

# Student Code of Conduct

## ***Philosophy and Purpose***

The Culpeper County Public Schools Code of Conduct has been formulated in order to encourage good citizenship by students and to discourage conduct that disrupts the learning environment of the school or that adversely affects the health and welfare of the students, staff and visitors. It is also meant to ensure that parents, students, and school personnel understand their responsibilities in regard to student conduct and to standardize procedures that will be used in responding to specific disciplinary problems. Every student has a right to a quality education in an environment that is conducive to learning and free of disruption. Conversely, every student has the responsibility to afford that right to others.

This section generally describes the more obvious types of misconduct, but should not be construed as an exclusive list or as a limitation upon the authority of the School Board or school officials to deal with types of conduct which interfere with the proper functioning of the schools. Any behavior which threatens or jeopardizes safety, order, or the rights of others is considered to be in violation of the Culpeper County Public Schools' Code of Conduct. Policies and references within the Code of Conduct can be found in the Culpeper County Public Schools Policy Manual available at each school as well as the Culpeper County Public Library and online at [www.culpeperschools.org](http://www.culpeperschools.org).

## ***Jurisdiction of the School Division***

Students are subject to the Code of Conduct at all times while they are under the jurisdiction of the school division, including, but not limited to such times as they are:

1. on school property;
2. waiting for the school bus at designated bus stops;
3. going to and from school;
4. on the school bus;
5. participating in or attending school-sponsored or school-related activities such as field trips, conferences, or athletic events;
6. engaging in off-campus conduct that creates a substantial disruption to the learning environment;
7. engaging in off-campus conduct that presents a threat to the safety of students or staff to include, but not limited to, charges for criminal behavior that if committed by an adult would be a felony or convictions of specific crimes as detailed the Code of Virginia 22.1-277.2 and 16.1-305.1.

*Any student convicted of 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; manufacture, sale, gift, distribution, or possession of marijuana; arson and related crimes; burglary and related offenses may be suspended or expelled from school attendance.*

## **RESPONSIBILITIES**

### ***School Division Employees***

The Culpeper County School Board has the responsibility to make policies and regulations, and acting through the Superintendent holds all school division employees responsible for supervising student behavior while students are legally under the jurisdiction of the schools. Generally, the school principal is responsible for the enforcement of the Code of Conduct by persons under his or her supervision.

Administrators, teachers, bus drivers, and support personnel are to ensure the rights of each student in the school division are protected. School division employees are responsible for:

- facilitating regular school attendance;
- providing an orderly school environment, a favorable psychological environment conducive to

- learning, and an atmosphere of mutual respect;
- encouraging self-discipline;
- maintaining open and proactive communication with parents and students;
- formulating and implementing school rules and regulations in compliance with the Code of Conduct through the school setting;
- disseminating the Code of Conduct upon registration of a new student and to all students and parents annually;
- discussing the Code of Conduct with students and parents at meetings throughout the school year;
- developing a discipline plan of action balancing the needs of the student and the school environment as a whole.

In determining which of the disciplinary actions is most appropriate, a principal or other persons shall consider such factors as the context and seriousness of the violation, the student's age and maturity, disability status, previous disciplinary record, and any other relevant circumstances.

### ***Parents and Guardians***

Each parent of a student enrolled in Culpeper County Public Schools has a duty to assist the school in enforcing this Code of Conduct so that each student may be educated in an atmosphere that is free of disruption and supportive of individual rights. It is the responsibility of parents and guardians to:

- ensure regular and prompt school attendance by their child;
- promote the good health of their child by addressing their health needs;
- teach their child to assume responsibility for learning and for their conduct;
- provide encouragement and discipline aimed at motivating their child towards proper, responsible behavior within the school setting;
- ensure that their child is appropriately dressed for school as determined by the dress code with attention to personal cleanliness;
- provide books, materials, instruments, uniforms and equipment that are required for effective participation in the school program;
- provide up to date addresses, phone numbers, emergency contact information to the school; to include that of non-custodial parents;
- provide the necessary information for enrollment in Culpeper County Public Schools to include: proof of residency; student's birth certificate; social security number; physical examination and health information; a record of the completed series of immunizations; and previous academic and discipline records as required by the Code of Virginia.

### ***Students***

The Culpeper County School Board believes students are responsible their learning and behavior, and are to seek adult assistance when encountering difficulties in meeting their responsibilities. Students are subject to increasing accountability for learning and behavior as they progress through school. Students are responsible for and expected to:

- learn and follow the Code of Conduct;
- attend school regularly and be on time to classes;
- put forth the academic effort necessary for learning;
- accept and respect the authority of parents, school personnel, and law enforcement personnel;
- respect the rights of others;
- exercise good judgment;
- practice self-control; and
- accept responsibility for their own learning and behavior.

## **STUDENT RIGHTS**

The Culpeper County School Board recognizes the constitutional and legal rights of individual students as defined in law and in Virginia and U. S. Court decisions. The rights of students, though limited in the context of public schools, are recognized to include, but are not limited to: disciplinary due process; freedom of speech and religion; right of assembly and association; right to privacy; self-defense claims; and protection from discrimination.

### ***Disciplinary Due Process***

Students shall not be deprived of their liberty, property, or right to attend school without due process of law. Therefore, school personnel must protect a student's due process rights when the student is accused of violating the Code of Conduct and in the administration of discipline. These include:

- The student's right to know what rule was violated by oral or written notice.
- The student's right to speak in their own defense, and/or present a written statement addressing the accusation and their version of the incident.
- The student's right to present witnesses or evidence for their defense.
- The student's right to be subject to discipline only if the evidence shows it is *likely or probable* the student violated the rule.
- The right to appeal discipline decisions as determined by school board policies and regulations, and state laws.
- The right to have the discipline process applied in a timely and fair manner without prejudice, bias, or discrimination.

### ***Freedom of Speech***

Culpeper County Public School students possess a range of free-expression rights under the First Amendment. Students can speak, write articles, take part in demonstrations, and petition school officials on issues of concern. The U.S. Supreme Court has said that students "do not shed their constitutional rights to freedom of speech and expression at the schoolhouse gate." Though students do possess First Amendment freedoms, the courts allow school officials to regulate certain types of student expression. For example, school officials may prohibit speech that substantially disrupts the school environment or that invades the rights of others.

### ***Freedom of Religion***

Students can take part in individual and group prayer during the school day when they are not participating in school activities or are being taught provided they pray in a "non-disruptive manner". These activities have to be voluntary and initiated by the students. Students can also have religious messages on clothing in the same way they are allowed to display non-religious messages on clothing. Students are allowed to express their beliefs about a religion in their school work and assignments if relevant to the assignment.

### ***Right to Associate and Assembly***

Students have the right to meet and associate with other students in manner that will not disturb regular school activities, and to meet in groups at the school for a legitimate purpose with proper supervision and administrative approval.

### ***Protection from Discrimination***

Students are protected by law from being treated differently in disciplinary actions or educational opportunities because of race, religion, gender, sexual orientation, ethnic, national origin, or disability status.

***Voluntary Participation in Civic Ceremonies and Traditions***

Public school students are led by staff in selected civic ceremonies and traditions whereby students have the right to participate free from disruption or discrimination. These include a “minute of silence” for meditation, prayer or to engage in a silent activity; to salute the flag and recite the Pledge of Allegiance; or to sing The National Anthem. If students choose not to participate in these civic ceremonies and traditions, they are to remain quiet and are not to disturb or distract others that wish to participate. The right of non-participation by students is recognized by Culpeper County Public Schools and is to be respected without intimidation or harassment by others.

***Right to Privacy***

Students have rights to privacy affecting their educational and discipline records, individual counseling, health conditions, disability status or other confidential information. School employees’ access to a student’s confidential information and its dissemination to others are defined and proscribed by school board policy, state and federal law.

***Expectations of Privacy, Searches, and Confiscation of Personal Property***

Each person has the right to be safe and secure at school and students have the right to pursue their education in an environment free of dangerous or disruptive items. Therefore, schools officials have the authority to prohibit certain items and conduct searches to locate and confiscate such items. School-owned property such as lockers, cubbies, desks, computers, or other school owned property in a student’s use can be searched without notice or cause. *There is no expectation of privacy for students in their use or possession of school-owned property.*

Furthermore, when a “reasonable suspicion” exists to cause a search for prohibited items or for evidence that a law or a school policy has been violated, school officials have the right to search the personal property of students to include, but not limited to: clothing; purses; notebooks; book bags; duffle bags; computers; cell phones; or other electronic devices. Any vehicle brought on school property or at any school related event is subject to search if “reasonable suspicion” exists that prohibited items may be present in the vehicle.

Prohibited items or the misuse of allowable items are subject to immediate confiscation by school officials pursuant to school board policies and regulations. Refusal to cooperate with a lawful request to search will result in disciplinary action.

***Right to Review Records***

Students and parents have the right to review educational and discipline records upon a request.

***Self-Defense Claims***

Cases for which self-defense is claimed by a student must meet the following criteria:

1. The claimant must not have provoked or behaved in a manner to cause the incident;
2. The claimant must have had reasonable fear of danger of harm; and
3. Used no more force than needed for protection from the threatened harm.

Such incidents must be reported immediately to school officials. When claims of self-defense have been established, the administrator shall:

1. Allow the student to present his version of what occurred; and
2. Review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interaction among the students involved. Findings from the review of circumstances and other relevant information will be considered in determining the appropriate disciplinary action. Claims of self-defense do not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity.

## **ATTENDANCE- EXCESSIVE ABSENCES, LATE ARRIVALS, and EARLY DISMISSALS**

It is the legal responsibility of parents to ensure their child receives an appropriate education. Regular attendance is a significant factor in academic achievement and plays an important role in developing good habits for future education and employment. Furthermore, late arrivals and early dismissals interrupt the learning of other students. Therefore, the Culpeper County School Board expects students to be on time to school, attend all classes without being late or leaving early, and are not to leave school grounds without administrative approval. Failure to follow the attendance policies of the school division and individual schools will result in disciplinary action towards the student and legal proceedings may be initiated against the parent, student, or both. (See page 34 for the complete attendance policy.)

## **CONDUCT ENDANGERING SELF OR OTHERS**

### ***Weapons and Other Dangerous Items***

The possession, use, sale, or purchase of any or dangerous item in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school principal or the school Division Superintendent is prohibited. A violation of this policy shall require that proceedings for the discipline of the student involved be initiated immediately by the principal.

Such weapons and dangerous items include, but are not limited to:

- any firearm designed or intended to propel a projectile of any kind, or any look-alike gun
- any type of ammunition
- any knife, razor or box cutter
- any explosives, fireworks, and destructive devices
- any tool such as screwdrivers, hammers, hatchets, axes
- any “fighting” weapon
- any common object such as scissors, pencils, sports equipment, if used as weapon

In accordance with state law, a student who is determined to have brought a “firearm” as defined in law or knife with a blade of 3 inches or longer, or other types of fighting weapons on school property or to a school-sponsored activity shall be expelled for no less than one calendar year (365 days). The Superintendent or designee may, however, determine, based on the facts of a particular case that special circumstances exist and another disciplinary action is appropriate. Any such discipline shall be taken in accordance with policy. Nothing in this section shall be construed to require a student’s expulsion regardless of the facts of the particular situation. **Any student who possesses or uses a weapon or dangerous article on school property shall be referred to law enforcement.**

Exceptions:

Curricular- An exception to this policy may be made for students participating in an authorized part of the curriculum, extracurricular activity or team involving the use of firearms, or in any organization permitted by the school to use the premises. However, the student may be subject to appropriate disciplinary action for misuse of the item or for use for any purpose other than the authorized curricular purpose.

Food Preparation or Service: A student possessing a knife which is (1) customarily used for food preparation or service and (2) is being possessed for the sole purpose of food preparation or service shall not be subject to mandatory expulsion. However, the student may be subject to appropriate disciplinary action for misuse of the knife or for use for any purpose other than as authorized.

**Any exception must be arranged in advance with the administration of the school involved.**

### ***Arson, Explosives, Bomb Threats and False Alarms***

Students may not engage in any illegal conduct involving sources of ignition (lighters, matches,

flammable fuels); fireworks; explosive, chemical, or incendiary materials or devices; or hoax devices, as defined in the Code of Virginia. Possession or use of such items is prohibited. Furthermore, students shall not make any threat or false threat to bomb, burn, or destroy property or to cause harm to others, nor to cause a false alarm to be initiated, conveyed, or transmitted.

### ***Alcohol, Tobacco Products, Drugs, Inhalable or Ingestible Harmful Substances, and Drug Paraphernalia***

Students shall not possess, use, distribute or be under the influence of alcohol, tobacco products, drugs, inhalable or ingestible harmful substances, or drug paraphernalia on school property, at school sponsored activities on or off school property, on school buses or at school bus stops. Substances prohibited by this section includes, but may not be limited to: tobacco products; electronic cigarettes; alcohol; marijuana; illegal or controlled substances; prescription drugs; drug paraphernalia; steroids; inhalants; imitation controlled substances; or over the counter medications or any other inhalable or ingestible substance, whether legally or illegally possessed, where the substance is used or is to be used in a manner that causes physical or mental impairment or subjects the user to a dangerous risk of physical or mental harm.

Any medications prescribed by physicians or over the counter medications for a student must be brought to the school office by a parent if the student has the need to take such medications during the school day. Once a parent has completed the appropriate form for dispensing medication, arrangements will be made for the student to receive his medication during the school day.

### ***Conspiracy***

The planning and/or an agreement by two or more students to commit an illegal act is prohibited whether the conspiracy results in an illegal act on school property or at a school-related event, or whether the conspiracy occurs or is furthered by students while under the authority of the school.

### ***Disciplinary Actions relating to Alcohol & Drugs***

Students who are found to be in violation of Culpeper County Public School's policies with regard to the use, possession, or distribution, or intent to distribute of alcohol or drugs shall be subject to immediate suspension, notification to law enforcement authorities, and possible expulsion in accordance with school board policies and regulations. Offending students may be required to participate in a substance abuse evaluation and program of treatment by the Division Superintendent or school board as a condition of enrollment.

### ***Assault and Threats***

Assault is a threat or attempt to cause bodily injury. Threats are circumstances whereby a person is placed in reasonable fear of bodily injury by weapons, attempts at physical contact, gestures, written notes, electronic messages, or verbal comments. Assaults and threats are prohibited.

### ***Battery (Physical Aggression)***

Battery is any bodily hurt, however slight, done to another person in an angry, rude, or vengeful manner. Students are prohibited from committing battery by intentionally hitting, shoving, tripping, scratching, biting, throwing objects at, or blocking the passage of another person.

### ***Inappropriate Behavior***

The behavior of students in various school settings- classrooms, playgrounds, hallways, cafeterias, gymnasiums, on school buses, at bus stops, or at school-related events must be appropriate for the time, place, and circumstances. Acts of harmful play (wrestling, play fighting, or pranks), rambunctiousness (running, jumping, standing, yelling, or loud talking not in proper context) or any socially inconsiderate behaviors (line cutting, playing with food, not waiting for a turn) are prohibited.

***Incitement or Instigation of Fighting***

Actions, comments, written or electronic messages intended to cause others to engage in mutual acts of aggression or may result in acts of aggression are prohibited.

***Fighting***

Aggressive actions by which two or more persons mutually intend to cause harm or injury are prohibited. These actions include, but are not limited to: hitting, kicking, shoving, wrestling, or other aggressive actions which could result in harm or injury to the individuals involved, bystanders or school personnel, or damage to school or personal property.

***Sexual Behavior & Sexual Harassment***

Sexual behavior is prohibited in any form on school grounds, school buses, or at school sponsored activities. Sexual behavior includes, but is not limited to offensive touching, indecent exposure, sexual messages including electronic messages, obscene photographs or video and inappropriate gestures. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment are prohibited.

***Stalking***

Students shall not engage in a pattern of behavior that places another person in reasonable fear of bodily harm or constitutes an invasion of their privacy. These behaviors include: following their movements; visual or auditory spying; use of electronic means of surveillance; use of intermediaries acting on their behalf.

***Profane or Obscene Language, Behavior, or Items***

Students shall not use vulgar, profane, or obscene language or engage in conduct that is vulgar, profane, or obscene. The possession of obscene literature, photographs, video, or illustrations in any form is also prohibited. This includes the wearing of clothing or adornments which convey sexually suggestive messages.

***Extortion***

Willful use of physical or verbal threats intended to result in an involuntary transfer of money or property to another person is prohibited.

***Gambling***

Gambling is any event, action, or statement which relies on chance for the monetary advantage of one participant at the expense of others. This includes exchanging items of value, as well as currency, and extends to keeping score for later settlement. Gambling on school property or at school-related events is prohibited.

***Hazing***

No student shall engage in hazing. Hazing means to recklessly and intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with, or as a condition for, continued membership in a club, organization, association, fraternity, sorority, or student body, regardless of whether the student or students so endangered or injured participated voluntarily in the activity.

Hazing is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2500, or both, in addition to any disciplinary consequences which may be imposed. The principal of any school at which hazing causes bodily injury shall report the hazing to the local law enforcement.

### ***Bullying***

Students, either individually or as a part of a group, shall not bully others.

**“Bullying” means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma.**

The following conduct is illustrative of bullying:

- Physical intimidation, taunting, name calling, insults, excluding or ostracizing behaviors;
- Comments regarding the race, gender, religion, national origin, physical abilities or characteristics of the targeted person or his or her associates;
- Falsifying statements about other persons or spreading rumors; or
- **“Bullying” includes cyber bullying which is the use of technology such as e-mail, text messages, or postings on web sites to defame or threaten others.**

### ***Defiance***

Students must comply with any reasonable written or verbal direction given by school personnel. These include, but are not limited to, requests to stop talking, to stay seated, to participate in learning activities, to hand over personal property, to cease a behavior, or to identify themselves to school personnel. Defiance requires the implementation of formal disciplinary actions in accordance with school board regulations.

### ***Disruptive Behavior***

Any physical or verbal disturbance which occurs within the learning environment which interrupts or interferes with teaching or learning, the orderly conduct of school activities, or the safe operation of school programs or a school bus is prohibited.

### ***Disrespect towards Others***

Students may not verbally, through writing or pictures, use of gestures or body language curse, defame, ridicule, or intentionally embarrass another person to include students, school personnel, or visitors. Students who refuse to recognize the proper authority of school personnel to enforce rules are also in violation of this rule.

### ***Unauthorized Use of Photography, Video, or Audio***

Students are prohibited from taking photographs, or creating video or audio recordings of other students, school personnel, or visitors without the express consent of the teacher, principal, or other school personnel in supervision of the student. This applies within school buildings or on school grounds, on school buses or at bus stops, or when attending school-related events on or off campus.

### ***Gang Activity or Association***

The School Board acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or at any school sponsored activity.

Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- using any speech or committing any act or omission in furtherance of the interests of any gang;
- soliciting, hazing and initiating others for membership in any gang;

- requesting any person to pay protection or otherwise intimidating or threatening any person; or committing any other illegal act or other violation of school policy.

### ***Operation of Motor Vehicles***

Students and visitors operating motor vehicles to and from school and on school property shall do so in a safe and proper manner. Anyone who drives in a careless or dangerous manner on school property and/or ignores parking rules is subject to revocation or suspension of their parking privileges, and will be referred to law enforcement.

### **INTEGRITY**

Students shall demonstrate honesty, trustworthiness, and integrity in their interactions with others, and in their academic work. Fair and just disciplinary actions dictate that school officials need truthful statements from accused students, accusers, and witnesses when investigating violations of the Code of Conduct. Students are subject to separate disciplinary action for attempts to deceive school officials in the course of investigations or in the administering of disciplinary actions. Attempts toward completion of any act described below would constitute a violation and may be punishable whether or not the attempted act is completed. The behaviors described below are prohibited:

#### ***Cheating***

Cheating includes the actual giving or receiving of any unauthorized aid or assistance or using an unfair advantage on any form of academic work.

#### ***Plagiarism***

Plagiarism includes the copying of the language, structure, idea and/or thought of another person and representing it as one's own work.

#### ***Forgery***

Forgery is the signing of another person's name or initials on a document with the intent to deceive others.

Forgery also includes the altering of any school document or parent note.

#### ***Lying***

Lying is the act of making a false statement with the intent to deceive others. Students are expected to provide truthful statements to school personnel when asked questions related to their own academic work or behavior, and when questioned about the behavior or actions of others.

#### ***False Allegations***

The making of false accusations against innocent person(s) may carry serious consequences for the person(s) accused. Therefore, students falsely accusing other students of violations of the Code of Conduct are subject to disciplinary actions. Students making false accusations against school division employees, volunteers, law enforcement personnel, or other persons are subject to disciplinary actions which may include long term suspension.

### **PROPERTY OFFENSES**

#### ***Stealing or Theft***

The taking or attempt to take the property or money of another person, the school, or other organizations by force, threat, trickery, or stealth is prohibited.

#### ***Trespassing***

It is unlawful for any person, whether or not a student, to enter upon or remain upon any school property

(including school buses) in violation of any directive by school personnel to leave the property or by posted notice which contains such information. Students suspended or expelled from school are not to be on any Culpeper County Public Schools property, including buses or bus stops, or attend any school-related events. Violators are subject to discipline and/or notification to law enforcement.

### ***Vandalism***

Vandalism is the willful marring, defacing, (i.e. graffiti), or destruction of the property of Culpeper County Public Schools, or any public or personal property while on school property or during a school-sponsored activity. Additionally, this includes unauthorized entry into any computer system (See Acceptable Computer System Use Policy).

Vandalism of property is prohibited and anyone who vandalizes property will be disciplined and/or reported to law enforcement and will be responsible for monetary restitution for the total cost of replacement or repair.

### ***Buying, Selling, or Trading of Items***

Students are prohibited from engaging in the buying, selling, or trading of personal property on school property or at school-related events. The conduct of school-related fund raisers must be in accordance with provisions established by the school principal or designee. Permission to conduct or advertise fundraising for outside organizations or individuals must be approved by the Division Superintendent or designee.

## **STANDARDS OF DRESS (Pre-Kindergarten thru 12)**

Culpeper County Public Schools seek to maintain an orderly environment for the education of students. To accomplish this goal, the Division has established a standard of student dress that is conducive to a proper educational climate, while reasonable enough to allow students to be expressive in their clothing selection.

The following are examples of the standards of dress that will be enforced at school:

- Clothing must cover the entire body between the neckline and mid-thigh.  
(Necklines for female students shall be high enough to conceal any cleavage.)
- The display of any portion of underwear with the exception of appropriate undershirts is prohibited  
(This includes waistbands and bra straps.)
- All outer shirts must have sleeves.
- Dresses, blouses, and tops must have enough cloth on the shoulder to easily cover bra straps.
- Underwear appropriate for the body is to be worn at all times (Undershirts are optional).
- Clothing designed to be worn as an undergarment cannot be visible between the neck line and mid-thigh. These items include, but are not limited to: panty hose; tights; or leggings.
- Items that cover any portion of the head are prohibited. (Appropriate hair adornments are permitted.)
- Any items that advertise tobacco, drugs, or alcohol are prohibited.
- Any items associated with or suggestive of support for or membership in a criminal street gang are prohibited.
- Any items pornographic, obscene, or sexually suggestive in nature are prohibited.
- Items that in the opinion of school officials are reasonably probable to disrupt the operation of the school or endanger the wearer or others are prohibited.

**The principal or designee has the authority to decide whether or not an item of clothing or adornment is appropriate.**

Students in grades 6 -12 who violate the dress code will have to immediately remedy the dress code violation and are subject to the following disciplinary actions.

**1<sup>st</sup> offense** - The Student shall be required to immediately remedy the dress code violation and a verbal warning shall be issued.

**2<sup>nd</sup> offense** - The Student shall be required to immediately remedy the dress code violation and the parent/guardian shall be notified.

**3<sup>rd</sup> offense** –The Student shall be required to immediately remedy the dress code violation, up to a 30 minute detention shall be required, and the parent/guardian shall be notified.

**4<sup>th</sup> offense** - The Student shall be required to immediately remedy the dress code violation, ½ day in-school suspension shall be required, and the parent/guardian shall be notified.

**5<sup>th</sup> offense** - The Student shall be required to immediately remedy the dress code violation, a 1 day in-school suspension shall be required, and the parent/guardian shall be notified,

**6<sup>th</sup> Offense & thereafter** - The Student shall be required to immediately remedy the dress code violation, a 1 day out-of-school suspension shall be required, and a parent/guardian conference shall be required.

**The discipline of students at the elementary level (Grades Pre K – 5) shall be at the discretion of the principal and shall depend upon the age of the student and the type of violation.**

## **PORTABLE ELECTRONIC DEVICES**

The Culpeper County School Board recognizes that Portable Electronic Devices (PED) such as cell phones, computers, and audio/video devices may be used for valid purposes, such as communication, information, and entertainment, while at school or at school-sponsored events; however, the possession and use of a PED on school property is a privilege both subject to strict regulation and revocable for reasonable cause. Students with parent permission may possess and use PEDs on school property but only when such use is in strict compliance with the following restrictions:

- Student use of a PED at any permitted time and location SHALL NOT distract the student or others from learning or participating in the educational process, interfere with the work of school employees, create any safety concern or hazard, and/or violate any other provision of the code of conduct.
- Students in grades 9 through 12 may use PEDs before the morning tardy bell, after the dismissal bell, during lunch in the commons areas of the school, or at other times when explicitly permitted by a school employee.
- Students in grades 6 through 8 may NOT use PEDs upon arrival at school or during the school day, but may use PEDs after the dismissal bell in the commons areas of the school, or at other times when explicitly permitted by a school employee.

- Students in grades pre-kindergarten through 5 may NOT use PEDs while on school property or when attending school-related events unless given explicit permission by the principal or designee.

The School Board, its employees or agents are not responsible for any loss, theft, damage to, or safety of any PED brought onto school property at any time. The student or parent who brings or allows such a PED to be brought to school assumes the risk of all such damage or losses.

Students and parents who use or consent to the use of a PED at school and in compliance with the rules for use established by this policy expressly understand that no PED will be configured for use on the CCPS computer network and, therefore, any student use of a PED to access the internet while at school will not be subject to or affected in any way by CCPS network filters. Accordingly, students and parents who use or consent to the use of a PED at school assume all risk that student use may expose the student to inappropriate, obscene, or harmful content and that it shall not be the responsibility of the School Board or its employees to monitor student use of the internet when using a PED at school or to protect or prevent students from accessing inappropriate or harmful internet content.

If a cell phone or other electronic device is confiscated to investigate other possible violations of the Code of Conduct (e.g., bullying) or violations of law (e.g., possession of child pornography), then school officials and/or law enforcement shall keep the device until the investigation is complete.

#### **First Offense**

Warning issued and device to be turned off and removed from sight. (If this directive was previously stated as a general direction to all students present; second offense applies.)

#### **Second Offense**

Device confiscated by school employee and securely held until the end of class, activity, or bus ride and conference is held with student.

#### **Third Offense**

Device confiscated by school employee, securely held, and given to principal or designee until an administrator is able to have a conference with student.

#### **Fourth Offense and thereafter**

Device confiscated by school employee, securely held, and given to principal or designee until an administrator is able to have a conference with student and parent or guardian.

**The refusal of a student to relinquish possession of a device upon request by a school employee will result in a suspension from school pending a conference with a parent or guardian. Any student suspended on three separate occasions in a school year for violation of this policy will lose the privilege of possessing the device(s) for the remainder of the current school year.**

### **TYPES OF DISCIPLINARY ACTIONS**

The Code of Conduct specifically outlines categories of behavior and states possible disciplinary actions (consequences) which may occur as a result of a violation of the code. When making disciplinary decisions, school personnel will consider several factors, to include:

1. the specific code section(s) being violated
2. specific circumstances surrounding the incident
3. the student's previous discipline record
4. the age and/or grade level of the student

5. the disability status of the student, if applicable
6. other factors as appropriate.

### ***Confiscation***

Any item prohibited by this Code of Conduct, *or* any item deemed to be disruptive to the school environment, will be removed from the student's possession and returned to the parent in accordance with school board policy. Depending upon the item confiscated, and the number of previous offenses additional disciplinary action may be required.

### ***Student Conference***

Formal and informal conferences are frequently held between the student and teacher, bus driver, guidance counselor, or school principal in the course of disciplining a student. The purpose of the conference is to help the student become aware of inappropriate behavior and to assist with correcting the behavior.

### ***Assigned Seating or Restrictions of Movement***

Assigned seating or restrictions on the movement of a student in the classroom, cafeteria, or bus restricts a student's interactions with other students and limits their freedom of movement to prevent disruption.

### ***Timeout***

Timeout is the placement of a student in a location within the classroom, cafeteria, or other area where peer interaction is prohibited for a short period of time. Timeout is an informal disciplinary action not subject to required notification to parents, or inclusion in a student's permanent educational record or state discipline reports.

### ***Detention***

Detention is the placement of a student in a restrictive setting supervised by school personnel excluded from their peers during non-instructional activities such as: before or after school; lunch periods; recess; or breaks. Detentions may be considered a formal disciplinary action requiring notification to parents and inclusion in a student's permanent educational record depending upon the specific discipline policies of the school.

### ***Loss of Social Privileges***

The loss of social privileges is the denial of student's participation in certain school activities: recess, assemblies, athletic events, or extra-curricular activities. The short-term loss of social privileges is an informal disciplinary action and is not included in a student's permanent educational record, with certain exceptions. The long-term denial of social privileges is a formal disciplinary action requiring notification to parents and inclusion in a student's permanent educational record.

### ***Temporary Removal of a Student from Classroom***

State law provides that teachers shall have the initial authority to temporarily remove a student from their classroom for disruptive behavior subject to procedures and policies approved by the school board.

### ***School-based Stay-Away Orders***

Students who engage in bullying or other harassing behaviors may be ordered to stop all interaction with another student or school employee while on school property, at bus stops, or while attending school-related events. The issuance of a school-based stay-away order is a formal disciplinary action requiring notification to parents and inclusion in a student's permanent educational record.

***In-School Suspension***

Students may be placed and supervised in a restrictive setting within the school referred to as “in-school suspension” for violations of the Code of Conduct. In-school suspensions deny students the ability to attend their normal instructional activities, in addition to other non-instructional activities. This placement may be for part of the school day, the entire school day, or multiple school days at the discretion of school administrators. Students must conform to the work and behavior expectations of the in-school suspension program before being released by the principal or designee. In-school suspensions are formal disciplinary actions requiring notification to parents and inclusion in a student’s permanent educational record, and state discipline reports.

***Short-term Suspension***

Students may be prohibited from attending school and other school-related activities by a school administrator for a period not to exceed ten (10) days for serious or repeated violations of the Code of Conduct. Parents must attend a conference with the suspending school administrator before returning to regular school attendance. Students suspended or expelled from school are not allowed on any Culpeper County Public Schools property, including buses or bus stops, or to attend any school-related events. Violators are subject to notification to law enforcement for trespassing. Short-term school suspensions are formal disciplinary actions requiring notification to parents and inclusion in a student’s permanent educational record, and state discipline reports.

***Referral to Discipline Hearing***

Student and their parents (or legal guardian) may be required to attend a discipline hearing concerning serious or repeated violations of the Code of Conduct. The Discipline Hearing Officer or Committee reviews the specific case(s) of the student being referred, and after hearing from all parties involved, may impose a variety of consequences including long-term out-of-school suspensions, placement in alternative education programs, require counseling or alcohol/drug treatment, or recommendation to the Division Superintendent for expulsion by the Culpeper County School Board.

***Student Services Intervention***

When a student experiences repeated problems in school, school personnel may refer this student to the school counselor or the school psychologist for counseling and intervention strategies with parent permission. Outside counseling may also be recommended or required.

***School/Community Service***

Students may be required to perform school/community service to compensate for certain violations of the Code of Conduct.

***Restitution***

Payment for school division property that is stolen, damaged or destroyed by a student will be required.

***Probation***

Students may be placed on probation rather than suspension. Students on probation may also be prohibited from participating in specific activities. Students who violate probation are subject to a discipline hearing with the recommendation for long-term suspension.

***Long-Term Suspension***

Long-term suspensions are greater than ten days and no more than 364 days. The Discipline Hearing Officer or Committee may impose this consequence for serious or repeated violations of the Code of Conduct after a discipline hearing is held. Parents have the right to appeal a long-term suspension to the Superintendent or his designee. Students suspended from school are not allowed on any Culpeper County Public Schools property, including buses or bus stops, or to attend any school-related events. Violators

are subject to notification to law enforcement for trespassing. Long-term school suspensions are formal disciplinary actions requiring notification to parents and inclusion in a student's permanent educational record, and state discipline reports. A long-term suspended student may be required to participate in educational programs, counseling, treatment, or community service as a condition of re-enrollment at the end of the suspension period.

### ***Alternative Education Programs***

In cases of serious or chronic violations of the Code of Conduct a student may be assigned to a program of alternative education to include school division-based programs, off school grounds programs, distance learning programs via the internet and software, homebound instruction.

### ***Expulsion by the School Board***

Expulsion is defined as the exclusion of a student from attending Culpeper County Public Schools for no less than 365 days. In cases of very serious or continuous violations of the Code of Conduct after other interventions have been exhausted, a principal may recommend to the Division Superintendent or designee, the expulsion of a student by the school board.

The Division Superintendent or designee will examine the facts of the case and make a determination to carry that recommendation forward to the school board for hearing. Factors considered include:

1. nature and seriousness of the violation(s)
2. degree of danger to the school community
3. the student's previous disciplinary record
4. appropriateness or availability of alternative education placements
5. age and grade level of the student
6. results of substance abuse, mental health, or special education evaluations
7. attendance and academic records
8. other matters as appropriate. If the recommendation for expulsion is made by the Superintendent a hearing will be scheduled within 10 days. The Superintendent, or designee, shall notify the parents of the time and place of the hearing.

Action by the Culpeper County School Board is considered final. Any appeal of an expulsion must be registered with the local Circuit Court in accordance with state law.

An expelled student may be required to participate in educational programs, counseling, or community service offered through the school division as a condition of re-enrollment at the end of the expulsion period. Any costs of educational or counseling programs not offered by the school division are the responsibility of the parent/guardian.

Students expelled from school are not allowed on any Culpeper County Public Schools property, including buses or bus stops, or to attend any school-related events. Violators are subject to notification to law enforcement for trespassing.

Under state law, school divisions may deny enrollment of any student under expulsion or long-term suspension from another school division until the period of suspension or expulsion has passed and any conditions for enrollment are met.

### ***Corporal Punishment (Policy JGA)***

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force:

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this policy, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. "Corporal punishment" does not include physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

### ***Reporting Disciplinary Actions***

School employees are to maintain open and proactive communication with parents and students to attempt to prevent most disciplinary problems before formal disciplinary actions are necessary. Therefore, parents may be notified by teachers, bus drivers, or school administrators verbally or in writing when students have committed minor violations of the Code of Conduct that require *informal disciplinary actions* such as assigned seating; restrictions of movement; student conferencing; time-outs; short-term loss of social rights such as the denial of recess or free time; lunch with peers; attending or participating in an assembly, athletic competition, or extracurricular activity. Informal disciplinary actions are not recorded in the student's permanent educational records, nor are these disciplinary actions included in school division discipline reports to the Virginia Department of Education, with certain exceptions.

School administrators or their designee are to make reasonable efforts to notify parents through written and/or oral communications when *formal disciplinary actions* are implemented such as removal of the student from the classroom; detentions; school stay-away orders; long-term loss of social rights; in-school suspensions; out-of school suspensions; expulsions. Formal disciplinary actions are recorded in the student's permanent educational records, and are included in school division discipline reports to the Virginia Department of Education, with certain exceptions. Additionally, upon the out of school suspension of any student, the person responsible for issuing the suspension shall report the facts of the case in writing to the Division Superintendent or designee.

### ***Discipline Records***

State law requires that certain violations of the Code of Conduct be recorded in writing and maintained in each student's cumulative educational record. Violations of the Code of Conduct and the formal disciplinary actions taken are recorded on school discipline referrals and are sent home to be signed by the parent. The number of violation(s) by type and the formal disciplinary actions taken are entered into the student records management system for use by the school division and are reported to the Virginia Department of Education annually.

### ***Reporting of Certain Offenses to Law Enforcement Authorities***

Local school board policy must provide for notification of local law enforcement authorities in accordance with § 22.1-279.3:1.D. of the *Code of Virginia* that requires principals to immediately report to the local law enforcement agency any act enumerated in clauses (ii) through (vii) of §22.1-279.3:1.A. that may constitute a criminal offense. A principal may report to the local law enforcement agency any incident described in clause (i) of subsection A. When there is injury, or the battery is against school personnel, reporting is mandatory. Section 22.1-279.3:1.A. of the *Code* lists offenses as stated below:

- i. The assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity

- ii. The assault and battery that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity
- iii. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications
- iv. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity
- v. The illegal carrying of a firearm, as defined in § 22.1-277.07, onto school property
- vi. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in § 18.2-85, or explosive or incendiary devices, as defined in § 18.2-433.1, or chemical bombs, as described in § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity
- vii. Any threats or false threats to bomb, as described in § 18.2-83, made against school personnel or involving school property or school buses, or
- viii. The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefore.

The principal or designee must also notify the parent of any student involved in the incidents listed above, as well as incidents committed by students enrolled at the school if the offense would be a felony if committed by an adult. The principal or designee must also report these incidents to the Division Superintendent. Whenever a student commits a reportable incident named in the *Code*, the student shall be required to participate in prevention and intervention activities as determined appropriate by the Division Superintendent or designee.

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