that the appropriate supports can be put into place to assist the student. (e.g., health plan, Section 504 Plan or homebound services if student meets required qualifications)

What is the definition of excessive absences?

School Board of the City of Virginia Beach Regulation 5-17.1 provides the following definitions for each grade level:

Elementary school – more than eighteen (18) absences within a school year

Middle school,

- non-credit courses – more than twenty-four (24) absences within a school year
- credit courses – more than twelve (12) class absences within a semester
- block schedule credit courses – more than six (6) class absences within a semester

High school,

- credit courses – more than twelve (12) class absences within a semester
- block schedule credit courses – more than six (6) class absences within a semester

All excused and unexcused absences are included in calculating excessive absences except school-sponsored/related activities, recognized religious holidays, and political or civic events.

What are the procedures when a student has excessive absences?

When a student's absences equal two-thirds of the number for excessive absences, the school will

- notify the parent/legal guardian in writing of the number of absences
- work with the student and parent/legal guardian to develop a plan of action, such as
 - parent conference
 - scheduled contact with parent/legal guardian
 - referral to school counselor or school social worker
 - loss of privileges and/or restricted participation in school activities
 - referral to alternative learning program

When a student's absences are excessive, the parent/legal guardian will be notified.

Students in elementary and middle school will participate in a corrective plan with intervention strategies to improve attendance. Students could be denied promotion at the end of the school year.

Students in high school and middle school students in credit courses will receive a failing grade (63/N or actual class grade if lower than 63) for the semester. A parent/legal guardian may request a waiver of the reduction. Parents/legal guardians should contact their student's school for the appropriate waiver form and reference School Board of the City of Virginia Beach Regulation 5-17.1 for required steps and deadlines in the waiver process.

What are the procedures if a student's excessive absences are unexcused?

The state requires that schools take steps to support students who have excessive unexcused absences. VBCPS will take the following actions when a student has accumulated the corresponding number of unexcused absences for the full school day.



AFTER 5 UNEXCUSED ABSENCES

An attendance plan will be developed between a school representative, parent/legal guardian and student.



AFTER 6 UNEXCUSED ABSENCES

An attendance conference will be scheduled and held between a school representative, parent/legal guardian and student.



AFTER 7 UNEXCUSED ABSENCES

A court referral will be filed against the student or proceedings started against the parent/legal guardian. "Court referral" means filing a complaint to the Juvenile and Domestic Relations Court.



Attendance Tips

For Parents/Legal Guardians:

- ✓ Develop a regular bedtime and morning routine.
- ✓ Talk about the importance of regular attendance and about how your child feels about school.
- ✓ If your child seems anxious about going to school, talk to teachers, school counselors or other school staff for advice on how to make him/her feel comfortable.
- ✓ Keep a chart at home to record your child's school attendance. At the end of the week, talk with your child about what you see.
- ✓ Avoid missing school unless your child is truly sick. If chronic illness is a challenge seek help from your doctor or speak to the school nurse.
- ✓ Develop a backup plan for getting to school if something comes up. Ask a family member or friend for help.
- ✓ Seek support from school staff or community groups to help with transportation, health problems, or no safe path to school.
- ✓ Arrange medical appointments when school is not in session.
- ✓ Avoid extended vacations when school is in session.

For Students:

- ✓ Going to school every day develops a skill that will help you do well in class and with getting and keeping a job in the future.
- ✓ Sometimes it's tempting to skip or stay home because you're tired or don't understand what's going on in class. But, missing a day only makes school harder because you aren't learning something that will help you understand an upcoming lesson.
- ✓ One day matters. By missing just one day every two weeks, you would be on track to miss two full weeks in a semester or nearly a month of school for the year.
- ✓ Chronic absences increase the risk of becoming a dropout and affect your ability to earn a living. A high school graduate makes, on average, \$1 million more than a dropout over a lifetime.
- ✓ When you're not in school, teachers and administrators notice because they care about you and want you to be successful.
- ✓ If you're having trouble getting to school—and have challenges such as transportation, bullies, etc.—tell someone, such as a teacher, school counselor or your family.

Additional Information:

For more information about attendance policies and regulations in VBCPS, see [School Board Policies and Regulations](#)

Bullying, Cyberbullying and Harassment Prevention and Support

VBCPS is committed to providing an educational atmosphere free from harassment, intimidation, or bullying. Understanding how emotionally painful bullying and cyberbullying can be to a child, VBCPS' staff remain committed to preventing this type of harmful activity during the school day and at school-related activities. There are numerous initiatives and programs in place to create a culture that embraces respect for one another. Visit the following link on the division's website for more information about bullying.

Strong partnerships and communication between students, parents/legal guardians and schools are crucial in identifying and addressing instances of bullying, preventing future incidents and providing support for victims of bullying. Should a student or parent/legal guardian be aware of any act of bullying or cyberbullying committed by another student, he or she should immediately report this incident to the administration.



What are Bullying, Cyberbullying and Harassment?

BULLYING

Bullying is aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim. It involves

- a real or perceived power imbalance between the aggressor and victim, and
- is repeated over time, or
- causes severe emotional trauma. [Virginia Code §22.1-276.01](#)

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

CYBERBULLYING

Cyberbullying is bullying that takes place over digital devices such as cell phones, computers, and tablets. It can occur through

- SMS, text and apps
- online in social media, forums, or gaming where people can view, participate in or share content.

Cyberbullying is deliberate, hostile behavior that is intended to harm others. It includes

- sending, posting or sharing negative, harmful, or false content about someone else, and/or
- can also include sharing personal or private information about someone else causing embarrassment or humiliation

HARASSMENT

Harassment is repeatedly annoying or attacking a person based upon a protected class/category. Harassment includes targeting the person because of that person's

- race, ethnicity or color
- disability
- gender, gender identity or expression
- national origin, citizenship or immigration status
- religion
- sexual orientation
- weight, or
- any other protected class/category.

Harassment creates an intimidating, threatening or abusive educational environment that adversely affects a student's learning opportunities. Examples of harassment include

- written or spoken language or graffiti containing offensive language or graphic depictions
- name calling, jokes or rumors
- threatening or intimidating conduct directed at another person
- notes or drawings/illustrations
- slurs, negative stereotypes, hostile acts
- physical acts of aggressive conduct such as assault, theft, or damage to property.

Students who threaten to cause harm or harass others will be referred to the Principal or Assistant Principal for appropriate disciplinary action, which may include suspension and/or recommendation for long-term suspension or expulsion. (This includes actions in school, on school property, at a bus stop, on a school bus, at any school activity and/or actions that cause a disruption to the educational process at school.)

In addition to being familiar with the school division's policies, please review the following Virginia legal codes with your child:

Virginia Code §18.2-152.7:1 states, "If any person, with the intent to coerce, intimidate, or harass any person, shall use a computer or computer network to communicate obscene, vulgar, profane, lewd, lascivious, or indecent language, or make any suggestion or proposal of an obscene nature, or threaten any illegal or immoral act, he shall be guilty of a Class 1 misdemeanor."

Virginia Code §18.2-60 Virginia Code §18.2-60 states that if a threat is written, signed or unsigned, and contains a threat to kill or to do bodily injury to an individual or member of his/her family, it is a Class 6 felony. (This would include written threats to kill or to do bodily harm that are communicated via electronic communication.)

School Board of the City of Virginia Beach Policy 5-36 Virginia Code §22.1-276.01 School Board of the City of Virginia Beach Policy 6-62 School Board of the City of Virginia Beach Policy 6-64 School Board of the City of Virginia Beach Regulation 6-62.1 School Board of the City of Virginia Beach Regulation 6-64.1



When someone says or does something *unintentionally hurtful* and they only do it *once*.

For example, Mary tells a new classmate, Debbie, that she thinks her shirt is ugly and it doesn't match her outfit. Debbie responds that the comment hurt her feelings. Mary apologizes and doesn't do it again.

Mary's behavior is **not nice**, but it is **not bullying**.



When someone says or does something *intentionally hurtful* and they do it *once*.

For example, Mary laughs at a new classmate, Debbie, and loudly tells her, for the whole class to hear, that her shirt is ugly and makes her outfit look like trash. Debbie ignores Mary's behavior and plans to talk with her mentor for mediation. Mary does not repeat the behavior.

Mary's behavior is **mean**, but it is **not bullying**.



When there is a *real or perceived power imbalance* and someone says or does something *intentionally hurtful* and they *keep doing it over time*, even when you tell them to stop or show them that you are upset, or the behavior *causes severe emotional trauma*.

For example, Mary repeatedly makes fun of a new classmate, Debbie. Mary repeatedly laughs at her and points out to the class that her clothes are ugly and look like trash. Debbie quietly asks Mary to stop but being new, she is intimidated by Mary. Mary's behavior continues, even after the teacher also addresses Mary's behavior. Debbie dreads going to class and facing Mary's repeated insults.

Mary's behavior is intentionally hurtful, includes a power imbalance and repeated over time.
Mary's behavior **IS BULLYING**.

OR

For example, Mary makes fun a new classmate, Debbie. Mary laughs and points out that her clothes are ugly and look like trash. Debbie quietly asks Mary to stop but being new, she is intimidated by Mary. Mary then rubs food on the back of Debbie's shirt and points it out to the class. As everyone laughs, the teacher intervenes to stop Mary and settle the class. However, with her clothes ruined and feeling humiliated, Debbie runs from the classroom in tears and doesn't want to return.

Mary's behavior is intentionally hurtful, includes a power imbalance and although it is not repeated, it is severe enough to have caused severe emotional trauma. Mary's behavior **IS BULLYING**.

Suicide Prevention and Support



Protecting the health and well-being of all students is of utmost importance to VBCPS.

All school personnel and students will be expected to help create a school culture of respect and support, in which students feel comfortable seeking help for themselves or friends. Students are encouraged to tell any staff member if they or a friend are experiencing feelings of suicidal ideation or are in need of help. While confidentiality and privacy are important,

students should know that when there is risk of suicide, safety comes first.

Students learn about recognizing and responding to warning signs and risk factors for suicide and mental illness through mental health lessons taught by school counselors and Health/PE teachers in secondary Health/PE. These lessons utilize resources from the Virginia Department of Education, Everfi, and Erika's Lighthouse and the concepts are reinforced throughout the year. At the elementary level, personal safety and encouragement of help-seeking behaviors are also taught.

In accordance with [Virginia Code §22.1-272.1](#), all licensed educational professionals who believe a student may be at-risk of suicide hold the responsibility of reporting these students to a qualified school professional (QSP), while ensuring the safety of the student. QSPs are responsible for assessing a student's level of risk. When the suicide risk level is deemed to be imminent or elevated imminent, the QSP with support of administration will communicate directly with the parent/legal guardian and will refer the student and parent/legal guardian to local mental health services for further assessment. The parent/legal guardian is not contacted if the reason for the suicidal ideation is due to suspected abuse or neglect. In these instances, Child Protective Services is contacted.

Resources available for students and parents/legal guardians include:

- **Kempsville Center for Behavioral Health** (757) 461-4565, www.kempsvillecenter.com
No-cost assessments provided 24 hours a day, 7 days a week
No mental Health or medical referral needed
- **Department of Human Services-Crisis Response** - Mental Health Unit (757) 385-0888
- **Children's Hospital of the King's Daughters (CHKD) Mental Health Service Line** (757) 668-4673
- **Crisis Text Line**, Text "HOME" to 741-741, www.crisistextline.org
- **National Suicide Prevention Lifeline** 988, 988lifeline.org
- **Trevor Lifeline** 1-866-488-7386
Text/Chat Services, available 24/7, Text "START" to 678-678
- If there is an **IMMEDIATE** emergency, please call 911.

Any cost for participation in programs not offered by the school division is borne by the parent/legal guardian of the student.

Health Services & Student Medication

Health Services

VBCPS health services foster the growth, development, and academic achievement of students by promoting their health and well-being while maintaining a healthy and safe school environment. School nurses help to identify and address the health and safety needs of students, build collaborative partnerships, and provide quality health services that are culturally proficient and responsive to the changing health and safety needs of students and the school community.



Each school clinic is staffed with a full-time registered nurse, along with trained clinic assistants in the larger schools to support the well-being of students' health. They provide health screenings, assessments for chronic and acute illness, and first aid for school-related injuries. The registered nurse at each school is available to consult with parents/legal guardians as needed, regarding their child's health concerns and/or accommodations required in school. The school clinic does not serve as the student's physician or primary care provider. More information about health services is found on the school division's website.

Administration of Medication

Administration of medications, especially short term, should be done at home whenever possible. If a student is required to take prescription or non-prescription medication during the school day, the medication is to be taken to school by parents/legal guardians or an adult designee. All medication, prescribed (in original labeled container) and over-the-counter (in new sealed container), is to be accompanied by a Request for Administration of Medication in Hampton Roads School form or similar form completed by either a physician, nurse practitioner, physician's assistant, or dentist and signed by the parent/legal guardian.

VBCPS School Board Policy does not allow students to self-carry medication or bring it to and from school. A parent/legal guardian (or their adult designee) must transport medication to and from school. An exception is made for students who have a self-carry action/management plan completed for an asthma inhaler, insulin, and/or auto-injectable epinephrine. Each clinic maintains standing orders for stock epinephrine and albuterol in case of emergency. Additional questions and concerns may be directed to the registered nurse at the school. School Board of the City of Virginia Beach Policy 5-57 addresses student medication regulations.



Resources for English Learners

Virginia Beach City Public Schools (VBCPS) strives to promote a learning environment that is inclusive to all learners. We are a school division that serves a large and diverse multilingual population and community. Through its English Learner Program (ELP), VBCPS serves more than 2,500 students in grades K-12 who speak over 80 different languages.

The vision of the VBCPS English learner program is to empower English learners to master social and academic English; to achieve academic success; to accomplish personal goals focused on college and career readiness; and to navigate the diverse local and global communities. At VBCPS, English learners develop their academic English language proficiency through integrated content-based language instruction. Our school division employs English as a Second Language (ESL)-endorsed teachers who provide language acquisition services to English learners.

Because we are committed to partnering with our families and ensuring that all parents/legal guardians are involved in their children's education, VBCPS uses an interpretation service for meetings that is available upon request. If a parent/legal guardian is in need of an interpreter, they should notify their children's school so that one can be provided. For more information, please call (757) 263-1070.

Because of our commitment and strong desire to serve our English learners' families that VBCPS opened the International Welcome Center (IWC) on January 31, 2023. The IWC staff support English learner families as they transition to the U.S.A. and Virginia Beach, supply information regarding school and community resources, coordinate screening of students to determine if they qualify for English language services, help facilitate the registration process, review international transcripts, assist with enrolling students in appropriate high school courses, and support the on-time graduation of high school English learners.

At the International Welcome Center, we are committed to providing an inclusive and welcoming environment to new English learners transitioning to Virginia Beach, and we are dedicated to supporting their academic journey to ensure they are college and career ready according to the attributes of the VBCPS graduate profile. For more information about the IWC, please call (757) 263-2096.



Virginia Beach Community Resources

The following listing of community resources and agencies is provided to direct families to supports that may be needed in a variety of circumstances. See [VBCPS Office of Family & Community Engagement](#) for additional community resources.

This list is not all-inclusive and the existence of an organization on this list does not constitute a legal partnership with or promotion of that organization by the school division. Any cost for participation in programs not offered by the school division is borne by the parent/legal guardian of the student.

CRISIS LINES	
National Suicide Hotline/Suicide Prevention Lifeline https://988lifeline.org	988
Samaritan House (domestic violence) https://samaritanhouseva.org	(757) 430-2120
Veteran's Crisis Line https://www.veteranscrisisline.net/	988 Press 1
National Runaway Switchboard https://www.1800runaway.org/	(800) 786-2929
TREVOR Lifeline (suicide prevention) Text/Chat Services (available 24/7) https://www.thetrevorproject.org/	(866) 488-7386 Text "START" 678678

FOOD/FREE MEALS	
Potters House Tuesdays and Thursdays from 9:30 a.m. to 11:00 a.m. https://vbumc.org/missions/	1709 Pacific Ave (757) 428-7727
Star of the Sea Wednesdays and Fridays at 9:30 to 11:30 a.m. https://www.staroftheseeparish.com/social-ministry/	1404 Pacific Ave. (757) 428-1244
Judeo Christian Outreach Center Monday–Friday at 5:30 p.m. Saturdays, Sundays and Holidays at 2:30 p.m. https://jcoc.org/about-us/Hunger-Relief-Programs/	1053 Virginia Beach Blvd. (757) 491-2846

HEALTH

Virginia Beach Department of Public Health https://www.vdh.virginia.gov/virginia-beach/	(757) 518-2700
Virginia Beach Family Medical Center -- Southeastern Virginia Health System https://sevhs.org/locations/	(757) 380-8709

HOUSING AND SHELTERS

Regional Housing Crisis Hotline- a connection point for shelter/housing resources https://www.hamptonroadsendhomelessness.org/get-help.html	(757) 227-5932
H.E.R. (Help Emergency Response) Shelter, Portsmouth http://hershelter.com/contact-us	(757) 485-3384
Housing Resource Center, Virginia Beach https://www.vbgov.com/government/departments/housing-neighborhood-preservation/homelessness/Pages/housing-resource-center.aspx	(757) 385-5750
Judeo Christian Outreach Center, Virginia Beach https://jcoc.org/	(757) 491-2846
Samaritan House, Virginia Beach https://samaritanhouseva.org/	(757) 430-2120
Seton Youth Services, Virginia Beach (for ages 9-18) https://setonyouthservices.org/	(757) 498-4357
Union Mission Ministries, Norfolk https://www.unionmissionministries.org/	men: (757) 627-8686 Ext. 200 women: (757) 623-0642 Ext. 331

BEHAVIORAL HEALTH

Dept. of Human Services–Child & Youth Behavioral Health (CYBH) on-site crisis counseling for students https://hs.virginiabeach.gov/behavioral-health/child-youth-behavioral-health-services	(757) 385-0850
Department of Human Services - Crisis Response behavior health emergencies https://hs.virginiabeach.gov/behavioral-health/crisis-response	(757) 385-0888
Kempsville Center for Behavioral Health (for under 18) https://kempsvillecbh.com/	(757) 461-4565
The Barry Robinson Center (for military connected youth under 18) https://www.barryrobinson.org/	(800) 221-1995
Sentara Behavioral Health (for adults) https://www.sentara.com/medicalservices/services/behavioral-health.aspx	(757) 395-8000
Virginia Beach Psychiatric Center (for adults) https://vbpcweb.com/	(757) 496-6000 (main) (757) 627-LIFE (free confidential assessments)
National Alliance on Mental Illness (NAMI) education, support, advocacy Text/Chat Services (available 24/7) https://www.nami.org/Home	(800) 950-6264 Text 62640
National Suicide Hotline/Suicide Prevention Lifeline https://988lifeline.org	988
Children’s Hospital of the King’s Daughters Mental Health Service Line https://chkd.org/Our-Services/Mental-Health	(757) 668-4673
Integrated Health Services <i>comprehensive mental health for individuals and families</i> https://www.ihsva.com/	(757) 838-1894
Harbor Point Behavioral Health Center https://harborpointbhc.com/	(757) 393-0061
Fleet and Family Services Center (military families only) https://www.navycyp.org/	Little Creek/Fort Story (757) 462-7563 Oceana (757) 433-2912
TREVOR Lifeline (suicide prevention) Text/Chat Services (available 24/7) https://www.thetrevorproject.org/	(866) 488-7386 Text “START” to 678678

OTHER (MENTORING, CONTINUING EDUCATION, SUPERVISION)

<p>WAVE City Care educational services, mentoring, life skills, food distribution, healthy living, addiction recovery http://wavecitycare.com/</p>	(757) 965-8494
<p>Job Corps (ages 16-24) for youth seeking high school diploma or GED; for high school graduates seeking technical career training https://www.jobcorps.gov/</p>	(800) 733-JOBS
<p>Hampton Roads Workforce Council – NextGEN Pathways programs designed for youth ages 14-24, participants learn workplace readiness and academic skills essential for reaching their career goals theworkforcecouncil.org/nextgen-pathways</p>	(757) 314-2370

POLICE

<p>Non-emergency Dispatch https://police.virginia-beach.gov/community/contact</p>	(757) 385-5000
1st Precinct - located in the southeastern part of the city.	(757) 385-4377
2nd Precinct - located in the northeastern part of the city.	(757) 385-2700
3rd Precinct - located in the northwestern part of the city.	(757) 385-2703
4th Precinct - located in the southwestern part of the city.	(757) 385-2800
<p>Virginia Beach Magistrate’s Office https://courts.virginia-beach.gov/virginia-beach-magistrate-office</p>	(757) 385-4724
<p>Virginia Beach Sheriff’s Office https://www.vbso.net/</p>	<p>(757) 385-4555 (main number) (757) 385-4402 (jail intake)</p>

SOCIAL SERVICES

Virginia Beach Dept. of Human Services hs.virginiabeach.gov	(757) 385-3200
Child Protective Services hs.virginiabeach.gov/social-services/child-protective-services	(757) 385-3400
Adult Protective Services hs.virginiabeach.gov/social-services/adult-services	(757) 385-3550

SUBSTANCE ABUSE

Virginia Beach Dept. of Human Services Recovery Center (for detox) https://sobernation.com/listing/virginia-beach-dept-of-human-services-recovery-center-virginia-beach-va/?scrlybrkr=393c0890	(757) 385-6956
The Barry Robinson Center (for military connected youth under 18) https://www.barryrobinson.org/	(800) 221-1995

CODE OF STUDENT CONDUCT

BEHAVIOR INTERVENTION AND RESPONSE

VBCPS is committed to creating and maintaining safe, equitable, culturally responsive and supportive learning environments for all students. As a part of that commitment, the *Code of Student Conduct* is provided in order to outline behavioral expectations, categories of behavior and disciplinary actions that may occur as a result of student misconduct. In addition to responding to misconduct, Positive Behavioral Interventions and Supports (PBIS) is a multi-tiered system of supports that is utilized district-wide with a focus on teaching expectations for behavior, reinforcing positive behavior and addressing inappropriate behavior with interventions and disciplinary consequences.

RESPONSIBILITIES AND INVOLVEMENT

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

Parents/Legal Guardians

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

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

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

- Having their children regularly attend school on time and communicating reasons for absences and tardiness.
- Informing VBCPS staff about any concerns and/or complaints in a respectful and timely manner.
- Partnering with school administrators and teachers to address any academic or behavioral issues.
- Supporting VBCPS by communicating with their children about acceptable and expected school behavior.
- Becoming familiar and complying with VBCPS policies, rules and regulations.
- Paying all fees and charges levied against their children by VBCPS, including costs associated with damage to or loss of books, technology and other school property (Section 22.1-279.3 of the Code of Virginia).
- Providing and maintaining updated contact information to VBCPS and their children's individual school(s).

- Receiving information and prompt notification of inappropriate or disruptive behaviors by their children and any disciplinary actions taken by administrators or school staff.
- Receiving information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals.

- Supporting student completion of homework and participation in offered academic support programs.
- Being respectful and courteous to staff, other parents/legal guardians and students, while respecting individual differences, cultural diversity and the property of others.

Students

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

- Being treated courteously, fairly, and respectfully by VBCPS staff, visitors and other students.
- Learning in a safe, equitable, culturally responsive environment.
- Being in a respectful learning environment that respects all students as valued members of the school community and accepts and supports various pedagogies.
- Receiving an education that allows for academic as well as social and emotional growth and development.
- Being provided access to appropriate supports and services to meet with success in school.
- Expanding educational experiences and growth through extracurricular activities.
- Continuing student privacy, security and protection. (Note: Students and their property, including privately owned electronic devices, may be searched and/or an impairment assessment completed if there is reasonable suspicion that a law or school rule has been or is about to be broken.)
- Being informed of potential disciplinary action and being given an opportunity to present their explanation (Due Process as outlined in School Board Policy 5-36, B).
- Participating in meetings/conferences by providing input regarding decisions being made to support their academic, behavioral, and social and emotional growth.

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

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

VBCPS Staff

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

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

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

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

ACCEPTABLE USE OF COMPUTER SYSTEMS

The School Board provides computer systems to promote educational excellence, resource sharing, innovative instruction and communication, and to prepare students to live and work in the 21st century. Computer systems include, but are not limited to, all

- Computers
- Electronic tablets
- Electronic readers
- Servers
- Network devices
- Multifunction devices
- Telecommunication devices
- Printers
- Scanners
- Peripheral equipment
- Local and wide area networks
- Internet access
- Software
- Apps
- Application systems
- Web resources
- Data
- Digital content

Misuse of computer systems may result in disciplinary action including long-term suspension and/or expulsion. Computer systems shall not be used to conduct illegal activities or to send, receive, view, or download illegal materials.

Any authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications, information technology, and related technologies, or involvement in willful acts that

- cause physical, financial, or other harm in any manner, or
- disrupt or interfere with the education of students in any manner

are prohibited and may result in a recommendation for expulsion.

Any student who fails to comply with the terms of the Acceptable Use Policy or the regulations developed by the Superintendent may lose system privileges, and students may be disciplined in accordance with the *Code of Student Conduct* or other School Board policies and division regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of these policies or regulations. [School Board of the City of Virginia Beach Policy 6-62 and School Board of the City of Virginia Beach Policy 6-64] [School Board of the City of Virginia Beach Regulation 6-62.1 and School Board of the City of Virginia Beach Regulation 6-64.1]



BE SOCIAL. BE SMART. BE SAFE.

VBCPS's "Be Social. Be Smart. Be Safe." campaign was developed to help students and families understand what it means to be responsible digital citizens and to realize that social media posts and their impact exist forever, regardless of whether they are deleted or not. The division encourages families to talk about the importance of using technology and social media wisely.

VIRTUAL LEARNING

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

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

Students are reminded of the following online etiquette:

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



Virtual learning can be a rewarding and/or challenging experience for teachers, students, and parents/legal guardians. Some students thrive in this type of learning environment, while others prefer face to face instruction. Whether you choose this learning environment for your child or the decision is made for you due to a pandemic, inclement weather or natural disaster, the schools are here to support families in all scenarios. Below are some helpful tips for parents/legal guardians in order to set your student up for success.

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

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



STUDENT DRESS CODE

The purpose of the VBCPS Dress Code is to help ensure that the educational and work environment in our schools is respectful and safe and an environment where diversity is valued and contributes to achieving positive academic and social outcomes.

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

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

See VBCPS Dress Code for the full policy, including standards, temporary resolutions, modifications and enforcement.



REGULATIONS FOR PASSENGERS RIDING SCHOOL BUSES



MEETING THE SCHOOL BUS

- Students are subject to all conditions of the *Code of Student Conduct* while at the bus stop, going to and from the bus stop, or riding the bus.
- Parents/legal guardians or their designee should accompany their children to and from the school bus stop.
- Students must be on time. It is recommended that students be at their stop five minutes before the scheduled arrival time of the bus.
- Students must not stand on the traveled portion of the roadway or on private property while waiting for a bus.
- While waiting at a school bus stop, students must respect the property of homeowners in the area.
- Students must not run alongside a moving bus, but must wait until it has stopped, then walk to the front door.

CONDUCT ON THE SCHOOL BUS

- Students must obey the driver and be courteous to him/her and to fellow students. The driver is in charge of the bus and students and has the authority to assign seats to maintain discipline or promote safety.
- Students must never mar or deface the bus. Willful or careless damage must be paid for by the student performing the act.
- Students must not extend arms, legs, or heads out of the bus.
- Students must not talk to the driver while the bus is in motion except in an emergency.
- Students must not tamper with the emergency door.
- Students must not wave or shout at pedestrians or passengers in other vehicles.
- Students must not throw objects about the bus or from a window.
- Books, book bags, band instruments, or other loose objects must not be placed in the aisle or at the front of the bus on the floor. These items will be permitted aboard **ONLY** if they can be held in the student's lap and not encumber another student.



- Eating, drinking, or selling any commodity on the bus is prohibited.
- Students must not open windows without permission from the driver.
- Items that are prohibited at school will not be permitted on the bus. This includes but is not limited to live animals, glass objects, skateboards, scooters, surf/boogie boards, and other items that do not directly support the educational process.
- Portable communication devices, including cell phones, may be displayed, activated or used on the school bus by students while being transported to and/or from school.
- The bus driver has the right to refuse transportation to any student who has an unsafe object (matches, knives, firearms, etc.) in his/her possession.
- Students must provide written request from their parents/legal guardians to go home any other way than their regular route, subject to the approval of their school administrator.
- No change will be made in the location of bus stops or bus routing without the approval of the Office of Transportation Services, (757) 263-1545.
- Students must use the bus to which they are assigned. No change in a bus may be made without the permission of the school Principal.

LEAVING THE SCHOOL BUS

- Students must remain seated until the bus comes to a full stop.
- Students must leave the bus at their regular stops.
- If students must cross a highway, they are to do so at the front of the bus and at a distance of at least ten feet in front of the bus. They must not cross until the driver has signaled that it is safe to do so.
- Riding a school bus is a privilege. Should any child be reported to the school Principal, the Principal will be responsible for the disciplinary action including loss of the privilege of bus transportation.
- If you need help with problems relative to transportation, please contact the school Principal or the Office of Transportation Services, (757) 263-1545.

For more information regarding the policy and regulations regarding passengers riding school buses, see School Board of the City of Virginia Beach Policy 5-34 and School Board of the City of Virginia Beach Regulation 5-34.1

AFTER SCHOOL ACTIVITIES

1. Students are subject to conditions of the *Code of Student Conduct* while attending and participating in after-school student activities and athletic events as provided in School Board of the City of Virginia Beach Policy 5-1. Regulations outlined in the *Code of Student Conduct* apply at all after-school activities (such as athletic events, club meetings, dances, etc.) and the like.
2. Students are not allowed to loiter in concession areas.
3. Students must be seated during athletic activities (when seating is available).
4. Students are expected to leave school grounds at the conclusion of the activity.
5. Students waiting for a ride should meet their ride at the school's designated student drop-off/pick-up location.
6. Metal detectors are utilized at after-school activities and special events in order to ensure the safety of students and spectators.
7. Parental involvement is encouraged at all school-related activities.
8. If parents/legal guardians are not attending a school-sponsored event, a plan should be made to pick up their child at the conclusion of the event.

If the Principal or his/her designee determines that the student's presence at any after-school activity creates a continuing danger to persons or property or creates an ongoing threat of disruption, the student may be removed from the activity immediately.



STUDENT BEHAVIOR CATEGORIES

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

Behaviors that Impede Academic Progress (BAP)

These behaviors impede academic progress of the student or of students. They are typically indicative of the student's lack of self-management or self-awareness. Sometimes, the student may need help in understanding how the behavior impacts others. Therefore, students may need explicit instruction and modeling in social awareness development.

Behaviors Related to School Operations (BSO)

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

Relationship Behaviors (RB)

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

Behaviors that Present a Safety Concern (BSC)

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

Behaviors that Endanger Self or Others (BESO)

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

Persistently Dangerous Behaviors (PD)

These behaviors contribute to schools deemed as persistently dangerous by the state.

STUDENT BEHAVIOR DESCRIPTIONS

The following section outlines specific behavior descriptions and examples of behaviors that fall under each of the six behavior categories (outlined in the previous section). For additional information or clarification regarding a specific incident, please contact the student’s school.

Behaviors that Impede Academic Progress (BAP)

of the student or other students

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

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

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

BAP 4: Unexcused tardiness to class

BAP 5: Unexcused tardiness to school

Behaviors Related to School Operations (BSO)

interfere with the daily operation of school procedures

BSO 1: Altering an official document or record

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

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

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

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

BSO 7: Dress code violation

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

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

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

BSO 11: Unauthorized use of school electronic or other equipment

School electronic equipment/computer technology includes, but is not limited to, all computers, electronic tablets, electronic readers, network devices, telecommunication devices, multifunction devices, printers, scanners, and peripheral equipment (such as headphones, microphones, flash drives). School electronic equipment/computer technology shall not be used to conduct illegal activities or to send, receive, view, or download illegal materials. (e.g., student uses school-issued laptop to send nude photos)

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

Network systems include local and wide area networks, Internet access, software, apps, application systems, web resources, data and digital content. Network systems shall not be used to conduct illegal activities or to send, receive, view, or download illegal materials. (e.g., hacking, bypassing network security and/or accessing inappropriate websites on personal or school-issued device). Any violation of the Acceptable Use Policy which disrupts or interferes with the learning environment, students or staff members in any manner; or involvement in willful acts that cause physical, financial, social, emotional or other harm in any manner is prohibited and may result in a recommendation for expulsion. Students may lose system privileges and be subject to appropriate legal action.

BSO 13: Violation of school board policy regarding the possession or use of portable communication devices

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

A student will not willfully or maliciously deface, damage, or destroy property belonging to another, including school property at any time and private property while the student is under the school's jurisdiction. A student or parent/legal guardian will be held financially responsible, as allowed by state law, for willful or malicious destruction of school property.

BSO 15: Student is not going to class as assigned

BSO 16: Student is in an unauthorized area of the campus

Relationship Behaviors (RB)

create a negative relationship between two or more members of the school community (no physical harm)

RB 1: Bullying with no physical injury Any aggressive and unwanted behavior that is *intended to harm, intimidate, or humiliate* the victim; *involves a real or perceived power imbalance* between the aggressor or aggressors and victim; and is *repeated over time or causes severe emotional trauma*. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict. It can include repeated use of slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, religion, sexual orientation, or disability.

RB 2: Cyberbullying Using information and communication technologies, such as cell phone text messages and pictures, internet email, social networking websites, defamatory personal websites, and defamatory online personal polling websites to support *deliberate, hostile behavior intended to harm others*.

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

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

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

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

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

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

RB 8: Using profane or vulgar language or gestures (swearing, cursing, or inappropriate gestures)

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

RB 10: Failure to respond to questions or requests by staff (includes refusing to identify self properly)

RB 11: Unwanted or inappropriate physical contact (e.g., offensive touching, unwanted/undesirable contact, amorous behavior, “pantsing”)

Behaviors of a Safety Concern (BSC)

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

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

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

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

BSC 3: Drugs: Possessing drug paraphernalia Students will not use, have in their possession, have dominion and/or control of drug paraphernalia on School Board property, at school-sponsored activities, or while going to or from school. (e.g., pipes, DAB pens, E-cigarette if found to contain marijuana/THC oil or to have been used to smoke marijuana/illegal drug, and/or lighter when found with marijuana, illegal drugs and/or other drug paraphernalia).

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

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

Students are prohibited from possessing, selling or trading or offering to do so, smoking, and/or using tobacco products or nicotine vapor or alternative nicotine products as defined in [Virginia Code §18.2-371.2](#), as amended, at all times while on School Board owned or leased property, in School Board vehicles, in any vehicle parked on School Board property, at on or off site school-sponsored or school-related activities, or while going to or coming home from school.

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

Any aggressive and unwanted behavior that is *intended to harm, intimidate, or humiliate* the victim; *involves a real or perceived power imbalance* between the aggressor or aggressors and victim; and is *repeated over time or causes severe emotional trauma*. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict.

BSC 7: Cyberbullying that continues after intervention Using information and communication technologies, such as cell phone text messages and pictures, internet email, social networking websites, defamatory personal websites, and defamatory online personal polling websites to support *deliberate, hostile behavior intended to harm others*.

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

A student will not harass or discriminate against another person based upon that person's race, color, sex, disability, national origin, ethnicity, religion, or any other protected class/category as outlined in School Board of the City of Virginia Beach Policy 5-7, as amended. Harassment or discrimination consists of verbal or physical conduct or other action relating to a person's race, color, sex, disability, national origin, ethnicity, or religion when one or more apply:

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

Examples include, but are not limited to:

- a. Written or spoken language or graffiti containing offensive language or graphic depictions;
 - b. Name calling, jokes or rumors;
 - c. Threatening or intimidating conduct directed at another person;
 - d. Notes or drawings/illustrations;
 - e. Slurs, negative stereotypes, hostile acts;
 - f. Physical acts of aggressive conduct such as assault, theft, or damage to property.
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BSC 9: Bus: Distracting the bus driver (e.g., inappropriate talking, horseplay, making rude noises)

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

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

BSC 12: Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke (to include smoke bombs) Students shall not possess, distribute, discharge, or participate in the discharge of fireworks or similar items capable of producing a combustible or explosive reaction by fire, friction, concussion, percussion, or detonation, including, but not limited to firecrackers.

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

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

BSC 14: Fighting that results in *no injury* as determined by the school administration
Fighting involves two or more parties in conflict when they are striking each other for the purpose of causing harm or injury. This may extend to wrestling, or other aggressive actions that may result in the danger of harm or injury to either party, bystanders, or school property. A student that is assaulted and retaliates by hitting/kicking/etc., may be disciplined for fighting.

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

Inciting a Riot Unlawful use of force or violence that seriously jeopardized the public safety, peace, or order. Three or more people acting together.

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

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

BSC 17: Shoving, pushing, striking, biting another student with no visible injury
(physical abuse/physical aggression to include scratching, kicking or biting when injury does not occur, blocking the passage of, and cutting or pulling another student's hair)

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

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

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

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

BSC 21: Stalking as described in the Code of Virginia Section §18.2-60.3

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

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

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

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

BSC 24: Leaving school grounds without permission

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

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

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

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

Look-alike Firearm Possession of an instrument or device that resembles or looks like a pistol, revolver, or any type of weapon but not capable of propelling a missile. May include but not be limited to a cap pistol, water pistol, or any look-alike gun. Principal may determine if a look-alike is a weapon by considering the following:

1. Whether it is reasonable that a person would mistake the object for a weapon;
2. Whether the object was used for the purpose of threatening, intimidating, harassing, or harming another person; and/or
3. Whether it was the intent of the student who possessed, handled, used, or distributed the object to cause another person, or other persons, to believe that the object was, in fact, a weapon.

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

Razor Blade or Box Cutter

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

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

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

Behaviors that Endanger Self or Others (BESO)

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

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

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

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

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

BESO 4: Striking Staff: The use of force against a staff member when no injury is caused (to include hitting, pushing, scratching, kicking or biting when injury does not occur, spitting on, blocking the passage of staff)

BESO 5: Drugs: Possessing controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications Students will not have in their possession or have dominion and/or control of marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

BESO 6: Drugs: Being under the influence of controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications Students will not be under the influence of marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

BESO 7: Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications Students will not use marijuana or controlled substances on School Board property, at school-sponsored activities, or while going to or from school.

BESO 9: Fire: Attempting to set, aiding in setting, or setting a fire To unlawfully and intentionally damage, or attempt to damage, any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fire would be included in this category if they were contributing factors to a damaging fire.

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

BESO 11: Hazing as defined in §18.2-56 and noted in §22.1-279.6. Initiation of another student into a club, group, or any other organization through abuse and humiliation or as to cause bodily injury.

BESO 12 & 14: Threatening, intimidating, or instigating violence, injury or harm to a staff member or members *Note: BESO 12 pertains to threats that are not written; BESO 14 pertains to written threats* A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement as a serious expression of intent to harm or assault, or it materially disrupts classwork, involves substantial disorder, or invades the rights of others.

Incitement/Instigation of Violence Against Staff

Encouraging, inciting, enticing, or soliciting (by actions, oral comments or written/electronic messages) others to fight or harm another student/other person or which may result in physical aggression, fight or bodily harm

Posturing Toward Staff (to include intimidation)

Conveying by physical gestures, stance, raised fists, etc., the intention to harm or strike staff

Threat to Staff

Oral or written/electronic threat or false threat to do bodily harm

BESO 13 & 14: Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s) *Note: BESO 13 pertains to threats that are not written; BESO 14 pertains to written threats* A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement as a serious expression of intent to harm or assault, or it materially disrupts classwork, involves substantial disorder, or invades the rights of others.

Incitement/Instigation of Violence Against Student or Other Person

Encouraging, inciting, enticing, or soliciting (by actions, oral comments or written/electronic messages) others to fight or harm another student/other person or which may result in physical aggression, fight or bodily harm

Posturing to Fight Student or Other Person

Conveying by gestures, stance, raised fists, etc., the intention to fight.

Threat to Student or Other Person

Oral or written/electronic threat or false threat to do bodily harm

Threat of Violence Against School

Oral or written/electronic threat or false threat to do bodily harm

BESO 15: Using an object not generally considered to be a weapon to threaten or attempt to injure school personnel

BESO 16: Using an object not generally considered to be a weapon to threaten or attempt to injure students or others

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

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

Behaviors Used to Determine Persistently Dangerous Schools (PD)

PD 1: Homicide – Firearm

PD 2: Homicide – Other Weapon

PD 3: Sexual Assault Sexual penetration (e.g., oral, anal, or vaginal) without consent. This category includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

PD 4: Attempted Sexual Assault Attempted sexual penetration (e.g., oral, anal, or vaginal) without consent. This category includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

PD 5: Use of a Bomb Use of any device possessed or assembled at school that contains combustible material or combustible material and a fuse.

PD 6: Assault with Firearm or Weapon Physical violence with use of a weapon, directed toward another person and causing bodily harm is considered an assault with firearm or weapon.

PD 7: Actual or Attempted Robbery A student will not take or attempt to take another person's property by force or violence. This includes obtaining money, property, or other objects of value, either tangible or intangible.

PD 8: Kidnapping/Abduction Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s)/legal guardian(s). This includes hostage-taking.

PD 9: Malicious Wounding without a Weapon Any person who maliciously wounds another person or by causing bodily injury, with the intent to maim, disfigure, disable, or kill.

PD 10: Aggravated Sexual Battery on a Student Sexual abuse of a victim: who is less than thirteen years of age, or that act is accomplished against the will of the victim, by force, threat or intimidation, or through the use of the victim's mental incapacity or physical helplessness, and—the victim is at least thirteen but less than fifteen years of age, or the accused causes serious bodily or mental injury to the victim, or the accused used or threatens to use a dangerous weapon. Sexual Abuse means an act committed with the intent to sexually molest, arouse, or gratify any person.

PD 11: Illegal Possession of Handgun The possession, handling, using, or distribution of a firearm, whether loaded or unloaded, operative or inoperative, on the way to or from school, on school property, or at any school-sponsored or related activity is prohibited. Possession includes bringing a firearm onto school property, storing it in a vehicle, locker, or other receptacle.

PD 12: Illegal Possession of Rifle or Shotgun The possession, handling, using, or distribution of a rifle or shotgun, whether loaded or unloaded, operative or inoperative, on the way to or from school, on school property, or at any school-sponsored or related activity is prohibited. Possession includes bringing a firearm onto school property, storing it in a vehicle, locker, or other receptacle.

PD 13: Illegal Possession of Any Other Projectile Weapon Any weapon designed to expel a projectile or that may readily be converted or modified manufactured guns to expel a projectile by the action of an explosive device.

PD 14: Illegal Possession of Bomb Any device possessed or assembled at school that contains combustible material or combustible material and a fuse.

PD 15: Illegal Possession of Other Firearms Any weapon that will, or is designed to, expel a projectile by the action of an explosive; this includes firearms not mentioned previously (operable or inoperable, loaded or unloaded) such as, but not limited to, a zip or starter gun.

PD 16: Illegal Possession of Controlled Drugs and Substances with Intent to Distribute or Sell (to include sale/distribution of anabolic steroid, illegal drug inhalant, marijuana, Schedule 1 or 2 drug and prescription drugs)

LEVELS OF ADMINISTRATIVE RESPONSES TO STUDENT BEHAVIOR

The following summarizes the levels of disciplinary responses which shall be enforced by school personnel with students who are in violation of school rules, *Code of Student Conduct*, School Board Bylaws, Policies, Division Regulations, the Discipline Guidelines, and/or local, state, or federal laws. Disciplinary responses to student behavior are dependent on the nature of the behavior and are progressive in nature; that is, the level of response increases as the number of instances of similar inappropriate behavior increases.

Note: If the Principal or his/her designee determines that the student's presence at school creates a continuing danger to persons or property or an ongoing threat of disruption, the student may be removed from school immediately. School Board of the City of Virginia Beach Regulation 5-21.1

LEVEL 1 RESPONSES

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

Afternoon/Evening School - An administrative detention, not to exceed three hours, that is held after school or in the evening with the permission of the parent/legal guardian. Students must be supervised by a teacher, administrator, or teacher assistant.

Bus Suspension - The temporary removal of the student from the bus or a loss of bus privileges.

Community Service - An approved duty or activity meant to make restitution for actions and/or benefit both the student's personal growth and the school community. The assignment must be a written mutual agreement between parent/legal guardian, student and administrator.

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

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

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

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

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

Saturday School - A student detention, not to exceed three hours, that is held on a Saturday with the permission of the parent/legal guardian. Students must be supervised by a teacher, administrator, or teacher assistant.

Timeout - The temporary removal of the student from class.

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

LEVEL 2 RESPONSES

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

In-School Suspension (up to 3 days)

The administrator may assign the student to in-school suspension (ISS) for up to three school days (i.e., quarter day, half day, full day). During a period of ISS, the student is assigned to a classroom for up to three days and is given classwork by qualified school personnel serving as the school's ISS Coordinator. Students are given an excused absence for all classes missed while in ISS. Refusal to attend ISS will result in out-of-school suspension (OSS).

LEVEL 3 RESPONSES

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

Choices Program Referral

Choices is an instructional program designed to serve students who consistently demonstrate inappropriate behaviors, excluding truancy, that interfere with learning. Students placed in this program have not successfully implemented the behavioral interventions put in place by the school. The Choices curriculum provides students with information and activities to develop skills necessary to make appropriate choices and understand the impact of anti-social behavior on their lives and the lives of their families and communities. The student may be placed into the Choices Program as an alternative to suspension. The administrator will meet with the student and parent/legal guardian to review the requirements of the Choices program to determine the acceptance of the responsibilities of this placement.

Out-of-School Suspension (up to 5 days)

The administrator may assign the student to out-of-school suspension (OSS) for a period up to five days (i.e., quarter day, half day, full day). During the period of OSS, the student is not permitted on school property or at school-sponsored activities. Any student who is under OSS and is also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. The student will be provided classwork and homework material so that the student may remain current with school instruction while enrolled in school. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS.

LEVEL 4 RESPONSES

Level 4 behaviors may require a report to the Director of the Office of Student Leadership (as the Superintendent's designee) as outlined in Virginia Code §22.1-279.3:1. It does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the student may be permitted to return to the comprehensive setting with additional supports and/or responses to be implemented.

Corrective Action Plan in the Office of Student Leadership

If the student has had five or more disciplinary referrals without an improvement in behavior after interventions and supports put into place by the school, the Principal or Principal's designee may suspend the student and refer the student to the Office of Student Leadership for the completion of a Corrective Action Plan (CAP). The student and parent/legal guardian will meet with the Coordinator of Student Conduct/Services. The student may only be readmitted to school after the CAP has been signed and the parent/legal guardian and student have met with the Principal or designee for reinstatement.

Out-of-School Suspension (6-10 days)

The administrator may assign the student to out-of-school suspension (OSS) for a period of six to ten days with the approval of the Director of the Office of Student Leadership or the Director's designee. During the period of OSS, the student is not permitted on school property or at school-sponsored activities. Any student who is under OSS and is also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. The student will be provided classwork and homework material so that the student may remain current with school instruction while enrolled in school. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS.

Substance Abuse Intervention Program (SAIP) Referral due to Tobacco and/or Alternative Nicotine Products

The student in middle or high school may be assigned the Substance Abuse Intervention Program (SAIP) as the result of a third infraction involving tobacco and/or alternative nicotine products. The student assigned to SAIP as a disciplinary response to behavior is considered to be under out-of-school suspension (OSS), and during the period of SAIP, the student is not permitted on school property or at school-sponsored activities. Any student who is under administrative assignment to SAIP and is also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. All absences associated with referral and completion of SAIP are excused and should not

be counted when determining excessive absences of a student. The student will be provided classwork and homework material so that the student may remain current with school instruction while enrolled in school. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS.

Substance Abuse Intervention Program (SAIP) Referral in Lieu of Expulsion

The student in middle or high school may be assigned the Substance Abuse Intervention Program (SAIP) in lieu of a recommendation for expulsion as the result of an infraction involving the possession, being under the influence or use of drugs or alcohol. The student assigned to SAIP as a disciplinary response to behavior is considered to be under out-of-school suspension (OSS), and during the period of SAIP, the student is not permitted on school property or at school-sponsored activities. Any student who is under administrative assignment to SAIP and is also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school. All absences associated with referral and completion of SAIP are excused and should not be counted when determining excessive absences of a student. The student will be provided classwork and homework material so that the student may remain current with school instruction while enrolled in school. The parent/legal guardian shall be required to confer with the administrator prior to the student's reinstatement from OSS. If the student and parent/legal guardian decline the offer of SAIP in lieu of expulsion, a recommendation for expulsion will be made.

LEVEL 5 RESPONSES

Level 5 responses are reserved for the most serious behaviors, resulting in a report to the Director of the Office of Student Leadership (as the Superintendent's designee). The referral to the Director of the Office of Student Leadership may not automatically result in a school reassignment, alternative placement, long-term suspension or expulsion.

Request for Activation of Deferred Alternative Placement

The Principal or acting Principal may request activation of an alternative placement that was assigned to the student in deferment by a hearing officer or discipline committee as a result of a long-term suspension or expulsion recommendation. The request would be made in cases where the student has violated his/her probation by committing an act similar to the one that resulted in the discipline hearing.

Recommendation for Long-term Suspension

The Principal or acting Principal may recommend the student for long-term suspension. The student can be suspended for more than ten days following a hearing before a hearing officer designated by the Superintendent or designee. For certain offenses or habitual offenses, the student may be suspended for the remainder of the semester, the rest of the school year, or for a calendar year.

In the case of a recommendation for long-term suspension, the Director of the Office of Student Leadership shall arrange a time and place for a hearing to be held before a hearing officer within ten school days of the date of notice from the Principal or acting Principal and notify the parent/legal guardian and the Principal or acting Principal. The Principal and any witnesses deemed necessary by the Principal should attend the hearing. The student and the parent/legal guardian shall also be required to attend the hearing. The hearing officer may uphold or modify the recommendation, to include assigning an alternative placement for up to one year. It may be determined that transfer to another school serves the best interest of the student and the school. The student will remain on out-of-school suspension (OSS) pending the hearing and written decision of the hearing officer. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The student will be provided classwork and homework material so the student may remain current with school instruction while enrolled in school.

Recommendation for Expulsion

The Principal or acting Principal may recommend the student for expulsion. Upon the recommendation, the Director of the Office of Student Leadership shall review the recommendation, which he/she may uphold or modify.

If the Director of the Office of Student Leadership upholds the recommendation for expulsion, he/she shall notify the student and his/her parent/legal guardian of the time and place of a hearing before a discipline committee of the School Board. A hearing shall be held before the discipline committee within ten school days of the date of notice from the Principal or acting Principal. The student will remain on out-of-school suspension pending the hearing and written decision of the hearing officer or discipline committee. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The student will be provided classwork and homework material so the student may remain current with school instruction while enrolled in school. If the decision of the three-member discipline committee is not unanimous, the student and his/her parent/legal guardian have the right of appeal to the full School Board. The Principal and any witness deemed necessary by the Principal should attend the hearing. The student and parent/legal guardian shall also be required to attend the hearing.

If the Director of the Office of Student Leadership modifies the recommendation for expulsion to long-term suspension, he/she will arrange a time and place for a hearing to be held before a hearing officer within ten school days of the date of notice from the Principal or acting Principal and notify the parent/legal guardian and the Principal or acting Principal. The Principal and any witnesses deemed necessary by the Principal should attend the hearing. The student and the parent/legal guardian shall also be required to attend the hearing. The hearing officer may uphold or modify the recommendation, to include assigning an alternative placement for up to one year. It may be determined that transfer to another school serves the best interest of the student and the school. The student will remain on out-of-school suspension (OSS) pending the hearing and written decision of the hearing officer. The student is restricted from entering upon school property and is excluded as a participant or spectator from extracurricular activities. The student will be provided classwork and homework material so the student may remain current with school instruction while enrolled in school.

Expulsion

The student can be expelled only by action of the School Board or a discipline committee of the School Board based upon recommendation of the Principal and the Superintendent or his/her designee. Expulsion from school excludes the student from regular school attendance until readmission by the School Board or a discipline committee of the School Board.

BEHAVIORAL INTERVENTIONS

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

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

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

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

Referral to Specialized Instructional Support Personnel -

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

Referral to Multi-Disciplinary Intervention Team -

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

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

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

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

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

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

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

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

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

THE CHOICES PROGRAM

What is the Choices program?

Choices is an instructional program designed to serve students who consistently demonstrate inappropriate behaviors, excluding truancy, that interfere with learning. Students participating in this program have not successfully implemented the behavioral interventions recommended by the school's Student Response Team (SRT) and administrative staff. The Choices curriculum provides students with information and activities to develop skills necessary to make appropriate choices and to understand the impact of anti-social behavior on their lives, their families, and communities. VBCPS Student Support Specialists teach the research-based social skills curricula.

How are students referred to the program?

Students are referred to Choices through the self-referral process or a Principal, parent/legal guardian, hearing officer, or School Board Discipline Committee may initiate the placement process as another layer of intervention to change inappropriate behavior. Research indicates that the earlier the cycle of problematic behavior is addressed, the more likely the intervention will be successful; a student's referral to Choices should be preventative intervention used to help change behavior issues within the school.

What is the referral process?

Students may initiate self-referrals by contacting the school's Student Support Specialist. Administrator referrals are initiated by the principal or their designee. The principal or designee meets with the parent/legal guardian and the student to review the requirements of the Choices program to determine whether the student and parent/legal guardian accept the responsibilities of this placement. If the Choices placement is agreed upon, the principal or designee explains each of the program's contractual components and has the student and parent/legal guardian initial each area. The school's principal or designee, contacts the Student Support Specialist assigned to their building to reserve the next available placement date for forward copies of the completed contract, referral form and discipline record of student. A copy of the completed contract, referral form, and student discipline record should be provided to the parent/legal guardian.

What curriculum and services are provided?

Two Choices programs are offered: one at the middle school level and one at the high school level. The Second Step curriculum model will be implemented in the Choices program for the middle school students. The Reconnecting Youth curriculum will be implemented with high school students. Both Second Step and Reconnecting Youth are research-based social skills curricula designed to reduce impulsive, high-risk, and aggressive behaviors. These curricula include group discussions, modeling, coaching, and practice to increase the student's decision-making ability and self-regulation. Upon completion of the Choices program, students can be assigned to the caseload of their home school's Student Support Specialist for supplementary support services.

Are special education students accepted?

Special education students are accepted into Choices. The school will provide a copy of the student's Individual Education Program accommodation page to the Choices intervention staff to ensure the implementation of accommodations during the program.

What are the criteria for completion of the program?

Students are required to make up any missed Choices curriculum assignments. Because consistent attendance in the program is critical, students must adhere to the following protocol. Students will receive compacted instruction to make up missed curriculum if one day is missed as an excused absence. If the student misses another session, the Choices intervention staff will contact the parent/legal guardian to determine the appropriateness of the student continuing in the program. A recommendation to the school's Principal or designee will follow. Students, parents/legal guardians, teachers, and school administrators will receive notification when the Choices program is completed. Students participating in Choices by self-referral may be placed in the program as an intervention strategy later.

SUBSTANCE ABUSE INTERVENTION PROGRAM

What is the Substance Abuse Intervention Program (SAIP)?

SAIP is a ten-day substance abuse education and prevention program, designed for students in middle and high school, that is offered by the school division tuition-free. Transportation is provided. All absences associated with referral and completion of the SAIP are excused and are not to be counted when determining excessive absences of a student. The student will be provided classwork and homework material so that the student may remain current with school instruction while enrolled in school. A student may only attend SAIP once while enrolled in VBCPS.

How is a student referred to SAIP?

At the discretion of the Principal, a student may be referred to SAIP in lieu of expulsion for drug and alcohol offenses, except in the case of sale or distribution of drugs or alcohol, which must result in a recommendation for expulsion. If the student or parent/legal guardian does not accept the offer of SAIP in lieu of expulsion, a recommendation for expulsion must be made. Following a hearing before a hearing officer, the parent/legal guardian would have the right to appeal the decision pursuant to School Board of the City of Virginia Beach Regulation 5-21.1.

SAIP is also assigned for a third tobacco or nicotine violation during the school year. If the student or parent/legal guardian contests the assignment of SAIP for a third tobacco or nicotine violation, a recommendation for long-term suspension must be made by the Principal. Following a hearing before a hearing officer, the parent/legal guardian would have the right to appeal the decision pursuant to School Board of the City of Virginia Beach Regulation 5-21.1.

SAIP may also be assigned by a hearing officer or School Board discipline committee as the result of a discipline hearing.

During a student's assignment to this program, the student is under the provisions of School Board of the City of Virginia Beach Regulation 5-21.1. This requires that the student be restricted/excluded as a participant or spectator from any extracurricular activity until reinstated in his/her school. Further, the student is excluded from the home school unless prior permission is granted by the Principal.

Is SAIP available to students on a voluntary basis?

Any student who voluntarily admits, in the absence of reasonable suspicion or other conduct which alone would subject the student to discipline, that he/she has a substance abuse problem shall not be disciplined in accordance with this regulation. The student is to be permitted to remain in school and may participate in SAIP on a voluntary basis. Absences associated with voluntary SAIP are not excused, unless there is a note provided (example doctor/dentist appointment, sick note). The student is not considered to be on OSS and is permitted to participate in activities.

MANDATORY EXPULSION

Any student committing any of the following offenses while on school property or at school-sponsored or related activities, shall, except for a first-time simple drug or alcohol possession or drug paraphernalia possession offense at the discretion of the Principal as provided in School Board of the City of Virginia Beach Regulation 5-45.1, be automatically recommended by the Principal to the Superintendent for expulsion of at least one calendar year and, when appropriate, referred for criminal prosecution. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects the educational environment. School Board of the City of Virginia Beach Regulation 5-36.1

1. Arson or attempted arson
2. Assault and battery on an employee or student
3. Possession, use or sale of a firearm, pneumatic weapon or dangerous weapon
4. Use, possession, being under the influence of, selling, bringing, giving, distributing or passing to another individual or possessing with intent to sell, give, or distribute alcohol, marijuana, controlled substances or imitation controlled substances, and inhalants
5. Extortion, attempted extortion, robbery, burglary, motor vehicle theft, and/or larceny
6. Sex Offenses: sexual battery, inappropriate sexual behavior, obscene phone calls, and sexual assault
7. Hazing: initiation of another student into a club, group, or any other organization through abuse and humiliation so as to cause bodily injury
8. Kidnapping or other serious criminal violations
9. Possession, use, distribution, sale, lighting or discharge of explosive devices
10. Homicide
11. And other good and just causes as determined by the Superintendent

DISCIPLINARY ACTION FOR CONDUCT NOT RELATED TO SCHOOL ACTIVITIES

The School Board may require any student who has been:

- charged with an offense relating to the Commonwealth's laws, or with a violation of School Board policies on weapons, alcohol or drugs, or intentional injury to another person;
- found guilty, adjudicated delinquent, or not innocent of a crime which resulted in or could have resulted in injury to others, or of a crime for which the disposition ordered by a court is required to be disclosed to the Superintendent; or
- expelled for certain drug offenses, convictions or adjudication of delinquency to attend an alternative education program, including, but not limited to, night school, adult education or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

The School Board may impose this requirement regardless of where the crime occurred.

[School Board of the City of Virginia Beach Regulation 5-36.1/ Virginia Code §22.1-277.2:1, and Subsection G of Virginia Code §16.1-260]

POLICIES AND PROCEDURES

VBCPS POLICIES AND REGULATIONS:

[School Board of the City of Virginia Beach Policies and Regulations](#)

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

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

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

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

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents/legal guardians and eligible students about directory information and allow parents/legal guardians and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents/legal guardians and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

SCHOOL JURISDICTION

School Board of the City of Virginia Beach Policy 5-1

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

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

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

DUE PROCESS

School Board of the City of Virginia Beach Policy 5-36

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

1. The student, and parent(s)/legal guardian(s) of minor students shall be given oral or written notice of the charges.
2. If the student denies them, the student will be provided with an explanation of the facts as known to school personnel and an opportunity to present his/her version of what occurred.
3. The student and parent(s)/legal guardian(s) of minor students shall be informed in writing of the conditions of the disciplinary action.
4. In the case of a suspension of more than ten (10) school days or in the case of an expulsion,
 - a. The hearing officer, the discipline committee members, or the School Board members should not be persons with the direct involvement in the incident or the recommended discipline and should not have a personal or professional relationship with the student, the student's family, or the student's attorney.
 - b. The hearing officer, discipline committee members, or the School Board members reserve the right to recuse themselves from a student disciplinary hearing for these reasons or other good and just cause.
 - c. If the student and parent(s)/legal guardian(s) of a minor student fail to appear, the hearing may be held in their absence and a decision may be rendered based upon the evidence that is presented.
5. The adult student or the parent/legal guardian of a minor student may appeal the decision as provided in School Board of the City of Virginia Beach Policy 5-21 or School Board of the City of Virginia Beach Policy 5-6 and the associated regulations, as appropriate.

Note: The parent/legal guardian/adult student will be notified about the existence of community-based educational, training, and intervention programs. The cost for participation in programs not offered by the school division is borne by the parent/legal guardian of the student. [School Board of the City of Virginia Beach Regulation 5-21.1]

STUDENT SEARCHES

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

Metal detectors and other types of surveillance equipment will be used in the schools and at school activities for both random searches and where reasonable suspicion to search is present. Police dogs will be used on school property to detect the presences of weapons, drugs, and/or other contraband. Depending on the infraction, appropriate legal charges can be pressed against a student. Virginia Code §16.1-269.1 permits juveniles, 14 years of age or older at the time of an alleged offense to be prosecuted as adults for specific crimes under certain circumstances.

For more information about student searches, see School Board of the City of Virginia Beach Policy 5-65 and School Board of the City of Virginia Beach Regulation 5-65.1.

QUESTIONING OF STUDENTS

School staff may question or interview minor students regarding violations of the *Code of Student Conduct* and criminal matters without the consent or presence of parents/legal guardians.

School Board of the City of Virginia Beach Regulation 5-21.1

DISCIPLINE FOR STUDENTS WITH DISABILITIES

School Board of the City of Virginia Beach Regulation 5-21.3

Overview

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

Considerations

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

- Review eligibility documents regarding effect of the disability;
- Review the IEP/Section 504 Plan for behavioral supports and implementation;
- Identify if the team met to review student's instructional needs;
- Determine if the team considered and proposed a Functional Behavior Assessment (FBA) and/or Behavioral Intervention Plan (BIP) and/or revision;
- Consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates a *Code of Student Conduct*;
- Contact the Special Education Coordinator/Section 504 Instructional Specialist; and,
- Schedule a Manifestation Determination Review and IEP meeting.

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

Removals

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

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

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

Manifestation Determination Review – IDEA

If a student with a disability is removed for more than ten school days, consecutive or cumulative, due to a disciplinary infraction, it is considered a long-term removal or change in placement, and a Manifestation Determination Review (MDR) must be conducted. Within ten (10) school days after the decision to take disciplinary action is made, the manifestation determination review meeting must be held unless the conditions for an expedited meeting exist. The manifestation determination team works toward consensus of the participants not a majority vote on the final manifestation determination decision. The participants must consider: the behavior subject to the disciplinary action; all relevant information including evaluations and diagnostic results; information supplied by the parent; observations of the student; and the student's current IEP and placement. Parents who disagree with the decision made by a manifestation determination review team may exercise their right to request an expedited due process hearing which must be filed simultaneously with the school division and the Virginia Department of Education.

Section 504

For questions regarding students eligible under Section 504, contact the Section 504 instructional specialist assigned to the school or contact the Office of Student Support Services at (757) 263-1980.

It is important to consider the U.S. Department of Education Office of Civil Rights July 2022 Guidance on Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 when making disciplinary decisions.

IDEA

For questions regarding students eligible under IDEA, contact the Special Education Coordinator assigned to the school or contact the Office of Programs for Exceptional Children at (757) 263-2400. Parents/legal guardians may also contact the Parent Support and Information Center at (757) 263-2066.

SUSPENSION APPEAL PROCEDURES

In-school Disciplinary Actions

School Board of the City of Virginia Beach Regulation 5-6.1

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

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

Note: The Principal may assign a designee to meet with a student or the parent/legal guardian of a minor student and to respond in writing within five (5) days of the receipt of the appeal if the Principal will be absent during the five (5) day appeal period.

3. The decision of the Principal is final.

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

School Board of the City of Virginia Beach Regulation 5-6.1

School Board of the City of Virginia Beach Regulation 5-21.1

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

First Level – Appeal to the School Principal

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

Note: The Principal may assign a designee to meet with a student or the parent/legal guardian of a minor student and to respond in writing within five (5) days of the receipt of the appeal if the Principal will be absent during the five (5) day appeal period.

3. If the parent/legal guardian disagrees with the Principal's decision, the parent/legal guardian may follow the steps under the second level appeal (below).

Second Level – Appeal to the Coordinator in the Office of Student Leadership

1. The parent/legal guardian must submit a written appeal to the Office of Student Leadership. The Office of Student Leadership must receive the appeal within three (3) school days of the parent/legal guardian receiving notification of the Principal's (or Principal's designee's) decision.
2. The Coordinator in the Office of Student Leadership will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal.
3. If the parent/legal guardian disagrees with the Coordinator's decision, the parent/legal guardian may follow the steps under the third level appeal (below).

Third Level – Appeal to the Director in the Office of Student Leadership

1. The parent/legal guardian must submit a written appeal to the Director of the Office of Student Leadership. The Office of Student Leadership must receive the appeal within three (3) school days of the parent/legal guardian receiving notification of the Coordinator's decision.
2. The Director of the Office of Student Leadership will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal.
3. Acting as the Superintendent's designee, the decision of the Director of the Office of Student Leadership is final.

Long-term Suspensions (more than ten days)

School Board of the City of Virginia Beach Policy 5-21

School Board of the City of Virginia Beach Regulation 5-21.1

School Board of the City of Virginia Beach Regulation 5-21.3

Following a hearing before a hearing officer, the parent/legal guardian may appeal the decision to a discipline committee of the School Board as follows:

Such requests to appeal must be filed in writing by the parent/legal guardian with the Director of the Office of Student Leadership, within five (5) school days of receipt of the decision, or the right to appeal is waived. The discipline committee will consider the appeal within thirty (30) calendar days and may confirm, amend, or disapprove the suspension.

1. If the decision of the three-member discipline committee is not unanimous, the parent/legal guardian may appeal the decision to the full School Board. The appeal must be in writing and must be filed by the parent/legal guardian with the Director of the Office of Student Leadership within five (5) school days of receipt of the decision or the right to appeal is waived. The School Board will consider the appeal within thirty (30) calendar days.
2. Students remain subject to compulsory attendance laws while on suspension. If the student fails to enroll in an education program offered by VBCPS during the suspension, the student and/or parent/legal guardian is responsible for otherwise complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children or with the division's Section 504 Coordinator, whomever is applicable, for educational service options.

Expulsions

School Board of the City of Virginia Beach Policy 5-21

School Board of the City of Virginia Beach Regulation 5-21.1

School Board of the City of Virginia Beach Regulation 5-21.3

Following the Superintendent's or his/her designee's recommendation for expulsion, a hearing will be held by a discipline committee of the School Board, and the committee may confirm or disapprove the expulsion. If the decision of the three-member discipline committee is not unanimous, the parent/legal guardian may appeal the decision to the full School Board.

The appeal must be in writing and must be filed by the parent/legal guardian with the Director of the Office of Student Leadership within five (5) school days of receipt of the decision or the right to appeal is waived. The School Board will consider the appeal within thirty (30) calendar days. Students remain subject to compulsory attendance laws while on suspension. If the student fails to enroll in an education program offered by VBCPS during the suspension, the student and/or parent/legal guardian is responsible for otherwise complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children or with the division's Section 504 Coordinator, whomever is applicable, for educational service options. Students who are expelled from VBCPS remain subject to compulsory attendance laws.

Reinstatement

The School Board may require students who have been expelled by the School Board or a discipline committee of the School Board to provide a written request for readmission to school after one calendar year from the date of expulsion. Such a request should be accompanied by evidence that the student has corrected inappropriate behaviors and has established acceptable patterns of conduct.

DISCIPLINE HEARING PROCEDURES

- Once the Office of Student Leadership has received the initial information from the school, the parent/legal guardian will be contacted by phone and in writing with the hearing date and time. Parents/legal guardians should make sure their contact information is up to date with the school.
- The student's hearing will be scheduled within ten (10) school days.
- If the student has an IEP or in some instances a 504 plan, a manifestation meeting will be scheduled by the school prior to the hearing date.
- The parent/legal guardian should continue to pick up and turn in the student's work while they are out of the building, unless the student is able to access academic assignments through the use of technology. (The student will still have access to their Chromebook while going through the hearing process.)
- The student must remain off of school property while going through the hearing process and awaiting the decision. A student who enters school property without prior authorization during a suspension will be disciplined accordingly and may face criminal trespassing charges. If there are any tests or exams that need to be completed at the school, for example SOLs, the parent/legal guardian should communicate with the school and they will work out a day and time and provide authorization for the student to complete them.
- The packet of information that will be reviewed during the hearing can be picked up by the parent/legal guardian at the Office of Student Leadership the day before the hearing any time after 2:00 p.m. The parent/legal guardian will be required to show photo identification in order to pick up the packet.
- The parent/legal guardian and the student are expected to attend the hearing. Accommodations can be made for alternative forms of hearing participation, such as a phone conference. If the parent/legal guardian do not attend the hearing, the hearing will be held in their absence.
- The hearing officer's decision will be sent to the parent/legal guardian in writing after the hearing.

If the parent/legal guardian disagrees with the hearing officer's decision, then at that time the parent/legal guardian may appeal the decision to a discipline committee of the School Board. (See the Suspension Appeal Procedures of this document and reference School Board of the City of Virginia Beach Regulation 5-21.1)

Any questions regarding the hearing process should be directed to the Office of Student Leadership at (757) 263-2020.

Donald E. Robertson Jr., Ph.D., *Superintendent*
Virginia Beach City Public Schools
2512 George Mason Drive, Virginia Beach, VA 23456-0038

Produced by the Department of Communications & Community Engagement for the Office of Student Leadership.
For further information, please call (757) 263-2020.

Notice of Non-Discrimination Policy

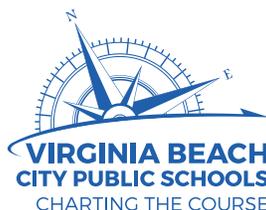
Virginia Beach City Public Schools does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation/gender identity, pregnancy, childbirth or related medical condition, disability, marital status, age, genetic information or military status in its programs and activities, employment, or enrollment and provides equal access to the Boy or Girl Scouts and other designated youth groups. School Board policies and regulations (including but not limited to, Policies 2-33, 4-4, 5-4, 5-7, 5-19, 5-20, 5-44, 6-7, 6-33, 7-48, 7-49, 7-57 and Regulations 2-33.1, 4-4.1, 4-4.2, 4-4.3, 5-7.1, 5-44.1, 7-11.1 and 7-57.1) provide equal access to courses, programs, enrollment, counseling services, physical education and athletic, vocational education, instructional materials, extracurricular activities, and employment.

Title IX Notice: Complaints or concerns regarding discrimination on the basis of sex or sexual harassment should be addressed to the Title IX Coordinator, at the VBCPS Office of Student Leadership, 641 Carriage Hill Road, Suite 200, Virginia Beach, 23452, (757) 263-2020, Robin.Reese@vbschools.com (student complaints) or the VBCPS Department of School Leadership, 2512 George Mason Drive, Municipal Center, Building 6, Virginia Beach, Virginia, 23456, (757) 263-1088, Robert.Wnukowski@vbschools.com (employee complaints). Additional information regarding Virginia Beach City Public Schools' policies regarding discrimination on the basis of sex and sexual harassment, as well as the procedures for filing a formal complaint and related grievance processes, can be found in School Board Policy 5-44 and School Board Regulations 5-44.1 (students), School Board Policy 4-4 and School Board Regulation 4-4.3 (employees) and on the School Division's website at Diversity, Equity and Inclusion/Title IX. Concerns about the application of Section 504 of the Rehabilitation Act should be addressed to the Section 504 Coordinator/Executive Director of Student Support Services at (757) 263-1980, 2512 George Mason Drive, Virginia Beach, Virginia, 23456 or the Section 504 Coordinator at the student's school. For students who are eligible or suspected of being eligible for special education or related services under IDEA, please contact the Office of Programs for Exceptional Children at (757) 263-2400, Plaza Annex/Family and Community Engagement Center, 641 Carriage Hill Road, Suite 200, Virginia Beach, VA 23452.

The School Division is committed to providing educational environments that are free of discrimination, harassment, and bullying. Students, staff, parents/legal guardians who have concerns about discrimination, harassment, or bullying should contact the school administration at their school. Promptly reporting concerns will allow the school to take appropriate actions to investigate and resolve issues. School Board Policy 5-7 addresses non-discrimination and anti-harassment, Policy 5-44 addresses sexual harassment and discrimination based on sex or gender. Policy 5-36 and its supporting regulations address other forms of harassment.

Alternative formats of this publication which may include taped, Braille, or large print materials are available upon request for individuals with disabilities. Call or write Virginia Beach City Public Schools, 2512 George Mason Drive, P.O. Box 6038, Virginia Beach, Virginia 23456-0038. Telephone 263-1000 (voice) or access information on the VBCPS website.

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July 2024