

**Floyd County Public Schools
Code of Student Conduct**

Philosophy

It is important that our schools recognize the dignity and worth of each individual student. Floyd County Public Schools is committed to providing an atmosphere of mutual respect that is conducive to teaching and learning. Students, parents, administrators, teachers, and all other staff members strive to create safe, supportive, effective school environments that:

- Foster social and physical safety;
- Provide support that enables students and staff to realize high behavioral expectations;
- Ensure effective academic instruction that provides opportunities for authentic instructional engagement with high rates of positive, task specific feedback to master rigorous academic standards; and
- Encourage and maintains respectful, trusting, and caring relationships throughout the school community.

These shared understandings reflect the expectations and experiences that promote a positive school climate.

Commitment to Equity

Floyd County Public Schools is committed to providing every student an equal opportunity to participate and thrive in the academic and co-curricular programs. We encourage and value equitable access to school programs and practices; inclusive teaching and learning; meaningful interaction and dialogue; and community involvement and service.

Roles and Responsibilities

Student Responsibilities

Students will assume the following responsibilities and will help make school a safe and positive space for everyone:

- understand and respect that everyone has a right and a responsibility to learn in a safe environment;
- treat everyone with respect, both physically and verbally;
- follow the instructions of teachers and other adult staff;
- come to school, unless ill, on time and prepared to work;
- adhere to bus rules and directions given by bus drivers;
- complete schoolwork on time;
- take care of personal property, property of others, and school property;
- help keep parents informed by taking information home;
- bring school supplies to class but leave non-academic items at home; and
- adhere to the law. Items such as alcohol, drugs, tobacco, electronic cigarettes, inhalant products and weapons are not allowed on school property. Violations of the laws concerning alcohol, drugs, tobacco, electronic cigarettes, inhalant products, and weapons will be reported to law enforcement officials.

Parent & Guardian Responsibilities

Creating a positive school climate requires involving families and creating a welcoming atmosphere to ensure their participation. Families have the following responsibilities to help make schools safe, effective learning environments:

- partner with school authorities, participating in school level meetings, and be supportive of the educational process;
- be familiar with the Code of Student Conduct and discuss it with their child;
- notify the school of any unusual behavior pattern or medical problem;
- maintain regular communication with the school and provide a current daytime phone number;
- partner and participate with the school to address student behavior;
- monitor and require daily attendance;
- advocate for their children and be a part of the educational process;
- verify they have discussed the Code of Student Conduct with their child; and
- reinforce academic lessons, instructions, and homework at home to ensure students are prepared for testing.

School Board Responsibilities

The Floyd County School Board will work to promote a safe, effective learning environment for all students by:

- establish student conduct policies and procedures that are fair, equitable, and consistent in content and application;
- adopt a discipline policy that is fair, equitable, and consistent in content and in application;
- review the adherence to and enforcement of the Code of Student Conduct; and
- consider long-term suspensions, expulsions, and the readmission of students who have been expelled.

Responsibilities of the Principal

The principal works with parents, community members, students and staff to establish and maintain a positive school climate that reflects the philosophy of the local school board. As leader of a team of essential stakeholders, the principal should support a prevention framework for behavior. Principal's responsibilities include:

- Managing student conduct on school premises, on the school bus, and at school sponsored events in accordance with local board policy;
- Establishing and implementing a clear, consistent, restorative process consistent with local board policy for removing students from an instructional setting at a teacher's request and for returning the student to the instructional setting;
- Law enforcement officers should not become involved in instances of student misconduct except at the request of the school principal unless there is imminent danger to students, staff, or community members;
- Reports to law enforcement do not necessitate the filing of delinquency charges;
- Law enforcement officers and school administrators should work together to implement systems of support to address juvenile delinquent behavior when possible; and
- In instances where the law enforcement determines that charges should be filed, law enforcement is required to notify the school principal that charges have been filed.

Professional Teaching Staff Responsibilities

Developing positive relationships with students that are built on mutual trust and respect have been shown to demonstrate some of the highest positive effects on student achievement and behavior. Developing relationships requires specific skills of the teacher such as the skills of listening, empathy, caring and having a positive regard for others. The impact of teacher student relationship variables includes gains in positive behavior, critical/creative thinking, math, verbal skills, and overall grades. The teacher's responsibilities include:

- Develop positive relationships;
- Develop a safe and positive physical environment;
- Teach (and re-teach when necessary) behavioral expectations;
- Reinforce positive behavior;
- Provide instructional feedback on behaviors;
- Utilize the school's tiered framework of interventions and supports for students who are not meeting behavioral expectations;
- Recognize personal stress, reactions that may escalate negative student behavior, and personal bias; and
- Use individual and classroom data to progress monitor student behavior and the teacher's responses to behavior.

In addition, teachers are responsible for attending training and participating in coaching that promotes positive relationships with other staff, parents, and families, and opportunities to develop partnerships that support students' development.

If a student is not meeting the behavioral expectations and the teacher has implemented classroom or school-based interventions as outlined in school procedures, the teacher may request that a student be removed from a class. (Policy JFCA)

School Counselor Responsibilities

School counseling programs support the Virginia Standards of Learning by providing guidance to students in their academic, career, personal, and social development. School counselors collaborate with parents, teachers, administrators, and others to:

- provide individual counseling for students;
- conduct small group sessions for students with similar concerns;
- serve as a resource person for classroom session to present factual knowledge concerning students' physical and social-emotional growth;
- create safe spaces for students to have an open dialogue about issues and concerns they are dealing with in the school and at home; and
- develop programs designed to enhance skills in problem solving, assertiveness, relationship building, and communication.

School Psychologist Responsibilities

School Psychologists have specialized training that enables them to understand and work with students in relation to their academic progress, behavior, social-emotional development, and relationships. They are critical members of student support teams and crisis intervention teams. They ensure student success by:

- confer with parents and school personnel to interpret test findings in relation to evaluation for special education services;
- consult with teachers and parents to explain the needs of all students;
- recommend to teachers and guidance counselors special activities geared to help all students;
- participate with other school personnel in school based team meetings; and
- recommend and develop alternative learning strategies for teachers when assisting students who receive special education services.

Responsibilities of School Nurses

The school nurse promotes the health and wellness of every student by:

- establish and maintain standards of emergency care to minimize the effects of accidents and illness in school;
- advocate for the health needs of students while they are in the school building;
- assist students, families, and school personnel in achieving optimal levels of wellness through health education; and
- provide health related in-services for students, families, and school personnel as necessary.

Non-Certified Staff Responsibilities

All members of the school community should be engaged in and responsible for establishing a positive school climate.

Law Enforcement Agencies/Personnel

School Resource Officers who are assigned to schools operate under a Memorandum of Understanding (MOU) that outlines the roles and responsibilities of the law enforcement agency, the school division, and personnel from both. The MOU between Floyd County Public Schools and the Floyd County Sheriff's Office is available on the Floyd County Public Schools' website and includes the following guidance:

- Law enforcement officers are not school disciplinarians.
- The officer's presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division's student code of conduct.
- Classroom management rests with the teacher.
- Disciplinary responses remain the responsibility of school administrators.
- The focus of law enforcement in conduct matters is properly centered on incidents that involve a violation of law.

School Attendance

Regular school attendance is a contributing factor to school success and a mandatory requirement for all students. The compulsory attendance law in the *Code of Virginia, § 22.1-254*, requires that all children who have reached their fifth birthday on or before September 30 and have not yet reached their eighteenth birthday must attend school (Policy JEA).

Floyd County Public Schools encourages regular attendance and addresses underlying causes of chronic absenteeism and truancy to avoid punishment or criminalization of students. Absences and tardies will be addressed by individual interventions and community support. Procedures for student absences, excuses, and dismissals can be found in Floyd County School Board Policy JED and JED-R.

Due Process

All students have a right to adequate and meaningful due process prior to being excluded from school for disciplinary purposes. Schools should ensure that students and families understand school discipline processes and their related right to due process.

Students have the right to be informed of any suspension, given specific reasons for the suspension, and offered the opportunity to tell their side of the story before being suspended.

Short-Term Suspensions (Less than 10 Days)

Students and families have the right to receive in writing a description of the incident, the date the student may return to school, and notice of their right to appeal. This letter must also be sent to the school superintendent or designee. Upon written request by the student or parent/guardian, the superintendent must review the suspension. If no alternative education program is provided, schools should make academic assignments available to students during a short-term suspension.

Long-Term Suspensions (Longer than 10 Days)

Students and families have the right to written notice from the Superintendent about the conditions of a long-term suspension and their relevant due process rights. The student has a right to the following:

- A hearing in front of the Superintendent or their designee;
- An appeal of an unfavorable decision to the School Board;
- Consideration of a variety of factors aside from the offense itself, among them: age and grade level; the student's academic and behavioral history; the availability of alternatives; mental health, substance abuse, or special education assessments; and any other relevant matters; and
- Upon appeal to the School Board, a written decision within 30 days.

Floyd County Schools provides an academically appropriate alternative education program that permits students serving a long-term suspension to maintain sufficient progress in the curriculum and allow a smooth transition back into the student's school once the suspension term concludes.

Expulsion

Students have the same due process rights to hearings and appeals as with long-term suspension, except that no expulsion is effective until approved by the School Board.

Students have the right to apply for re-admittance to school from an expulsion. Students also have the right to appeal a denial of re-admittance from an expulsion to the School Board.

Due Process for Students with Disabilities

Students with disabilities are entitled to all the same due process protections as students who do not have disabilities, plus additional protections under federal (IDEA, ADA) and state law. In brief,

- A short-term suspension is not considered a “change in placement” for special education purposes, but schools must still provide a free and appropriate education (FAPE) and strive to fulfill the IEP during this suspension.
- Even so, a series of short-term suspensions that form a pattern of behavior can be considered a change in placement.
- In most cases, students with disabilities cannot be suspended for more than ten school days for conduct that is caused by the disability.
- Students with disabilities who are long-term suspended or expelled are entitled to an expedited decision from a due process hearing challenging the disciplinary action.

The suspension and/or expulsions of students with disabilities will be in compliance with state regulations and federal law (Policy JGDA).

Use of Restraint & Seclusion

The Virginia regulations governing the operation of private schools for students with disabilities, *Administrative Code of Virginia* 8VAC20-671-650, prohibits the use of seclusion and restraint except when it is necessary to protect the student or others from personal harm, injury, or death. The use of seclusion and/or restraint as a means of managing student behavior in emergencies to ensure safety in private schools for students with disabilities is governed by 8VAC20-671-660.

The use of restraint and seclusion in public schools shall be consistent with applicable laws, regulations, and school board policies (Policy JM and JM-R).

Student Searches

A search involves an invasion of privacy. Floyd County Public Schools must balance the student’s right to privacy and freedom from unreasonable search and seizure against the school division’s responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission.

Floyd County School Board Policy JFG serves as a means to ensure school safety while respecting students’ right to privacy.

Preventative & Positive Approaches to Discipline

Tiered Systems of Support

Preventive and positive approaches to discipline create safe, supportive, and positive schools where adults respond to misbehavior with interventions and consequences aimed at understanding and addressing the causes of misbehavior, resolving conflicts, meeting students' needs and keeping students in school and learning.

Floyd County Public Schools has partnered with The Virginia Tiered Systems of Supports (VTSS), a data-driven decision-making framework for establishing the academic, behavioral, and social-emotional supports needed for a school to be an effective learning environment for all students. It is a model for systems reform with the goal of improving student outcomes. Division and school-based teams, in collaboration with VTSS Systems Coaches, establish a range of evidence-based instructional interventions that are implemented systematically based on student academic, behavioral, and mental health needs. The interventions are an array of high quality, evidence-based practices that are layered and implemented according to increasing levels of intensity or tiers.

Social-Emotional Learning

Learning social-emotional skills is vital to student development and is directly related to Virginia's Profile of a Graduate, which expects students to demonstrate the "Five C's:" critical thinking, creative thinking, communication, collaboration, and citizenship. A Virginia high school graduate should be able to:

1. Achieve and apply appropriate academic and technical knowledge;
2. Attain and demonstrate productive workplace skills, qualities and behaviors;
3. Build connections and value for interactions with diverse communities; and
4. Align knowledge, skill, and personal interests with career opportunities.

In order to achieve the goals of Virginia's Profile of a Graduate, students need to develop the following social-emotional competencies:

1. Self-awareness,
2. Self-management,
3. Social awareness,
4. Relationship skills, and
5. Responsible decision-making.

Social-emotional instruction is embedded in all content areas and explicitly taught in grades K-7 using Caring School Community curriculum and resources.

Student Behavior Categories

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents, and counselors of students' social-emotional development and emphasize the importance of helping students achieve academically and develop SEL 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 so training in social awareness may also be indicated.
Behaviors Related to School Operations (BSO)	These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social awareness skills.
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 behaviors 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 so the administrator should investigate the underlying motivation for the student's behavior. Training in social awareness and decision-making are usually indicated in any behavior that creates a safety concern.
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.

The categories are a means to sorting behaviors in order to apply leveled administrative responses to student behaviors.

Leveled Systems of Disciplinary Responses & Instructional Interventions

In an effective approach to intervention and discipline, when students do not meet behavioral expectations, they receive supports to address the root causes of the behavior and learn appropriate alternatives. When a specific student behavior does not change following an intervention—or the behavior increases in frequency, intensity, or duration—a problem solving approach identifies alternative interventions and responses. All stages of a system of intervention should include opportunities for learning acceptable replacement behaviors within the school and community and access to interventions to address the underlying causes of behavior.

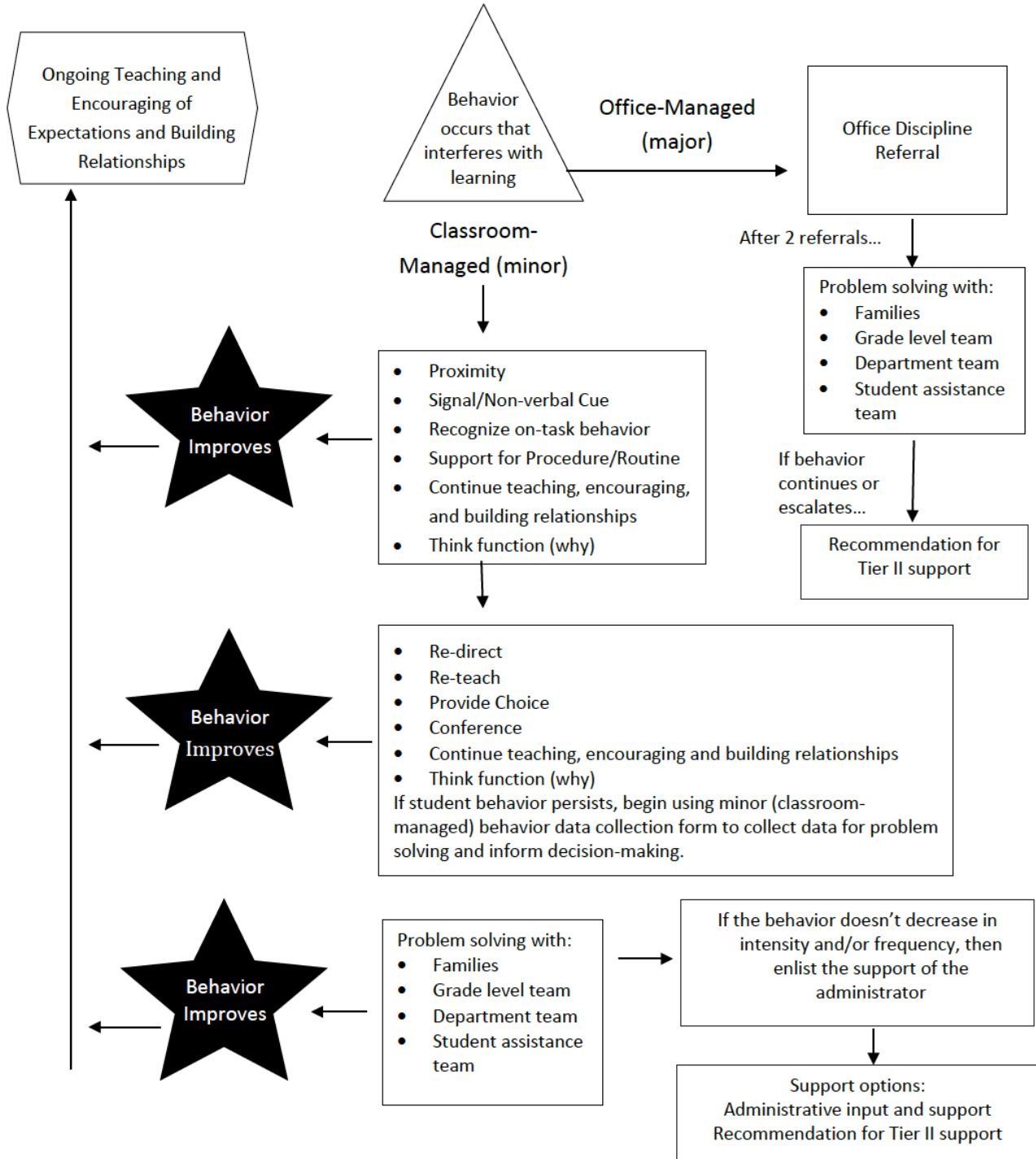
Delivering disciplinary responses to unwanted behaviors is often needed but never a sufficient strategy for reducing inappropriate behavior. Therefore, leveled systems of disciplinary responses should always be only one part of more comprehensive policy around behavior that includes instructional, preventive, and proactive strategies as described earlier in this document. The delivery of disciplinary responses should only serve four key functions:

- preventing a negative behavior from being rewarded;
- preventing a problem behavior from escalating;
- preventing a problem behavior from significantly interrupting instruction; and
- preventing physical and/or social-emotional harm to others.

Discipline Process Flow Chart

The flow chart below is an example of the process for managing student behaviors through a positive, proactive, preventive, evidenced-based approach.

Discipline Process: Continuum of Support for Discouraging Inappropriate Behavior



Teacher Responses to Manage Student Behaviors

Prior to administrative involvement in student behavior issues, teachers are responsible for supporting students in acquiring the behaviors expected in the school environment. Below are examples of proactive and instructional teacher actions to assist students in meeting behavioral expectations.

Examples of Proactive Teacher Supports for Classroom Managed Behaviors	Examples of Instructional Teacher Responses for Classroom Managed Behaviors
<ul style="list-style-type: none">• Develop, teach, and maintain clearly defined classroom expectations that are consistent with school wide behavioral expectations and applicable across all classroom settings at all times.• Build positive relationships with students and families.• Model and practice expectations in the appropriate settings.• Reteach/review expectations throughout the school year (i.e., quarterly, after breaks).• Use pre-correction strategies to remind students of expectations before transitioning between tasks/assignments.• Use more positive than corrective statements (4:1 ratio).• Create a classroom acknowledgement system to increase responsible student behavior.• Implement effective, evidence based instructional practices match to student learning needs.• Actively engage students in the teaching and learning process.• Teach prevention lessons that address students' social-emotional competencies. Teach lessons that apply the competencies to situations (i.e., bullying, suicide awareness and prevention, workplace skills, citizenship, character education).• Flexible classroom arrangements/seating.	<ul style="list-style-type: none">• Restructure/revise classroom practices based upon student needs.• Adjust pacing of instruction to increase on-task behavior.• Actively observe and plan for ignoring low-level misbehavior.• Change student seating.• Provide immediate positive feedback when students engage in expected behavior.• Respond calmly, restating the desired behavior.• Use progress-monitoring tools (i.e., behavior chart that includes the replacement behavior, on-task monitoring form, reflection sheets).• Communicate and collaborate with parents/guardians and the student's counselor and/or case manager regarding student behavior, teacher-based actions, and to problem solve.• Reteach desired behavior.• Problem-solve the behavior during a teacher-student conference using active listening.• Establish and consistently implement corrective responses to student misbehavior [i.e., positive practice, community service, restitution, loss of time for a valued activity, in-class time out (not to exceed ten minutes), time-out in another class under adult supervision, loss of privileges].• Facilitate restorative practices with the student and person(s) affected by the student's behavior.• Assign a working lunch to facilitate re-teaching or making up missed work (ex: lunch with teacher to catch up on work, review a social story, and reteach behavior).

Sample Investigative Decision-Making Process

Administrators and leadership teams will engage in a data driven decision-making process to determine appropriate responses for behaviors at all levels. Consequent actions or punishment should always be addressed with instruction and intervention. Instruction should focus on helping students develop social-emotional competencies needed to change the behavior.

As a part of the administrative decision-making process, school boards are encouraged to develop an investigation process and to train school administration in the process. Such processes help ensure the students' rights are respected and that all student behavior is addressed in an equitable manner. All referrals to an administrator should include communication with the family. Family involvement is critical to addressing student behavior.

The administrator will:

1. Determine if the behavior is an office-managed behavior (See the Discipline Process Flow Chart). If it is a teacher-managed behavior, consult with the teacher, team, school counselor, or other personnel on appropriate next steps.
2. Gather information to determine the complete picture of the situation, including statements from the student(s).
3. Identify contributing factors and existing data and/or previous interventions.
4. Consult the regulations for students with disabilities, if the student is identified as having a disability.
5. Communicate with the family to inform and gather information.
6. Consider whether contributing factors, data, or previous interventions indicate that a support or intervention is appropriate for the student.
7. Refer the student to the support services or intervention, if supports are indicated.
8. Label the behavior according to the behavior descriptors; assign the appropriate level of consequence, if disciplinary consequences are indicated.
9. Inform families of results of the investigation, the discipline consequence, and the academic and behavioral interventions that will be provided.
10. Document all interventions and consequences.
11. Notify the Superintendent Designee and Law Enforcement as required by policy.
12. Initiate a Threat Assessment, as indicated or required.
13. Follow through on the recommendations from the Threat Assessment Team.
14. Develop an action plan to provide for the student's academic and behavioral needs during the suspension or expulsion if the student is long-term suspended or expelled.

Leveled Administrative Responses to Student Behavior

Administrative responses and interventions should be designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and prevent further behavioral issues. The following lists of leveled administrative responses to student behavior are provided as an example of a leveled system of discipline responses.

Level 1 Responses

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

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

Level 2 Responses

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

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

Level 3 Responses

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

- Administrator/Teacher/Parent/Guardian Conference
- Detention
- In-school suspension with restorative practices (three plus days not to exceed five days)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, Problem Solving Team, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
- Referral for community-based services
- Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Development (Special Education Students)
- Functional Behavioral Assessment (FBA) and Behavior Support Plan (BSP) Development (General Education Students)
- Community service
- Revocation of privileges
- Restitution
- Referral to alternative education programs

Level 4 Responses

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

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Parent-Administrator-Teacher-Student behavior contract
- Long-term revocation of privileges
- Restitution via written contract
- Referral for community-based services
- Schedule change
- Short-term out-of-school suspension (for preschool to grade three students one to three days, four to ten days for fourth- to sixth-grade students, or five to ten days for seventh- to twelfth-grade students)
- Recommendation for a long-term suspension as determined by local policy or by *Code*.

Level 5 Responses

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

Required School-based Administrative Responses to Level 5 Behaviors

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Referral to Superintendent or designee

Examples of superintendent or designee responses to Level 5 behavior

- Long term suspension
- Alternative placement
- Expulsion
- School reassignment: Students may be assigned to another school within the division.
- Return the student to the school setting with appropriate supports and interventions.

Categories of Behavior Descriptors & Responses

The following lists bring together the Categories of Student Behavior Descriptors and the Levels of Administrative Responses to facilitate the equitable, responsive application of standards of student conduct. Schools boards are encouraged to differentiate responses to behavior for elementary students and secondary students. Behaviors that require a report to law enforcement are marked with a ■.

Category A: Behaviors that Impede Academic Progress (BAP)	Elementary					Secondary				
	1	2	3	4	5	1	2	3	4	5
Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract	•					•	•			
Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)	•					•	•			
Scholastic dishonesty (cheating, plagiarism)	•					•	•			
Unexcused tardiness to class	•					•	•			
Unexcused tardiness to school	•					•	•			

Category B: Behaviors Related to School Operations (BSO)	Elementary					Secondary				
	1	2	3	4	5	1	2	3	4	5
Altering an official document or record	•	•				•	•	•		
Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building	•	•	•			•	•	•		
Dress Code Violation	•	•				•	•			
Failure to be in one's assigned place on school grounds	•	•				•	•			
Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday School)	•	•				•	•			
Gambling (games of chance for money or profit)	•	•				•	•			
Giving false information to staff	•	•				•	•			
Refusal to comply with requests of staff in a way that interferes with the operation of school.	•	•	•			•	•	•		
Unauthorized use of school electronic or other equipment	•	•				•	•			
Vandalism, graffiti or other damage to school or personal property	•	•	•			•	•	•		
Violation of the Acceptable Use of Technology/internet policy	•	•				•	•			
Violation of school board policy regarding the possession or use of portable communication devices	•	•				•	•	•		

Category C: Relationship Behaviors (RB)	Elementary					Secondary				
	1	2	3	4	5	1	2	3	4	5
Bullying with no physical injury	•	•				•	•	•		
Cyberbullying		•	•			•	•	•		
Failure to respond to questions or requests by staff	•	•				•	•	•		
Inappropriate physical contact that is sexual in nature or violates school rules regarding contact	•	•	•			•	•	•	•	
Posting, distributing, displaying or sharing material or literature that is libelous, including using electronic means to post such material	•	•				•	•	•		
Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature	•	•				•	•	•		
Speaking to another in an uncivil, discourteous manner	•	•				•	•	•		
Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight	•	•				•	•	•		
Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)	•	•				•	•	•		
Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability	•	•				•	•	•	•	

Category D: Behaviors of a Safety Concern (BSC)	Elementary					Secondary				
	1	2	3	4	5	1	2	3	4	5
Alcohol: Possessing or using alcohol ¹	•	•	•				•	•	•	
Alcohol: Distributing alcohol to other students ¹		•	•	•			•	•	•	
Bullying Behavior without physical injury that continues after intervention Bullying that leads to physical injury should be classified as Assault and Battery.				•	•			•	•	•
Bus: Distracting the bus driver	•	•				•	•	•		
Bus: Endangering the safety of others on the bus	•	•				•	•	•		
Cyberbullying that continues after intervention Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.				•	•			•	•	•
Drugs: Possessing drug paraphernalia	•	•	•			•	•	•	•	
Drugs: Violating school board non-prescription (Over the counter) medication policy	•	•	•			•	•	•		
Engaging in reckless behavior that creates a risk of injury to self or others	•	•	•			•	•	•		
Exposing body parts, lewd or indecent public behavior	•	•	•			•	•	•	•	
Fire alarm: Falsely activating a or other disaster alarm		•	•			•	•	•	•	
Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke	•	•	•				•	•		•
Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students	•	•	•				•	•	•	•
Leaving school grounds without permission	•					•	•	•		
Physical contact of a sexual nature – patting body parts, pinching, tugging clothing,	•	•	•			•	•	•	•	
Physical sexual aggression and/or forcing another to engage in sexual activity ¹					•				•	•
Shoving, pushing striking a student with no visible injury	•	•	•			•	•	•		
Stealing money or property without physical force	•	•				•	•	•		
Stealing money or property using physical force (no weapon involved)			•	•				•	•	
Stealing money or property using weapons or dangerous instruments				•	•				•	•
Throwing an object that has the potential to cause a disturbance, injury, or property damage	•	•				•	•	•		
Tobacco: Possessing/Using tobacco products, electronic cigarettes, vaping equipment		•	•				•	•		
Trespassing		•	•				•	•	•	
Weapons: Possessing or selling any weapon as defined by school board policy , not including firearms ¹				•	•				•	•

Category E: Behaviors that Endanger Self or Others (BESO)	Elementary					Secondary				
	1	2	3	4	5	1	2	3	4	5
Assault: Intending to cause physical injury to another person	•	•	•			•	•	•	•	
Assault & Battery: Causing physical injury to another person ¹			•	•	•			•	•	•
Bomb threat –Making a bomb threat ¹	•	•	•	•					•	•
Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications ¹			•	•	•			•	•	•
Drugs: Being under the influence of controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications			•	•	•				•	•
Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications ¹			•	•	•				•	•
Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens or alcohol to another student(s) ¹					•				•	•
Fighting: The use of physical violence between students or on another person where there is no injury as determined by the school administration	•	•	•			•	•	•		
Fire: Attempting to set, aiding in setting, or setting a fire		•	•	•				•	•	•
Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in §18.2-46.1	•	•	•	•				•	•	•
Hazing as defined in §18.2-56 and noted in § 22.1-279.6 .					•					•
Striking Staff: The use of force against a staff member when no injury is caused	•	•	•	•				•	•	•
Threatening or instigating violence, injury or harm to a staff member	•	•	•	•			•	•	•	•
Threatening or instigating violence, injury or harm to another student	•	•	•				•	•	•	•
Possession of a firearm or destructive device as defined in § 22.1-277.07 . ¹					•					•
Using any weapon to threaten or attempt to injure school personnel, students, or others ¹					•					•

Application of Policy

The standards of student conduct apply to all students under the jurisdiction of a school board. Disciplinary action will be determined based on the facts of each incident in the reasonable discretion of the school board and other appropriate school officials. Disciplinary responses to student behavior will be aligned with the levels established by the school board.

Students are subject to disciplinary action for misconduct that occurs:

- a.) In school or on school property,
- b.) On a school vehicle,
- c.) While participating in or attending any school-sponsored activity or trip,
- d.) On the way to and from school, and
- e.) Off school property, when the acts lead to
 - (i) an adjudication of delinquency or a conviction for an offense listed in § 16.1-305.1. of the *Code of Virginia* (unlawful purchase, possession or use of a weapon, homicide, felonious assault and bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana, arson, and related crimes, and burglary and related offenses), criminal street gang activity or recruitment for such activity, or an act of violence by a mob, or
 - (ii) a charge that would be a felony if committed by an adult.

Definitions of Terms in this Code of Student Conduct

Alternative Education Program - A variety of educational services available to FCPS students and adults who have diverse learning needs, which shall include, but not be limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

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

Assault – The deliberate use of physical violence, which is intended to cause bodily injury to another; or the use of a dangerous object in an effort to cause bodily injury to another.

Battery – The actual infliction of bodily hurt on another, willfully or in anger, whether by the person's own hand or by some means set in motion by him or her. **Bullying** – Any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflict.

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

Charged – A petition or warrant has been filed or is pending against the student.

Corporal Punishment – The infliction of, or causing the infliction of, physical pain on a student as a means of discipline. This definition shall not include physical pain or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity. In addition, this definition shall not include physical pain, injury, or discomfort caused by the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control of the use of reasonable and necessary force as permitted by §22.1-279.1 of the Code of Virginia.

Cyber Bullying – Using information and communication technologies such as e-mail, cell phone text messages, instant messaging, defamatory personal web sites, defamatory online polling sites, and social media to support deliberate, hostile behavior intended to harm others. This behavior includes, but is not limited to impersonation, stalking, threats, coercion, taunting, and harassment.

Destructive Device – (i) Any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or other similar device; (ii) any weapon, by whatever name known that will, or may be readily be converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed off shotgun or sawed off rifle as defined in §18.2-299 of the Code of Virginia or any firearm prohibited from civilian ownership by federal law; and (iii) any combination of parts either designed or intended for use in converting any device into any destructive device described in this definition and from which a

destructive device may be readily assembled. "Destructive device" does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Virginia Code §18.2-308.2:2.

Drug Paraphernalia – Those items listed in §18.2-265.1 of the Code of Virginia, including, but not limited to items such as pipes, bowls, bongos, roach clips, syringes, needles and spoons.

Disruptive Behavior – A violation of School Board policies or regulations governing student conduct that interrupts or obstructs the learning environment.

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

Expulsion – Any disciplinary action imposed by the School Board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

Extortion – Unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat of eventual physical injury or other harm to that person, to that person's property, or to a third person.

Fighting – Exchanging mutual physical contact between two or more students by pushing, shoving, or hitting with or without injury.

Firearm – Any weapon prohibited on school property (including a school-division vehicle) or at a school sponsored activity pursuant to §18.2-308.1 of the Code of Virginia, or any weapon, including a starter gun, that will, or is designed or may readily be converted to expel single or multiple projectiles by the action of an explosion of a combustible material or the frame or receiver of any such weapon. "Firearm" does not include any pneumatic gun, as defined in subsection E of Virginia Code §15.2-915.4.

Gang – A gang is an ongoing organization, association or group (i) having common characteristics, including but not limited to, initiation practices, hand signals, structured style of dress, specific geographic territorial claim or identifiable leadership; and (ii) consisting of one or more individuals who identify themselves as a group by a name or symbol and are involved in a pattern of recurrent criminal conduct.

Gang activity is defined as:

1. wearing or distributing any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
2. committing any act or omission, or using speech, either verbal or non- verbal (such as gestures or hand shakes) showing membership or affiliation in any gang;
3. committing any act in furtherance of the interests of any gang, including: (a) soliciting, hazing, initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other

violation of the Code of Student Conduct and (d) encouraging other students to act with physical violence or disorderly disruptive behavior;

4. any inappropriate behavior and/or activities which may be disorderly or disruptive or are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

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

Imitation Controlled Substance – A pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit appearance, including color, shape, size marking or package, or by representations made, would cause the likelihood that such a pill, capsule, tablet or substance in any other form whatsoever will be mistaken for a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana; or which by express or implied representations purports to act like a controlled substance as a stimulant or depressant of the central nervous system and which is not commonly used or recognized for use in that particular formulation for any purpose other than for such stimulant or depressant effect. Imitation controlled substances include but are not limited to Spice, K2, synthetic cannabinoids and/or other imitation substances.

Long-term Suspension – Any disciplinary action whereby a student is not permitted to attend school for more than ten (10) school days but less than 365 calendar days.

Look-Alike Weapon – Any device that looks like a real gun or is a toy gun (i.e., water pistols)

Medication – Any drug or other substance used in treating diseases, healing, or relieving pain, including

all over-the-counter drugs such as aspirin, cough syrups, gargles, caffeine pills, and the like. **One Year** – 365 calendar days as required in federal regulations.

Parent(s) – any parent, guardian, or other person having control or charge of a child.

Persistent – 4 or more incidents in a year.

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

School Property – Any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

School Resource Officer – A certified law enforcement officer hired by the local law enforcement agency to provide law enforcement and security services to Virginia public elementary and secondary schools.

Taunting – Challenging or reproaching another person in a mocking or insulting manner, or ridiculing or teasing another person or persons.

Threat – An expression of intent to harm someone that may be spoken, written, or gestured, regardless of whether it is communicated to an actual or prospective victim and regardless of whether the actual or prospective victim is aware the threat exists.

Tobacco Product – Any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis and wrappings.

Vapor Product – Any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device that can be used to produce vapor from nicotine, or other substance, in a solution or other form.

Weapon – includes:

- any stun weapon (as defined in Virginia Code § 18.2-308.1) or taser;
- any knife having a metal blade three inches or longer;
- any pistol, shot gun, revolver, rifle, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material;
- any dirk, bowie knife, switchblade, ballistic knife, machete, razor, slingshot, spring stick, metal knuckles, or blackjack;
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nunchahka, nun chuck, nunchaku, shuriken, or fighting chain;
- any disc of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and may be known as a throwing star or oriental dart; or
- any weapon of like kind as those enumerated above that can reasonably be considered a weapon so as to inflict bodily harm, injury, or threat of harm or injury (this may include toy or imitation weapons).