

# Student Code of Conduct



2020-  
2021

**SURRY COUNTY PUBLIC SCHOOLS**



# *Surry County Public Schools*



P.O. BOX 317

*Surry, Virginia 23883*

July 7, 2020

Dear Parents, Guardian, and Students:

On behalf of Surry County Public Schools, I welcome you to the 2020-2021 school year! Providing each and every one of our students with a quality educational experience that allows them to grow and develop into competitive and productive citizens is essential to the mission and purpose of Surry County Schools. The staff of Surry County Public Schools takes this responsibility very seriously. As such, we are committed to strengthening our relationships with the parents and families who entrust the education of their children to Surry County Schools.

The 2020-2021 Student Code of Conduct is intended to convey to students and parents the rights, responsibilities, and expectations of Surry County Public Schools' students. The Student Code of Conduct is reviewed and updated annually based on local, state, and federal laws and regulations. A clear understanding and application of such is essential to creating a school environment and culture that is conducive to high levels of learning for all students. To that end, each student will be provided a copy of the Student Code of Conduct and it will be posted on our website at [www.surryschools.net](http://www.surryschools.net). Please take time to read this important document with your children and familiarize yourself with the disciplinary procedures and consequences that have been approved by the Surry County School Board.

Specifically, we ask and expect that parents and students will review and discuss the Student Code of Conduct together; sign the detachable sheet; and return it to your child's school. We encourage you to retain this document and refer to it during the school year when you have questions about expectations for behavior.

Parents and guardians, with your continued support and cooperation, I am confident that we can and will provide our children with a safe and nurturing school environment that will allow each student an opportunity to maximize their learning and growth potential. Thank you for partnering with us to make your children's school experience one that will be safe, healthy, and productive during the 2020-2021 school year!

Sincerely,

*Serbrenia J. Sims*

Serbrenia J. Sims, Ed.D.  
Superintendent of Schools

# **Vision Statement**

## **Surry County Public Schools**

The “Vision” for Surry County Public Schools through the combined efforts of students, parents, community, and staff is to provide a safe, healthy, learning environment that prepares all students to be competitive and productive citizens in a highly technical and global society.

### **Nondiscrimination Statement**

The Surry County School Board is committed to nondiscrimination with regard to sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law. This commitment will prevail in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

## INTRODUCTION

In accordance to Policy JFC, the Student Code of Conduct defines the basic rules and major expectations of students in our schools. Through teacher and staff interventions, we work collaboratively to prevent disruptive or unsafe behaviors before they start or to intervene to lessen the severity of the behaviors. In an effort to maintain a safe and disruption-free education environment, all staff members are required to report violations of the Student Code of Conduct to school administration.

The disciplinary offenses outlined in this Student Code of Conduct are the most common infractions of school and bus rules. Students may be disciplined for conduct which is not described in this document, but which interferes with the educational process or threatens the safety or welfare of staff or students.

Unless specifically indicated, students are subject to corrective action for any misconduct that occurs:

- In school or on school property
- On a school vehicle
- While participating in or attending any school sponsored activity or trip;
- On the way to and from school
- Off school property, when the acts lead to: (1) notification pursuant to Va. Code §16.1-305.1 or a conviction for an offense listed in VA. Code §16.1-260, (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

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

- Possession or use of alcohol, illegal drugs, including marijuana and anabolic steroids, or drug paraphernalia
- Selling drugs
- Assault/battery
- Sexual assault/sexual offenses
- Homicide
- Threats/Verbal/Physical
- Weapons
- Bomb Threats/False fire alarms
- Other unlawful acts including being an accessory to any of these or other unlawful acts.

Students and parents may be held financially responsible for damages incurred as a result of violations of the Student Code of Conduct. The School Board may take action against a student or the parent(s) for any loss, breakage or destruction of or failure to return property owned by the School Board.

## **COMPULSORY SCHOOL ATTENDANCE**

### **Code 22.1-254**

#### **Code Section 22.1-254.** Ages of children required to attend.

Except as otherwise provided in this article every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in **Code Section 22.1-254**.

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational or parochial school or by a public or private degree granting institution of higher education. Further, in the case of any five-year old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

Instruction in the home of a child or children by the parent, guardian or other person having control or charge of such child or children shall not be classified or defined as a private, denominational, or parochial school.

The requirements of this section shall not apply to any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation. The requirements of this section shall not apply to any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and any child who has obtained a high school diploma or its equivalent, a certificate of completion, or has achieved a passing score on a high school equivalency examination approved by the Board of Education, or who has otherwise complied with compulsory school attendance requirements.

Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

## **CHRONIC ABSENTEEISM AND TRUANCY STATE REQUIREMENTS FOR ACCREDITATION**

The Virginia Department of Education (VDOE) has incorporated efforts and requirements to improve school attendance and reduce dropout rates. These new requirements can impact school divisions' accreditation.

"Truancy" means unexcused absence from school. However, there is an important distinction between truants and chronic truants. A student displays truant behavior with a single unexcused absence from school, but a student needs to reach or surpass a certain number of unexcused absences to be considered a chronic truant. Virginia law does not define a truant specifically but does define a child who is habitually and without justification absent from school as a "child in need of supervision" when certain other conditions are met.

Chronic absenteeism, on the other hand, incorporates all absences: excused, unexcused and suspensions. The focus is on the academic consequences of this lost instructional time and on preventing absences before students miss so much school that they fall behind. It recognizes that students miss school for many understandable issues such as asthma or homelessness or unreliable transportation, for which a punitive response is not appropriate. But what helps is working with families to share the importance of attendance and to fix the underlying problems that lead to absenteeism.

Given this broader focus, addressing chronic absenteeism becomes an issue for the entire community. Medical providers can help address health challenges; transit and housing agencies can resolve other barriers to attendance; volunteers from businesses and faith communities can mentor students and support families. These approaches can also reduce truancy.

Like truancy, chronic absence has no common definition, though many researchers and schools monitor how many students are missing 10 percent or more of the school year. That's about two days a month, or 18 days in most school districts. The U.S. Education Department's Office of Civil Rights this spring will release data showing how many students miss 15 or more days.

## **A. PARENTAL RESPONSIBILITY AND INVOLVEMENT REQUIREMENTS**

The parent's role in appropriate student behavior is essential. Parents or guardians will be notified of or required to have a conference with appropriate school officials for conduct violations and disciplinary actions. Parents or guardians are responsible for providing current addresses and phone numbers to the school to allow timely notification of proposed disciplinary actions.

**Code Section 22.1-279.3** of the Code of Virginia contains provisions addressing parental responsibility and involvement that are intended to promote proper student conduct. Through the enactment of this legislation the Assembly has asserted its position that parents do not relinquish their responsibility for disciplining or managing their children while they are attending public schools. Rather, parents must work in partnership with school administrators to maintain a safe and orderly school environment.

### **Parental Responsibility and Involvement Requirements Code Section 22.1-297.3:**

- Each parent has a duty to assist the school in enforcing the standard of student conduct and compulsory attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.
- The school board will provide opportunities for parental and community involvement in each school.
- Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, make available to the parents of each enrolled student (i) a notice of the requirements of this section (§ 22.1-279.3); (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.
- Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct, the notice of the requirements of this section, and the compulsory school attendance law. Each school shall maintain records of such signed statements **Code Section 22.1-279.3**.
- The school principal may request that the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or designee to review the standard of student conduct and the parent or parent's responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the student's behavior, school attendance and educational progress.
- The school principal may notify the parent when the student violates a school board policy or the compulsory school attendance requirements that could result in a suspension or the filing of a court petition, whether or not the administration has imposed such disciplinary action. The notice shall state the date and particulars of the violation, the parents' obligation to assist the school in improving the student's behavior or ensuring compulsory school attendance compliance, and that if the student is

suspended the parents may be required to accompany the student to meet with the school officials, and that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

- Suspended students may not be readmitted to the regular school program until the student and parent meet with school officials to discuss improving the student's behavior, unless the principal or designee determined that readmission, without the parent conference, is appropriate for the student.
- If parents fail to comply with these requirements, the school board may by petition to the juvenile and domestic relations court to proceed against the parents for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance.

The court is authorized to take the following actions:

- Order the parent to meet with school officials, if the parent has willfully and unreasonably failed to meet with the principal after such a request has been made.
- If the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials to discuss improvement of the student's behavior, or the student is receiving a second suspension or is being expelled, order the student or parents to participate in treatments or programs the court deems appropriate to improve the student's behavior, or order that the student or parent be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.
- Any person who knowingly makes a false statement concerning the residency of a child, as determined by § 22.1-3, in a particular school division or school attendance zone, for the purposes of (i) avoiding the tuition charges authorized by § 22.1-5 or (ii) enrollment in a school outside the attendance zone in which the student resides, shall be guilty of a Class 4 misdemeanor and shall be liable to the school division in which the child was enrolled as a result of such false statements for tuition charges, pursuant to § 22.1-5, for the time the student was enrolled in such school division.

Students admitted under the Non-residency Policy must abide by all the rules and expectations contained in the Student Code of Conduct.

Parents must present the following documents to show residency:

- (1) VA State Tax Form,
- (2) Recent utility bill, i.e., electric, water bill (if applicable)



## B. STUDENTS' RIGHTS AND RESPONSIBILITIES

The following statements summarize students' rights and the responsibilities they must exercise to keep those rights. They explain the relationship between and among students. **In exercising their rights, students shall not disrupt the educational process, endanger, or deny others their rights.**

TABLE 1. STUDENTS' RIGHTS AND RESPONSIBILITIES

Students have the right to:	Students have the responsibility to:
a public education unimpaired because of race, color, national origin, religion, ancestry, political affiliation, sex, gender, gender identity, pregnancy, disability or any reason not related to their individual capabilities.	attend school and get to class on time; avoid actions or activities, individually or in groups, which shall interfere with the rights of any other person to a public education.
an orderly school and classroom environment that will ensure optimum learning for all students.	ensure that their actions do not disrupt the classroom or school activities. Follow schools conduct expectations in <i>Student Code of Conduct</i> .
express themselves in speech, writing, or symbolism within boundaries of the law.	ensure that such expression does not disrupt the educational process, infringe on the rights of others, present health or safety hazards, result in damage to public property, violate the law or the requirements of the <i>Student Code of Conduct</i> .
possess and distribute literature including, but not limited to, newspapers, magazines, leaflets, and pamphlets.	submit a copy of such literature to the principal or designee in sufficient time for the principal to review the material. Students must ensure that distribution (or possession) of literature will not conflict with or infringe upon school activities. For example, the material must not promote rebellion against authority, give false or damaging information against another person, or include indecent writings or pictures. The time, place, and manner of distribution shall be determined by the principal.
their own religious beliefs.	ensure that in exercising their own religious freedom, they do not infringe upon other students' rights to religious freedom.
peaceful assembly.	secure approval for using school facilities for assembly; discuss with an administrator the appropriateness of the facility for the function; ensure that such assembly does not disrupt the educational process. Non-availability of adequate supervision shall constitute grounds for disapproval of such assembly.
protection from unlawful searches and seizures of their personal possession(s) or their person.	not endanger themselves, other students, school personnel, or the general public by possessing material or objects which are potentially hazardous and/or prohibited by federal, state, or local law, or the requirements of the Student Code of Conduct.
safe and orderly transportation to and from school or a school activity when such transportation is provided by the school system.	ensure that their conduct contributes to a safe and orderly atmosphere while being transported; refrain from conduct which will offer a hazard to themselves, their fellow students, bus drivers, or the general public; and refrain from violating federal, state, or local law or the requirements of the Student Code of Conduct.

## C. AUTHORITY OF SCHOOL OFFICIALS

**All school personnel are responsible for monitoring student conduct.**

All rules and regulations will be enforced on all Surry County Public School grounds and premises before, during and after school hours, or at any time when school buildings and/or grounds are being used; or off school ground at any school activity, function or event; or when students are traveling to or from school.

The rules contained in this *Student Code of Conduct* also apply to bus behavior. **School begins at the bus stop.**

School officials may **search** with reasonable and probable cause all persons, lockers and items on school property made available for students use. This includes a student's car parked on school grounds when the search is based on reasonable suspicion. They may also use metal scanners and other search methods.

## D. LEVELS OF DISCIPLINARY ACTION

Disciplinary action shall be taken against any student who violates one or more of these rules and regulations in accordance with consequences stated. The Student Code of Conduct and Policy JFC guidelines include a range of corrective disciplinary actions: admonition and counseling, parent/pupil conference, modification of student classroom assignments or schedule, behavior compact, referral to student support services, after school detention, suspension of student privileges for a specified period, removal from class, initiation of child study process, referral to in-school intervention, mediation, or community services program, short-term suspension, long-term suspension, recommendation for expulsion and mandatory expulsion.

The Code of Virginia requires that the principal or designee notify law enforcement of certain actions. For a complete list of offenses requiring notification of law enforcement, refer to **page 24, Unlawful Acts.**

*Please note that all definitions and codes have been updated for the various offenses based on the VA Codes.*

### CONSEQUENCES FOR OFFENSES

The consequences for offenses appear below within a range of Level 1 to Level 8. Any student found in violation of these rules and regulations will have disciplinary actions taken against them in accordance with the range shown below. Consequences for offenses may include, but are not limited to, the following: student conference, warning, parent/guardian conference, confiscation, restitution, detention, loss of privilege to ride a bus or hold a parking permit, loss of privilege to participate in extracurricular activities including academic clubs or athletics, court referral, alternatives to suspension, suspension, placement in alternative education, and expulsion. In cases involving exceptional circumstances, parents may appeal in writing the loss of the privilege to participate in graduation ceremonies. Students placed in alternative education may or may not be allowed on school property. Repeat offenders will face the possibility of other disciplinary actions based on their individual disciplinary record. Please note a Range of Consequences is given for any disciplinary action. A student may be assigned a consequence within the Range of Consequences, at the school administrator's discretion. Students may be asked/required to participate in drug screening or counseling as a consequence of a violation of the Code of Conduct.

Level 1 – Warning and/or lunch detention

Level 2 – Parent and/or Pupil Conference

Level 3 – Loss privileges (may include but is not limited to parking, bus privileges, sports participation, athletics events, marching band, organizational offices, dances, field trips, clubs and activities, etc.)

Level 4 – Rehabilitation with punishment to include Restitution

Level 5 – Assignment to In School Suspension/Alternative School/Schedule Modifications/Parent Conference

Level 6 – Out of School Suspension or Parent Conference

Level 7 – 1 to 10 days Out-of-School Suspension

Level 8 - Expulsion or Long-Term Suspension

### **E. RULES, DEFINITIONS, VA STATE CODES AND DISCIPLINARY ACTIONS:**

The rules of conduct for students in the Surry County Public School System are presented in this section of the Student Code of Conduct. These rules and regulations have been adopted by the School Board of Surry County and represent its official policy.

**Examples provided for rules do not constitute a complete list of the infractions for which a student may be found in violation.**

**Please note pages 12 – 24 are charts containing the Rule Number, Offenses /Definitions/ Codes and the Range of Consequences.**

Rule Number	Offenses/Definitions/Codes	Range of Consequences									
<p><b>1</b></p> <p><b>AC1</b> <b>Use</b></p> <p><b>AC2</b> <b>Possession</b></p> <p><b>AC3</b> <b>Sale and Distribution</b></p>	<p><b>Alcohol (AC1-AC3)</b> Violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as alcohol. <b>Suspicion of being under the influence of alcohol may be included if it results in the disciplinary action.</b></p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>5</td> <td>8</td> </tr> <tr> <td>6-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	5	8	6-12	7	8
Grade	Minimum	Maximum									
Pk-5	5	8									
6-12	7	8									
<p><b>2</b></p>	<p><b>Arson/Actual/Attempted (AR1-AS1, AS2, AS3)</b> Unlawfully and intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to a damaging fire.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8			
Grade	Minimum	Maximum									
Pk-12	7	8									
<p><b>3</b></p>	<p><b>Assault and Battery (BA1-BA3)</b> An actual offensive, forceful and violent and intentional touching or striking of a staff member or student against his or her will, intentionally causing bodily harm <b>with or without the use of a firearm or weapon.</b></p> <p><b>Assault and Battery (BA4-BA5)</b> Maliciously causing bodily injury to a person (without a weapon) with the intent to maim, disfigure, disable, or kill. (VA Code 22.1-279.3:1 [A, C, D] VA Code 18-2-57 &amp; 18.5-51.2</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>8</td> </tr> <tr> <td>6-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	8	6-12	7	8
Grade	Minimum	Maximum									
Pk-5	1	8									
6-12	7	8									
<p><b>4</b></p>	<p><b>Attendance (A1T)</b> A student is to attend school (including all classes) each day of the school year. In addition, a student is to report to school and all classes on time. A student of compulsory school age who does not attend school is in violation of the law and the student and his/her parent(s)/guardian(s) are subject to its penalties. Efforts will be made to communicate with the parents of absent and truant students.</p> <p><u>Academic infractions include:</u> <b>Tardiness:</b> Failure to be in place of instruction at the assigned time without a valid excuse <b>Class cutting:</b> Failure to report to class without proper permission knowledge, or excuse by the school or the teacher. <b>Unexcused Absences or Tardiness (Truancy):</b> Students shall not be absent from or report late to class or school without appropriate parental permission, school permission or an otherwise valid excuse.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>4</td> </tr> <tr> <td>6-12</td> <td>2</td> <td>5</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	4	6-12	2	5
Grade	Minimum	Maximum									
Pk-5	1	4									
6-12	2	5									

	<p><b>Truancy</b> is defined as:</p> <ol style="list-style-type: none"> <li>1. Absent, unexcused, for three consecutive days, or for a total of five scheduled school days, or for a total of five scheduled school days per school calendar quarter, whichever occurs sooner</li> <li>2. Not enrolled in school at any time during the month, with no previous arrangements made to assure compliance with compulsory attendance laws. The student may or may not lose “good standing” status.</li> </ol>										
<b>5</b>	<p><b>Breaking and Entering/Burglary (BR1, BK1-BK2)</b> Unlawfully entering or attempting to enter building or other structure with the intent to commit a crime.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>8</td> </tr> <tr> <td>6 -12</td> <td>3</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	8	6 -12	3	8
Grade	Minimum	Maximum									
Pk-5	1	8									
6 -12	3	8									
<b>6</b>	<p><b>Bullying (BU1)</b> Any aggressive and unwanted behavior that is intended to harm or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and its repeated over time or causes severe emotional trauma. “Bullying” includes behavior motivated by a real or perceived differentiating characteristic of the victim and cyber bullying. “Bullying” does not include ordinary teasing, horseplay, argument, or peer conflict. (See page 25.)</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>8</td> </tr> <tr> <td>6-12</td> <td>3</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	8	6-12	3	8
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6-12	3	8									
<b>7</b>	<p><b>Cyber Bullying (BU2)</b> Cyber bullying is defined as using information and communication technologies, such as cell phone text messages and pictures and internet e-mail, social networking Web sites, defamatory online personal polling Web sites to support deliberate, hostile, behavior intended to harm others. Code of VA 22.1-279:6</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>1</td> <td>8</td> </tr> <tr> <td>6 -12</td> <td>3</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	1	8	6 -12	3	8
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Pk- 5	1	8									
6 -12	3	8									
<b>8</b>	<p><b>Disorderly Conduct (D1C-D6C, D8C)</b> Unwillingness to submit to authority or refusal to respond to a reasonable request. Any act that intentionally disrupts the orderly conduct of a school function. Any behavior that substantially disrupts the orderly learning environment. This includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>• <b>D1C: Disrespect</b> Walking away, etc.</li> <li>• <b>D1C: Leaving assigned area without permission</b> Leaving the classroom, building, or other assigned area without obtaining approval of the teacher and/or administrator.</li> </ul>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>6</td> </tr> <tr> <td>6 -12</td> <td>1</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	6	6 -12	1	8
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6 -12	1	8									

	<ul style="list-style-type: none"> <li>• <b>D1C: Walking away</b> Leaving while a staff member is talking to you.</li> <li>• <b>D1C-D2C: Refusal to work in class</b> Refusing to follow directions, complete assignments, or bring necessary materials to participate in class.</li> <li>• <b>D2C: Failure to report to the office when directed by staff</b></li> <li>• <b>D2C: Defiance/refuses request</b> Includes refusing to serve teacher assigned detention</li> <li>• <b>D2C: Defiance</b> Refuses request, not being in assigned area, leaving area without approval, failure to report to the office when directed, etc.</li> <li>• <b>D3C: Disruptive Demonstrations</b> To include <b>rude noises</b>, etc.</li> <li>• <b>D4C: Possession of Obscene or Disruptive Literature</b></li> <li>• <b>D5C: Classroom or Campus Disruption</b></li> <li>• <b>D5C: Classroom or Campus Disruption</b> To include chronic talking, throwing objects, instigating, and excessive playing</li> <li>• <b>D5C: Bus Behavior</b> Inappropriate behavior in a disruptive manner or otherwise violate the Code while waiting for, on, or after being discharged from a bus</li> <li>• <b>D6C: Using Obscene or Inappropriate Language or Gestures, Harassing/Teasing</b> Pestering or tormenting</li> <li>• <b>D6C: Inappropriate public displays of affection</b> Inappropriate displays are not allowed in the school building, on school grounds, or during school activities and may result in higher</li> </ul>	
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	<p>level consequence, depending on the nature of the violation.</p> <ul style="list-style-type: none"> <li> <b>D6C: Profane, Abusive, or Derogatory Language</b>            Students shall not use language or gestures that are vulgar, offensive, obscene or disruptive to the learning environment.  <b>Derogatory Language or Written Materials:</b> Spoken words that convey written materials or pictures that convey an offensive, obscene, or sexually suggestive message. <b>Directed at Staff Members:</b> Writing, saying, or making gestures that convey an offensive or sexually suggestive message toward a staff member. <b>Swearing:</b> Saying anything that conveys an offensive, obscene, or sexually suggestive message.         </li> <li> <b>D8C: Minor Insubordination</b>            Refusing to remain in seat, demeanor which is deemed threatening, overly distracting, harmful to the child and/or others and disruptive of the educational process.  <b>D8C: Not dressing appropriately for the content area:</b> Includes not dressing out for gym, shop area, JROTC, includes jewelry and other paraphernalia.         </li> <li> <b>S3V: Destruction of property (non-vandalism)</b> </li> </ul>										
<p><b>9</b>  <b>Anabolic Steroid</b>  <b>Marijuana</b>  <b>Illegal Drugs,</b>  <b>Controlled</b>  <b>Substances</b>  <b>Use/Possession</b></p> <p><b>Use/Possession</b></p> <p><b>D15 Possession</b>  <b>D16 Use of</b></p>	<p><b>Drug Violations (DR1, DG1-DG2, DG7-DG8, DG20, DG5)</b>            Violation of laws or ordinances prohibiting the manufacture, transportation, possession or consumption of marijuana, illegal drugs, controlled substances and anabolic steroid use. Suspicion of being under the influence of marijuana may be included if it results in disciplinary action.</p> <p><b>DR2, D17</b>            Unlawfully using, cultivating, manufacturing, purchasing, possessing, transporting, or importing any substances represented as drug <b>look-alikes</b>.</p> <p><b>D15-D16</b>            Unlawfully using cultivating, manufacturing, purchasing, possessing, transporting, or importing any <b>inhalants</b>.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>5</td> <td>8</td> </tr> <tr> <td>6 -12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	5	8	6 -12	7	8
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Pk- 5	5	8									
6 -12	7	8									

<p><b>Prescriptions Theft/Attempted</b></p> <p><b>DG3 Sale/Dist. DG6 Synthetic DG9 Marijuana DG19 Anabolic Steroid</b></p> <p><b>D10 Use/Overdose D11 Possession Paraphernalia D12 Sale/Distribution</b></p> <p><b>D4G Use D5G Possession D6G Sale/Dist.</b></p>	<p><b>DR3</b> Unlawfully possessing or attempting to take possession of <b>drugs prescribed</b> for another.</p> <p><b>DR4, DG3, DG9, DG19, DG6</b> Unlawfully possessing with the intent to distribute, sell, or solicit any illegal drug or controlled substance <b>marijuana, or anabolic steroid.</b></p> <p><b>DR5, D10-D12</b> Unlawfully using or possessing with the intent to distribute, selling or soliciting any controlled drug or narcotic substance not specified in previous drug categories. Having equipment (<b>paraphernalia</b>) for use in consuming illegal drugs in one's pocket, bag, car, or locker.</p> <p><b>D4G-D6G:</b> Unlawful use, distribution, sale, solicitation, purchase, possession, transportation, or importation of <b>over-the-counter medication.</b></p> <p>The following may constitute reasonable suspicion for violation of possession or use of tobacco electronic cigarette products and other restricted or illegal substances:</p> <ol style="list-style-type: none"> <li>1) more than one student in a restroom stall,</li> <li>2) visual presence of smoke, or smell of smoke, and/or</li> <li>3) group of students in an unassigned area.</li> </ol> <p>Alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, synthetic cannabinoids (spice, K2, bath salts) and anything else covered by the Drug Control Act, as well as any abusable glue, paint and similar materials, anabolic steroids and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package, and includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance. School officials or law-enforcement officers shall confiscate restricted substances.</p> <p>Students shall not manufacture, give, sell, distribute, or possess with intent to give, sell or distribute marijuana or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia. School Officials or law-enforcement officers shall confiscate illegal drugs. Offenses under this section may be subject to disciplinary action even if they occurred off school</p>	
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	premises (VA Code-Code Section 22.1-277). See File JFCF School Board Policy.										
<b>10</b> See Acceptable Use Policy Appendix C Page	<p><b>Electronic Devices/Inappropriate Use (C1M-C3M)</b> Using electronic devices that are deemed inappropriate in an educational setting.</p> <p><i>C2M Cellular Telephones: Students in grades 5-12 may bring a cellular telephone to school, but it must be registered in the main office. The student may not turn on or use the cellular telephone during the official instructional day. Students may use their cell phones on buses during the regular route; however, students are prohibited from taking pictures, recording video, using Bluetooth devices or producing loud noises with their cell phones at all times. Any student in violation of the conditions for possessing a cellular telephone will lose the privilege and will be subject to disciplinary action including up to ten days out-of-school suspension. Any student who uses a cellular telephone for unlawful activity while on school property or while attending any school function or activity will be subject to disciplinary action to include suspension out-of-school and may include a recommendation for expulsion.</i></p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>1</td> <td>4</td> </tr> <tr> <td>6 -12</td> <td>1</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	1	4	6 -12	1	8
Grade	Minimum	Maximum									
Pk-5	1	4									
6 -12	1	8									
<b>11</b> ET1-Extortion ET2-Attempted	<p><b>Extortion (ET1-ET2, EX1)</b> Unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat or eventual physical injury or other harm to that person or person's property.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>5</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	5	8			
Grade	Minimum	Maximum									
Pk-12	5	8									
<b>12</b>	<p><b>Fighting with No Injury or Minor Injury (FA2)</b> Mutual participation in a fight involving physical violence, where there are no or minor injuries. These may include, but not be limited to, the following scrape on body (e.g., knee, elbow, hand) or minor bruising.</p> <p><b>Altercation/Confrontation (F1T)</b> Confrontation, tussle, or verbal/physical aggression that does not result in injury.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>5</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	5	8			
Grade	Minimum	Maximum									
Pk-12	5	8									
<b>13</b>	<p><b>Gambling (G1B)</b> Making, placing, or receiving any bet or wager of money or other thing of value dependent upon the result of the game, contest, or any other event with an uncertain outcome.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>6</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	6	8			
Grade	Minimum	Maximum									
Pk-12	6	8									

<p><b>14</b></p>	<p><b>Gang or Gang Related Activities (GA1)</b> Street gangs mean any ongoing organization, association, or group of three or more persons, whether formal or informal, that has as one of its primary objectives or activities to commit one or more criminal or non-criminal gang activities. This includes articles of clothing that symbolize association, rituals, or activities identified by groups of students.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>6</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	6	8
Grade	Minimum	Maximum						
Pk-12	6	8						
<p><b>15</b> <b>Non-sexual (Physical, Verbal, Psychological)</b></p>	<p><b>Harassment (HR1)</b> Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating/hostile work environment.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>6-12</td> <td>5</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	6-12	5	8
Grade	Minimum	Maximum						
6-12	5	8						
<p><b>16</b></p>	<p><b>Hazing (H1Z)</b> Committing an act or acts against another student or coercing a student to commit an act that creates risk of harm to a person in order to be initiated into a student organization or class. 22.1-279 (B) VA 18.2-56</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8
Grade	Minimum	Maximum						
Pk-12	7	8						
<p><b>17</b></p>	<p><b>Homicide (HO1-HO4)</b> Any death of a staff member or student resulting from the use of a firearm or use of a weapon (other than accidentally self-inflicted or suicide).</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td></td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12		8
Grade	Minimum	Maximum						
Pk-12		8						
<p><b>18</b> <b>RG1- Inciting</b> <b>RG2-Attempting</b></p>	<p><b>Inciting a Riot (RT1, RG1, RG2)</b> Unlawfully use of force or violence that seriously jeopardizes the public safety, peace or order. Three or more people acting together.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>5</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	5	8
Grade	Minimum	Maximum						
Pk-12	5	8						
<p><b>19</b></p>	<p><b>Kidnapping (KI1)</b> Unlawfully seizing, transporting, and/or detaining a person against his/her will, or a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage-taking.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td></td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12		8
Grade	Minimum	Maximum						
Pk-12		8						
<p><b>20</b></p>	<p><b>Other Violations:</b> Violations that are inappropriate for school behavior.</p> <p><b>S1V</b> – Inappropriate Personal Property (i.e. <b>Dress Code violation</b>; see school’s handbook for Dress Code)</p> <p><b>S2V</b> – Misrepresentation (i.e. Lying, Forgery, Cheating or Plagiarism)</p> <p><b>S3V</b> – Other School Code of Conduct Violation Not Otherwise Include</p> <ul style="list-style-type: none"> <li>• Selling anything without approval (i.e. gum, candy, etc.</li> </ul>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>1</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	1	8
Grade	Minimum	Maximum						
Pk-12	1	8						

	<ul style="list-style-type: none"> <li>• <b>Unauthorized Property:</b> Students shall not have in their possession any object that has no educational purpose and may distract from teaching and learning. School officials shall confiscate unauthorized property. This includes, but is not limited to: <b>matches and lighters; toys, games, etc. and electronic devices based on Acceptable Use Policy</b></li> <li>• False Alarms (i.e. fire alarms, calling 911)</li> <li>• <b>Vehicle Use/Reckless Driving:</b> Driving to school is a privilege. See Student Handbook.</li> </ul>										
21	<p><b>Robbery/Person/Force or Threat of Force RO1 (RB1, RB2)</b> Taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8			
Grade	Minimum	Maximum									
Pk-12	7	8									
22	<p><b>Stalking (ST1)</b> Engaging in conduct directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8			
Grade	Minimum	Maximum									
Pk-12	7	8									
23	<p><b>Sexual Harassment (SXO)</b> Unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment.</p> <p><b>Sexual Battery Against Staff (SB1)/Students (SB2)</b> Sexual battery against a staff member or a student involves an offensive or intentional threat, intimidation or ruse or physical helplessness of sexual abuse. Sexual battery is a Class I misdemeanor.</p> <p><b>Sexual Offenses Against Staff (SX3) Student (SX4) Forcible Assault</b> Sexual penetration (e.g., oral, anal, or vaginal) against a staff member/student without consent. <b>Student</b> - This category also includes a statutory rape that is defined as sexual penetration with or without the consent of a minor.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>1</td> <td>7</td> </tr> <tr> <td>6 - 12</td> <td>5</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	1	7	6 - 12	5	8
Grade	Minimum	Maximum									
Pk- 5	1	7									
6 - 12	5	8									

	<p><b>Sexual Offenses Against Staff (SX5)/Student (SX6) Attempted Forcible Assault</b>          Attempted sexual penetration (e.g. oral, anal, or vaginal) against a staff member/student without consent, (SX6) including statutory rape, sexual penetration with or without the minor’s consent.</p> <p><b>Sexual Offenses Without Force (SX7)</b> Lewd behavior, indecent exposure that includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat. Consider age, developmentally appropriate behavior, and disability status before using this category.</p> <p><b>Sexual Offenses – Aggravated Sexual Battery (SX8)</b>          Sexually abusing a victim less than thirteen years of age or accomplishing the act against the will of the victim by force, threat, intimidation, or through the use of the victim’s mental incapacity or physical helplessness, and- the victim is at least thirteen but less than fifteen years of age, or the accused causes serious bodily or mental injury to the victim, or the accused uses or threatens to use a dangerous weapon.          Sexual abuse means an act committed with the intent to sexually molest, arouse, or gratify any person where the accused intentionally touches the victim’s intimate parts or forces the victim to touch the victim’s own or another person’s intimate parts or material directly covering such intimate parts; or the accused forces another person to touch the victim’s intimate parts or materials directly covering such intimate parts.</p> <p><b>Sexual Offensive Touching Against Staff (SX1)/ Student (SX2)</b>          Improper physical contact against a staff that is offensive, undesirable, and/or unwanted as determined by the victim.</p>							
<p><b>24</b>  <b>BO1-Bomb Threat</b>  <b>BO2-Chemical biological Threat</b>  <b>BO3-Terrorist Threat</b>  <b>BO4-False Fire Alarm</b></p>	<p><b>School Threat/Bomb Threat (Threat of Destruction or Harm) BB1</b>          Any threat (verbal, written, or electronic) by a person to bomb or use other substances of devices for the purpose of exploding, burning, causing damage to a school building or school property, or harming students or staff. Intentionally making a false report of potential harm from dangerous chemicals or biological agents.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8
Grade	Minimum	Maximum						
Pk-12	7	8						

25	<p><b>Technology Use Violations/Use</b> Unauthorized violations of technology use according to the Acceptable Use Policy.</p> <ul style="list-style-type: none"> <li>• <b>T1C</b> – Unauthorized Use of Technology or information</li> <li>• <b>T2C</b> – Causing/Attempting to Cause Damage to Computer Hardware, Software of Files</li> <li>• <b>T3C</b> – Violations of Acceptable Usage Policy</li> <li>• <b>T4C</b> – Violations of Internet Policy</li> </ul>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>1</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	1	8			
Grade	Minimum	Maximum									
Pk-12	1	8									
26	<p><b>Threat/Intimidation Against Staff (TI1)/Student (TI2)</b> Unlawfully placing a staff member/student in fear of bodily harm through physical, verbal, written or electronic threats which immediately creates fear of harm without displaying a weapon or subjecting the person to actual physical attack. Consider age, developmentally appropriate behavior, and disability status before using this category.</p> <p><b>Theft/Offenses (No Force) TH1</b> Unlawfully taking, carrying or leaving with property from the possession of another person. May include pocket picking, purse snatching, theft from building, theft of electronic data, theft from motor vehicle, or from coin-operated machines.</p> <ul style="list-style-type: none"> <li>• <b>TF1</b> – Theft of School Property</li> <li>• <b>TF2</b> – Theft of Staff Property</li> <li>• <b>TF3</b> – Theft of Student Property</li> <li>• <b>TF4</b> – Possession of Stolen Property</li> </ul>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>3</td> <td>7</td> </tr> <tr> <td>6-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	3	7	6-12	7	8
Grade	Minimum	Maximum									
Pk-5	3	7									
6-12	7	8									
26 continued	<p><b>Theft Offense of a Motor Vehicle (TH2)</b> Unlawfully taking or leaving with a motor vehicle or the attempted theft of a motor vehicle. This category includes theft of a car, truck, motorcycle, dune buggy, snowmobile, RV, or anything that is self-propelled.</p> <p><b>TF6</b> – Attempted Theft of Motor Vehicle</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-5</td> <td>3</td> <td>8</td> </tr> <tr> <td>6-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-5	3	8	6-12	7	8
Grade	Minimum	Maximum									
Pk-5	3	8									
6-12	7	8									
27	<p><b>Tobacco/Electronic Cigarette Use Possession, Sale, Distribution (TB1)</b> Possessing, using, distributing, or selling tobacco/electronic cigarette/nicotine vapor products, including smokeless tobacco, on school grounds, at school-sponsored events, and/or on school transportation.</p> <p><b>TC1</b> – Tobacco/Electronic Cigarette/ Nicotine Vapor Product Use</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>5</td> <td>8</td> </tr> <tr> <td>6 -12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	5	8	6 -12	7	8
Grade	Minimum	Maximum									
Pk- 5	5	8									
6 -12	7	8									

	<p><b>TC2 – Tobacco/Electronic Cigarette/ Nicotine Vapor Product Possession</b></p> <p><b>TC3 – Tobacco/Electronic Cigarette Sales/ Nicotine Vapor Product Distribution</b></p> <p><b>Tobacco/Electronic Cigarette Paraphernalia (T4B)</b> Bring tobacco/electronic cigarette/ Nicotine Vapor Product paraphernalia to school or to a school event.</p>										
<b>28</b>	<p><b>Trespassing (TR1)</b></p> <p>Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave.</p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>1</td> <td>6</td> </tr> <tr> <td>6 -12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	1	6	6 -12	7	8
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Pk- 5	1	6									
6 -12	7	8									
<b>29</b>	<p><b>Vandalism</b></p> <p>Willfully and maliciously destroying, damaging or defacing public or private property without the consent of the owner or the person having custody or control of it. This category includes graffiti.</p> <ul style="list-style-type: none"> <li>• <b>VN1 – Vandalism of School Property</b></li> <li>• <b>VN2 – Vandalism of Private Property</b></li> <li>• <b>VN3 – Graffiti</b></li> </ul>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk- 5</td> <td>1</td> <td>6</td> </tr> <tr> <td>6 -12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk- 5	1	6	6 -12	7	8
Grade	Minimum	Maximum									
Pk- 5	1	6									
6 -12	7	8									
<b>30</b>	<p><b>Weapon (1) Firearm Handgun/Pistol (WP1)</b></p> <p>Possessing or bringing a handgun, pistol or firearm silencer to school or to a school- sponsored event.</p> <p><b>Weapon (2) Firearm Shotgun/Rifle (WP2)</b></p> <p>Possessing or bringing a rifle/shotgun or firearm silencer to school or a school sponsored event.</p> <p><b>Weapon (3) Expels a Projectile (WP4)</b></p> <p>Possessing or bringing to school or a school-sponsored event any weapon designed to expel a projectile or that may readily be converted or modified manufactured guns to expel a projectile by the action of an explosive device.</p> <p><b>Weapon (4) Knife (WP5)</b></p> <p>Possessing or bring to school or a school-sponsored event any sharp-edged instrument that is classified as a knife with a blade of two and a half (2 ½) inches or more.</p> <p><b>Weapon (5) Other Firearms (WP8)</b></p>	<table border="1"> <thead> <tr> <th>Grade</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Pk-12</td> <td>7</td> <td>8</td> </tr> </tbody> </table>	Grade	Minimum	Maximum	Pk-12	7	8			
Grade	Minimum	Maximum									
Pk-12	7	8									

	<p>Possessing or bringing any other weapon that will, is designed to, expel a projectile by the action of an explosive to school or a school event. This includes firearms not mentioned previously (operable, loaded or unloaded) such as, but not limited to, a zip or starter gun.</p> <p><b>Weapon (6) Other Weapons (WP9)</b> Possessing or bringing any weapon, instrument, or object that is designed to or may readily be converted to inflict harm on another person to school or a school event. (i.e., golf club, baseball bat, chains, nunchakus, or billy club)</p> <p><b>Pneumatic Weapons (BB Gun) (WP0)</b> Possessing or bringing any pneumatic gun or rifle that is air powered to school or a school event. A pneumatic gun or rifle includes a BB, paint ball, or pellet gun.</p> <p><b>Possession of Explosive Device (WP6)</b> Possessing or representing any weapon that explodes or is designed to or may readily be converted to explode.</p> <p><b>Use of Bomb or Explosive Device (WP7)</b> Using any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion.</p> <p><b>Possession of Ammunition (W1P)</b> Possession of any type of ammunition. Ammunition means ammunition or cartridges, cases, primers, bullets, or propellant powder designed for use in any firearm. <b>Bringing ammunition to school or school Event.</b></p> <p><b>Weapon/Look-alike (W3P)</b> Any device that looks like a real gun or is a toy gun (i.e., water pistols.) Category also includes look-alike weapons.</p> <p><b>Weapon/Chemical Substance (W2P)</b> Possessing or bringing to school or a school-sponsored event any substance used as a weapon. The substance would include mace, tear gas, or pepper spray.</p> <p><b>Possible Weapons (W8P-W9P)</b> Possessing knife less than two and a half (2 ½) inches, razor blades, box cutters, fireworks, firecrackers, or bringing stink bombs to school or a school event.</p>	
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	<p><b>W8P</b> – Bringing Razor Blades/Box Cutters/ Less than two and a half (2 ½) inch blade knife to School or School Events.</p> <p><b>W9P</b> – Bringing Fireworks, Firecrackers, or Stink Bombs to School or School Event.</p> <p><b>Possession of Taser Gun (WT1)</b> Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or another charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person.</p> <p><b>Possession of Stun Gun/Taser (WS1)</b> Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge that exceeds the equivalency of five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person.</p>	
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**Unlawful Acts (In accordance with School Board Policy JFC)**

Unlawful acts which require police notification and may lead to suspension from classes, exclusion from activities, or expulsion include but are not limited to the following offense categories:

- Alcohol – (AL1, AC1-AC3)
- Assault/Battery – (BA1 – BA5)
- Cyber-bullying – (BU2)
- Drug Violations (DR1 - DR5, DG1-DG9, D10-D20)
- Homicide – (HO1 – HO4)
- Stalking – (ST1)
- Sexual Offenses (SB1-SB2, SX3-SX8)
- Threat/Verbal/Physical (TI1, BB1)
- Weapons (WP0-WP2, WP4-WP9, W2P)
- Bomb Threats/False Fire Alarms/Smoke Bombs/Fireworks (BB1, BO1-BO4, AR1/AS3)

Any student involved in a drug or violent incident which must be reported shall participate in prevention and intervention activities outlined in the school division’s drug and violence prevention plan. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.



## Bullying/Cyber Bullying (continued from page 13)

Cyber Bullying is a new phenomenon that includes:

- Electronically sending mean, vulgar, or threatening messages or images,
- Online posting of sensitive, private information about someone,
- Pretending to be someone else online in order to make that person look bad,
- Using photo shop tools to create harassing images,
- Publishing jokes about another person on the Internet,
- Using the Internet to entice a group to physically harm another person, and
- Can be done using email, IM's, text messages, blogs, etc.

Bullying is a violation of Code of Virginia 18.2-60 and certain behaviors associated with bullying can also result in punishment under Virginia Law, for example:

- A Threat is knowingly communicating a warning to kill or do bodily harm to someone. This is punishable as a Class 6 felony and can result in up-to 5 years imprisonment. (§ 18.2-60)
- Extortion is knowingly obtaining, by threat, control over the property of another, with intent to deprive said person of the property. This is a Class 5 felony and can result in up to 10 years imprisonment. (§ 18.2-59)
- An Assault is the attempt or offer, with force, to do bodily harm, while assault and battery is the actual infliction of bodily harm. This crime is classified as either a Class 1 misdemeanor- 12 months imprisonment and/or \$2500 fine, or a Class 6 felony (if the victim is intentionally selected based on race, religion, color or national origin), which can result in up to 5 years imprisonment. (§18.2-57)
- Hazing is the reckless or intentional endangerment of the health or safety of a student, or the infliction of a bodily injury on a student in connection with or for the purpose of an initiation, admission or affiliation with a club, organization, fraternity...regardless of whether the student voluntarily participated. This crime is a Class 1 misdemeanor, which can result in 12 months in jail and/or \$2500 fine. (§18.2-56)
- Malicious wounding is the shooting, stabbing, cutting, wounding or causing a bodily injury, with the intent to maim, disfigure, disable or kill and is a Class 3 Felony that can result in 5 - 20 years and a fine up to \$100,000. (§ 18.2-51)
  - If such act is done unlawfully, not maliciously, then it is an unlawful wounding and is a Class 6 Felony that can result in 1-5 years; or 12 months in jail and/or \$2500 fine.
- Harassment by computer is the use of a computer - with the intent to coerce, intimidate, or harass - to communicate obscene, vulgar, profane, lewd, lascivious, or indecent language or make any suggestion or proposal of an obscene nature, or to threaten any illegal or immoral act. This crime is a Class 1 misdemeanor and result in 12 months in jail and/or \$2500 fine. (§ 18.2-152.7:1)

## F. BUS AND BUS STOP SAFETY RULES

While on school property or while under the supervision of school authority (including going to and from school), no student shall violate any laws or regulations of the School Board and the school. Students who become a serious discipline problem on the school bus or consistently demonstrates inappropriate behavior shall have their riding privileges suspended by the principal or designee. In such cases, the parent(s) of the suspended student shall be responsible for transporting their child to and from school.

The Code of Virginia, Section 22.176, permits School Boards to provide transportation for pupils. However, the law does not require that transportation be provided except as cited in Section 22.1-221, transportation of handicapped children. **Riding the school bus is a privilege.** Expected student behavior on the bus is in accordance to the Surry County Public Schools *Student Code of Conduct*. Students and their parents will be informed that violations of standards for school buses set forth in the *Student Code of Conduct* will be cause for a referral to a school administrator and shall result in appropriate disciplinary penalties. **School buses are considered School Board property, and students who fail to meet the expectations of the *Student Code of Conduct* may have their riding privileges revoked for a specified time or permanently.**

Bus conduct rules shall apply to all students in all situations in which the use of school buses is permitted, such as:

- Regular transportation to and from school;
- Field trips;
- Athletic trips;
- Special after-school activities;
- Transportation from base schools to locations where specialized educational programs are available and;
- Any trip involving the use of a school bus to transport students for a school activity

**PARENTS, GUARDIANS, OR THEIR RESPONSIBLE DESIGNEE MUST BE HOME AND VISIBLE WHEN THE BUS RETURNS THE CHILD(REN) AFTER SCHOOL. CHILDREN IN PRE-KINDERGARTEN THROUGH THIRD GRADE WILL NOT BE LEFT ALONE AT A BUS STOP. AFTER THE DRIVER COMPLETES THE ROUTE, THE CHILD(REN) WILL BE RETURNED TO SURRY ELEMENTARY SCHOOL AND THE SHERIFF'S DEPARTMENT MAY BE CONTACTED.**

Parents must explain to students that school bus safety and following bus rules are expected of everyone so that students may travel to and from home in a safe and orderly manner daily.

## VIDEO CAMERAS

To enhance student safety, Surry County Public School buses have been equipped with video cameras. Video cameras do not relieve drivers of their responsibility to maintain student safety; the cameras are used to assist drivers and administrators in monitoring student behavior. Videotaping of bus riders may be used at the discretion of the school administration to verify inappropriate bus conduct.

## SAFETY TIPS FOR PARENTS

Your bus drivers are responsible for the safety of your child, but they can only fulfill this responsibility with your assistance. Encourage your child to follow the safety rules. When any student jeopardizes the safety and well-being of other students, the driver is **required** to write a disciplinary report to the principal. Surry County Public Schools has set high expectations for student behavior on buses as well as in the classroom. Bus transportation may be denied to any student whose behavior poses a safety problem. Bus transportation is provided as a privilege. We believe that the cooperation of students, parents, and drivers will make it possible for us to continue to provide a safe system of pupil transportation. To assist us, we ask that you:

<p><b>Review all bus safety rules with your child.</b> This will reinforce their importance and will increase your child’s respect for the bus drivers and their very important job.</p>	<p><b>Help your child be on time.</b> Rushing to a bus stop can cause carelessness and is dangerous.</p>	<p>Help your child understand and recognize the <b>danger zones and blind spots</b> around the school bus.</p>
<p><b>Visit the bus stop with your child.</b> This will help you explain the safest route to the stop, where to wait, exactly how far from the road or street he/she should stand, and to check for any unsafe situations. A young child should always be accompanied by a parent or responsible designee to and from the bus stop.</p>	<p><b>Always be alert when driving on school grounds;</b> watch for children in every direction. Use designated areas on school grounds to drop-off or pick-up your child. Stop if red traffic warning lights on a school bus are flashing, even on school grounds. Do not drive vehicles into the schools’ bus areas when buses are loading/unloading.</p>	<p>If there are problems or questions concerning bus transportation, call the transportation office or your child’s school.</p> <p style="text-align: center;">Transportation Office 757- 267-2452 Option 4</p>
<p><b>Backpacks are important</b> for keeping all school supplies intact and freeing hands for holding handrails when entering or exiting bus. Do not attach items to outside of backpack that could be caught on handrails or the door.</p>	<p><b>Have a plan for emergencies,</b> such as missing the bus, delayed openings, and early closings. Discuss these plans with your child, so he/she will know what to do. Parents/Guardians of students in Pre-K to 3<sup>rd</sup> grades are asked to <b>inform the school of their plans in writing.</b></p>	<p><b>Bus passes</b> will be issued to a student <b>ONLY</b> if the parent/guardian sends a signed note, to include the actual destination, whenever the child is to ride another bus or to be let off at another stop on the same bus. Please include a phone number where parent/guardian can be reached to verify instructions.</p>

## **SAFETY RULES**

### **MEETING THE BUS AT THE BUS STOP – EACH STUDENT MUST:**

1. Go directly to the stop and remain until the bus arrives.
2. Walk as far off the road as possible, to the left facing traffic.
3. Arrive at stop, with school supplies in backpack, *five minutes before* pick-up time.
4. If student must cross the street to board the bus, check traffic, wait for the driver's signal to cross and look again to be sure all traffic has stopped. Then, *cross only in front* of the bus.
5. Know the *Danger Zones*. Walk at least *10 feet* away from the bus.
6. Never push other students. Enter the bus in an orderly fashion and use the handrail.

### **ON THE BUS – EACH STUDENT MUST:**

1. Promptly follow the driver's instructions.
2. Move directly to a seat, sit facing front, hold belongings in lap, and remain seated while bus is in motion.
3. Keep aisle clear and keep arms, legs, and head inside the bus.
4. Speak quietly; talk to driver only in emergencies.
5. Use emergency doors, roof hatches, and windows only during emergencies or official practices. Pay close attention and cooperate during drills.
6. Never bring glass containers, cans, inflated balloons, pets (or any live animals), mace, aerosol containers, water pistols, peashooters, or weapons of any type on bus.
7. Never bring a band instrument unless it can be held in lap. Nothing may be placed on the floor for transporting purposes.
8. Open windows only with driver's permission, and close them when leaving the bus.
9. Never eat, chew gum, or bring drinks on the bus.

### **LEAVING THE BUS – EACH STUDENT MUST:**

1. Use the same bus and bus stop morning and afternoon. No change may be made without written request from parent and prior approval by school officials. Drivers may *only* stop at designated and approved bus stops.
2. Remain properly seated until the bus comes to a full stop.
3. Leave bus in an orderly fashion, allowing students in front seats off first.
4. Wait at end of crossing gate in front of bus until driver signals it is safe to cross the street if student must cross. Stop at traffic side of bus and look to see if it is still safe; then cross, but do not run.
5. Leave anything that may be dropped outside the bus. Get permission from driver to pick it up so that driver is aware of your location.
6. Move away from the *Danger Zones*. Never run beside, try to touch, or cross behind the bus as it leaves. Remember the *Danger Zones*.
7. Never throw an object of any type at, or out of the school bus. A student involved in such an action may be charged with a felony.
8. Report any injuries received on the bus or any unsafe acts to the bus driver.

## EXPECTATIONS FOR BEHAVIOR OF BUS PASSENGERS

Proper behavior is required of students to and from school, and at the bus stop and while riding the school bus to assure that the property rights of others are respected. The driver of the bus has the authority and the responsibility to maintain order and safe conditions on the bus. On the first day of school, drivers shall discuss school bus safety and proper bus behavior with students.

School bus passengers shall:

- Show respect for fellow students and the driver;
- Follow directions the first time they are given;
- Keep all objects and themselves inside the bus;
- Refrain from throwing objects;
- Stay in their seats while the bus is in motion;
- Refrain from cursing, swearing, talking loudly or teasing;
- Refrain from pushing, shoving, or fighting;
- Refrain from littering or damaging the bus;
- Refrain from eating and drinking; and;
- Meet all expectations stated in the Student Code of Conduct.

<b>DANGER ZONE- the area around a school bus where the driver cannot see you!</b>	<b>Sixty percent of the estimated 23 million children who ride buses daily are of elementary age.</b>
<ul style="list-style-type: none"> <li>▪ Take 10 giant steps away from bus when getting off</li> </ul>	
<ul style="list-style-type: none"> <li>• Always cross in front of the bus.</li> </ul>	
<ul style="list-style-type: none"> <li>• Look at the bus driver and wait for the driver’s signal before crossing the road.</li> </ul>	<b>Two-thirds of all Loading Zone fatalities a year are children who were struck by their own bus. Five and six-year olds are the most frequent victims.</b>
<ul style="list-style-type: none"> <li>• If you drop anything outside of the bus, leave it. Get permission from the driver before picking it up.</li> </ul>	<b>*Students Only on Field Trips</b> Insurance regulations prohibit any child not enrolled in the Surry County Division from riding school buses. Note: This includes the children of parents who chaperone field trips on school buses.

## G. REHABILITATION ALTERNATIVES

<b>Referral:</b>	To school counselor, social worker, psychologist, conflict resolution, child study team, or other. Referral may include parental involvement.
<b>Time-Out/Buddy Room:</b>	The temporary denial of a student’s right to participate in class. The student will be assigned to a specific place for a period of time (teacher imposed discipline which does not result in a referral to the office).

<b>Staffing:</b>	A meeting of school personnel and perhaps other individuals to consider the behavior of the student and make recommendations.
<b>Conflict Mediation with Teacher, Parent, Student:</b>	Mediator, student, parent, teacher and administrator shall agree to sit down and confer.
<b>Behavioral Intervention Plan with Student/Parent:</b>	An agreement is written listing steps to be taken to improve behavior and the support to be provided by school staff and/or parent/guardian as well as the date when the plan will be reviewed.
<b>Tobacco Education:</b>	Referral to guidance counselor or school social worker.
<b>Substance Abuse Education:</b>	Referral to guidance, school social worker or to a drug rehabilitation program through the court system.
<b>Probationary Period:</b>	A write-up for the discipline offense with a defined period of good behavior to prevent suspension.
<b>Conferences:</b>	Conferences may include any combination of the following individuals deemed necessary: teacher, student, parent, counselor, administrator, others.
<b>Restitution:</b>	Reimbursement for loss or damage.
<b>Other Alternatives to Suspension and Detention</b>	Alternatives to suspension and detention could include but are not limited to work task, community service, parent attend school with student, or assigned to the onsite alternative setting for a specified period of time.

## H. SUSPENSION

When a student is sent to the principal or assistant principal for any disciplinary action or conferencing concerning an incident, the steps below should be followed.

The administrator:

- Advises the student of the charge(s).
- Advises the student of the facts on which the charge(s) are based.
- Gives the student an opportunity to respond to the charge(s) and to provide his/her version. The student is asked to give a written statement concerning the incident.
- Provides written verification of the proposed disciplinary action to parent(s)/guardian.
- Makes every effort, which may include the use of other county agencies, to notify the student's parent(s)/guardian, if action is to be taken immediately to suspend the student based on the guidelines in the *Student Code of Conduct*.
- Denies student the right to return to the place where the infraction occurred immediately following an offense.

This procedure may be modified in the case of a student whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption.

## DEFINITIONS OF SUSPENSION AND EXPULSION

Definitions of suspension and expulsion can vary and are determined in some cases by program or state policy and regulation. Virginia state policy and regulation may also apply to specific children (e.g., children with disabilities) or auspices, such as Virginia school divisions. **Table 1: National and State Definitions of Suspension and Expulsion** identifies the national standards related to suspension and expulsion for programs serving young children as context for the available Virginia regulations. These definitions should be included in program guidance, as applicable, and should be shared with families.

**TABLE 1: NATIONAL AND STATE DEFINITIONS OF SUSPENSION AND EXPULSION**

National and State Sources	Suspension Short-Term	Suspension Long-Term	Expulsion
Caring for Our Children, National Health and Safety Performance Standards <sup>i</sup>	Includes all reductions in the amount of time a child may attend a regular group setting, either by requiring the child to cease attendance for a particular period of time, or reducing the number of days or amount of time that a child may attend.	Requiring a child to attend the program in a special place away from the other children in the regular group setting.	Termination of enrollment of a child or family in the regular group setting because of a challenging behavior or a health condition.
Virginia Department of Education, Discipline of Children with Disabilities <sup>ii</sup>	School personnel may temporarily remove a child with a disability from the child’s current educational setting to an appropriate interim alternative educational setting, another setting, or suspension, to the extent those alternatives are applied to a child without disabilities.	School personnel must determine if there is a pattern or if short-term removals are isolated incidents. The regulations do not impose “absolute limits” on the number of days that a student can be removed from the student’s current placement in a school year.	Not applicable
Virginia Board of Education, Student Code of Conduct and Policy Guidelines <sup>iii</sup>	Any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days. However, in no case may a student be suspended based solely on instances of truancy.	Any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days. However, in no case may a student be suspended based solely on instances of truancy.	Any disciplinary action imposed by a 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

National and State Sources	Suspension Short-Term	Suspension Long-Term	Expulsion
			calendar days after the date of the expulsion.

### NON-APPEALABLE ACTIONS

Any assignment to another placement in the school setting during the school day is not action that can be appealed. These assignments may range from one (1) to five (5) days. Students who receive an assignment to another placement such as In School Suspension may not be permitted to participate in any extracurricular activities, including games and practices during their assignment in In School Suspension.

#### APPEAL PROCESS FOR SHORT-TERM SUSPENSION:

If an assistant principal or designee suspends the student, the appeal is to the building principal. The parent/guardian must request in writing a review of the suspension decision within three (3) school days of receipt of notification or the decision becomes final. In the written statement, the parent/guardian must explain why the appeal needs to be considered. The principal will review the incident, within three (3) school days of receipt of the request for review and report the decision in writing to the parent/guardian.

If the parent is requesting an appeal of the principal’s decision to suspend a student, the written request for review must be submitted within three (3) school days of receipt of notification of the principal’s decision or the decision becomes final. The parent must describe where the evidence or *Student Code of Conduct* warrants an appeal.

The appeal then goes to the superintendent or designee. Within three (3) school days after the receipt of the request for review the superintendent or designee will examine the record of the student’s behavior, review the action taken by the principal, and confirm or disapprove such action. The decision of the superintendent or designee is final in these types of cases.

#### APPEAL PROCESS FOR LONG TERM SUSPENSION OR EXPULSION

Principal notifies student and parent/guardian in writing of recommendation for long-term suspension or expulsion. Reasons for the proposed action and the right to a hearing before the school board must be included.

Within ten (10) school days after the date of suspension, the superintendent/designee must conduct a hearing and review the recommendation of the principal for long-term suspension or expulsion unless the student or parent requests that the hearing be postponed or waived.

In any case in which a student has been suspended by the superintendent or his/her designee(s) after a hearing, the student and his/her parent(s), guardian, or person having control or charge of the student may appeal the decision to the full School Board.

Such appeal must be in writing and must be filed with the superintendent within seven (7) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a wave of the right to an appeal.



**The school board:**

- Provides due process rights to the student.
- Provides, within 30 calendar days after the hearing, a written report of its actions to the principal, parent(s)/guardian, and student.
- Decisions are final in all cases.

Parent(s)/guardian(s) appeals beyond the school board level would be through the court system.

**Assault and Battery – (BA2) Continued**

Any person who commits battery against a full-time or part-time teacher, principal, assistant principal, or guidance counselor engaged in the performance of his/her duties must receive a minimum of 15 days in jail, two of which cannot be suspended.

**I. RETENTION OF DISCIPLINE RECORDS**

Records of referral are retained until the child is promoted to another school within the system (e.g. elementary to middle school). At that time the records will be purged. Suspension records are retained for five (5) years from the date of incident and then destroyed. Expulsion/expulsion-readmission requests are kept until no longer educationally useful or until five (5) years after the student graduates from a secondary school, completes a Board of Education adopted program or leaves. The records will be destroyed at that time. Refer to Guidelines for the Management of the Student’s Scholastic Record in Virginia Public Schools (General Schedule No. 21 (47 and 130.b).

Under the Federal Education Rights and Privacy Act (FERPA)(20 U.S.C.

**Code Section 1232g(e); 34 C.F.R. - Code Section 99.10)** the parent has the right to:

- inspect and review student’s education record;
- request amendment for accuracy;
- consent to disclosures of personality identifiable (except to the extent that FERPA would not require specific consent to such disclosure);
- file a complaint with the U.S. Department of Education;
- obtain a copy of school division’s policy on education records;
- be advised where copies of the school division’s records policies are kept

**J. EMERGENCY REMOVAL OF ALL STUDENTS INCLUDING THOSE WITH DISABILITIES**

Any student may be removed from class or school, school bus, or school activity for health, safety, or welfare reasons. These reasons include, but are not limited to, the fact the student is under the influence of alcohol or drugs, highly agitated, or suffering from any other condition which temporarily threatens his or her welfare, other individuals’ welfare, or the efficient operation of the school. Such emergency removal shall not exceed three consecutive school days. Any student who is removed from school on an emergency basis and who is in a condition that threatens his own welfare or the welfare of others must be released to the student’s parent, a representative of the parent, or other proper authority including, but not limited to,

law enforcement officers and medical personnel. Removal under this section is intended to be used in emergency situations only.

### **For students with disabilities:**

Consecutive three school day removals are prohibited unless the Individualized Education Plan (IEP) Committee determines that the student imposes an immediate threat to the safety of him or herself or others, or disrupts the safety of the learning environment. If the IEP Committee determines that a student is dangerous, but the parents appeal the decision pursuant to the Individuals With Disabilities Education Act (IDEA) procedures and refuses to permit a change of placement, the school must obtain immediate injunctive relief from a state or federal court in order to remove the student for more than ten consecutive days. The division shall make reasonable efforts to notify the parent prior to removing a student from school premises on an emergency basis. If the parent cannot be notified prior to removal, the parent must be notified as soon as possible after the removal and given the reasons for the action taken.

### **Short Term Suspension of Students with Disabilities**

A short-term suspension of 10 school days or less may be in effect for a disabled student for any conduct which would warrant short-term suspension for a non-disabled student. (If a student has received short-term suspensions totaling MORE THAN 10 days during any one school year, all subsequent suspensions will be handled under the policies governing long-term suspension).

The student shall be given oral and written notice of the charges against him or her, an explanation of the evidence supporting the charges and an informal opportunity to respond to and rebut the charges in accordance with the policy JGD/JGE. The administration will make and document efforts to notify the parent prior to the suspension.

### **Long-Term Suspension of Students with Disabilities**

Students who have been identified as disabled may be suspended in excess of 10 days or expelled only after the following procedures have been utilized:

1. The recommendation for discipline must be referred to a committee made up of the following people:
  - a. A representative of the school division, other than the child's teacher, who is qualified to provide or supervise the provision of special education;
  - b. The child's teacher;
  - c. One or both of the child's parents;
  - d. The child, if appropriate;
  - e. Persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
  - f. Other individuals at the discretion of the parents or school division.
2. The committee shall determine whether there is a causal relationship between the student's disabling condition and the conduct for which he or she is to be disciplined and whether the child was appropriately placed at the time of the misconduct.

3. The Committee shall review the student's records, have these records available at its meeting and receive additional information, if any, necessary to make its determination.
4. The parent(s)/guardian of the student shall be informed in writing of the time and place of the Committee meeting and its purpose.
5. Minutes shall be made of the meeting and will include information regarding the persons attending the meeting, the facts considered and the basis for the Committee's determination.

If the Committee determines that no causal relationship exists, and that the student was appropriately placed at the time of the misconduct, then the student will be disciplined as if non-disabled and the procedures under **H. Suspension** will be followed.

If the Committee determines there is a causal relationship or that the child was inappropriately placed at the time of the misconduct, the child may not be long-term suspended or expelled. Alternative educational placements should be considered through the appropriate placement procedures if the child was inappropriately placed at the time of the misconduct.

The decision of the committee shall be sent to the parent(s)/guardian of the student along with a notice of their rights under the Individuals with Disabilities Act (Public Law 94-142), including the right to a review of the decision or a due process hearing.

Any student suspended or expelled shall not enter school grounds/facilities until officially re-admitted. Violation of this policy shall constitute trespassing.

### **Short-Term and Long-Term Suspension of Students with Disabilities**

Except for emergency removal procedures, a disabled student shall remain in the current placement pending action on a suspension or expulsion recommendation, unless the parent and the administration agree otherwise. A disabled student for whom long term suspension or expulsion has been recommended is entitled to all the due process rights available to a non-disabled student for whom long term suspension or expulsion has been recommended.

In addition, the disabled student is entitled to all the due process procedures available to a disabled student under the Individuals with Disabilities Education Act of 1990, as amended, and applicable state policies and procedures.

In case of a dangerous student, if the parents appeal a long-term suspension or expulsion pursuant to the Individuals with Disabilities Education Act and refuse to consent to an interim change of placement the school division may obtain immediate injunctive relief from a state or federal court in order to remove the student for more than ten (10) consecutive days.

## **Disciplining Certain Students Who Violate Alcohol and Drug Policies**

Students who are identified as disabled under Section 504 of the Rehabilitation Act and who are currently engaging in the illegal use of drugs or alcohol may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students.

## **K. ADMISSION OF STUDENTS EXPELLED FROM OTHER SCHOOL DIVISIONS**

### **Parental Notification of Student's School Status**

Prior to admission to any public school of the Commonwealth, a school board shall require that the parent/guardian sign a sworn statement indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or in another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. Any person making a materially false statement or affirmation shall be guilty upon conviction of a Class 3 misdemeanor. Misrepresentation may lead to the possible dismissal of the student from the Surry County Public Schools. **(Code of Virginia - Section 22.1-3.2)**

### **Students Expelled from Other School Divisions**

Any student who has been expelled from attendance at school by a school board or a private school in this Commonwealth or another state for an offense in violation of school board policies related to destruction of school property or privately-owned property while located on school property, weapons, alcohol or drugs, or for the willful infliction of injury to another person, may be excluded from attendance by a local school board in Virginia for a period of no more than one school year upon a finding that the student presents a danger to the other students or staff of the school division.

The Division Superintendent, or designee, will be responsible to see that the Virginia Code governing admission of expelled students is followed including a review of the case, written notification to the student and parent/guardian of the reasons for exclusion and notice of the right to appeal this decision at a hearing before the school board. **(Code of Virginia Section 22.1-277.2)**

## **L. COMPLIANCE WITH OTHER LAWS**

To the extent that any federal, state, or other law may supersede the application of implementation of any provisions of the *Student Code of Conduct*, the School Board reserves the right to apply that other law and/or to apply the provisions of this code to the extent the law permits.

### **Pledge of Allegiance**

Virginia Code Section 22.1-202 each school board shall require the daily recitation of the Pledge of Allegiance in each classroom of the school division and shall ensure that the flag of the United States is in place in each such classroom. Each school board shall determine the appropriate time during the school day for the recitation of the Pledge. During such Pledge of Allegiance, students shall stand and recite the Pledge while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform; however, no student shall be compelled to recite the Pledge if he, his parent or legal guardian objects on religious, philosophical or other grounds to his participating in this exercise. Students who are thus exempt from reciting the Pledge shall remain quietly standing or sitting at their desks while others recite the Pledge and shall make no display that disrupts or distracts others who are reciting the Pledge. School boards shall provide appropriate accommodations for students who are unable to comply with the procedures described herein due to disability.

The school board's code of conduct shall apply to disruptive behavior during the recitation of the Pledge in the same manner as provided for other circumstances of such behavior.

### **Moment of Silence**

VA Code 22.1 – 203 requires daily observation of a moment of silence, not to exceed one minute in every classroom. During that minute, the teacher is to ensure that all pupils remain seated and silent and make no distracting display. Students may meditate, pray, or engage in any other silent activity that does not interfere with other pupils.

### DRESS AND GROOMING POLICIES

#### DRESS CODE

There is direct correlation between student dress and achievement. In support of the Code of Conduct, we prohibit any clothing that causes a substantial disruption and/or distraction to others from the educational process or poses a serious health or safety concern. We will permit clothing and accessories that is required for bona fide religious beliefs or prescribed medical purposes.

#### **Students may NOT wear:**

1. Messages on clothing, tattoos, and personal belongings which pertain to or advertises alcohol, tobacco, nicotine vapor products, or illegal substance, depicts lewd graphics, displays offensive or obscene images or language or is gang-related.
2. Tops which expose the midriff, navel, cleavage, or undergarments. Strapless, backless or blouses with ties in the back, transparent, off-shoulder garments or garments with straps measuring less than two (2) inches wide.
3. Underwear as outer garments or clothing that reveals underwear or being used as underwear; lingerie, swimwear, pajamas, and leotards.
4. Excessively tight/form fitting garments.
5. Inappropriate leggings, jeggings, compression pants, spandex tights, and Lycra garments without a mid-thigh top that measures more than six (6) inches above the knee.
6. Inappropriate dresses, shorts, or split skirts that measure more than four (4) inches from the top of the knees.
7. Sunglasses indoors, unless prescribed.
8. Accessories which could in some way pose a danger to the wearer or others; and/or could be used as weapons (including but, not limited to, spiked jewelry, chains around the neck, and unfastened belts).
9. Hoods, hats/caps, head coverings or (including, but not limited to, stocking/wave caps, DuRags, scarves or bandanas).
10. Inappropriate torn, ripped, or slashed clothing that reveals bare skin. Pants, skirts and/or shorts that sag below the waistline (low-riding).
11. Inappropriate footwear including, but not limited to bedroom slippers and unfastened shoes or shoes missing appropriate closures.
12. Articles of clothing that is hazardous or distracting to the operation of school including, but not limited to excessively short or tight miniskirts/dresses.
13. Ear, facial, tongue, or body piercing is prohibited in certain courses.
14. Draping towels, blankets, shirts, or shorts around the neck are prohibited.

Administrators will notify students and parents of modifications to the dress code for spirit days and other school celebrations, as particular items pose a disruption, or as other circumstances warrant.

### **Recommended Dispositions**

Students who violate the dress code will face the following disciplinary consequences:

- First Offense: Warning with opportunity correct dress code violation & parent notification
- Second Offense: One (1) day In-School Suspension
- Third Offense: One (1) day Out-Of-School-Suspension

NOTE: Parents will be called to pick up a student or bring a change of clothing if the dress code is violated. To avoid this, remind your child to dress appropriately. Administrators will use discretion to address any and all instances of dress code violations which may not have been identified in the above list.

## Appendix C

### ACCEPTABLE COMPUTER/TECHNOLOGY SYSTEM USE

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

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

This policy applies to all users of the division's computer/technology system. By using or accessing the computer/technology system, the user agrees to abide by this policy.

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

The Guidelines include:

- (1) a prohibition against use of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet;
- (2) provisions, including the selection and operation of a technology protection measure – content filter for the division's computers having internet access to filter or block internet access through such computers, that seek to prevent access to:
  - a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
  - b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
  - c. material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;



- (3) provisions establishing that the technology protection measure – content filter is enforced during any use of the division’s computers;
- (4) provisions establishing that all usage of the computer/technology system may be monitored;
- (5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including “hacking” and other unlawful online activities;
- (7) provisions requiring every user to protect the security of information necessary to access the computer/technology system, such as usernames and passwords, and prohibiting the sharing of passwords;
- (8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- (9) a component of internet safety for students that is integrated in the division’s instructional program.

Use of the school division’s computer/technology system shall be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The division’s computer/technology system is not a public forum.

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

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

The failure of any user to follow the terms of this policy or the Technology Use Guidelines may result in loss of computer/technology system privileges, disciplinary action, and/or appropriate legal action.

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

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

Adopted: August 13, 2019

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Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

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

Cross Refs.:	EGAA	Reproduction and Use of Copyrighted Materials
	GAB-R/IIBEA-R	Technology Use Guidelines
	GBA/JHFA	Prohibition Against Harassment and Retaliation
	GCPD	Professional Staff Discipline
	GCQB	Staff Research and Publishing
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## TECHNOLOGY USE GUIDELINES

All use of the **Surry County** School Division's computer/technology system shall be consistent with the school board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term computer/technology system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and any other internal or external network. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

### **Computer/Technology System Use-Terms and Conditions:**

1. **Acceptable Use.** Access to the division's computer/technology system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the division or (2) for legitimate school business.
2. **Privilege.** The use of the division's computer/technology system is a privilege, not a right.
3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer/technology system. Prohibited conduct includes but is not limited to:
  - using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state, or local law.
  - sending, receiving, viewing or downloading illegal material via the computer/technology system.
  - unauthorized downloading of software.
  - using the computer/technology system for private financial or commercial purposes.
  - wastefully using resources, such as file space.
  - gaining unauthorized access to resources or entities.
  - posting material created by another without his or her consent.
  - submitting, posting, publishing, or displaying any obscene, profane, threatening, illegal, or other inappropriate material.
  - using the computer/technology system while access privileges are suspended or revoked.
  - vandalizing the computer/technology system, including destroying data by creating or spreading viruses or by other means.
  - intimidating, harassing, bullying, or coercing others.
  - threatening illegal or immoral acts.
4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
  - be polite.
  - users shall not forge, intercept or interfere with electronic mail messages.

- use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
  - users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
  - users shall respect the computer/technology system's resource limits.
  - users shall not post chain letters or download large files.
  - users shall not use the computer/technology system to disrupt others.
  - users shall not modify or delete data owned by others.
5. **Liability.** The school board makes no warranties for the computer/technology system it provides. The school board shall not be responsible for any damages to the user from use of the computer/technology system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The school division is not responsible for the accuracy or quality of information obtained through the computer/technology system. The user agrees to indemnify the school board for any losses, costs, or damages incurred by the school board relating to or arising out of any violation of these procedures.
  6. **Security.** Computer/technology system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
  7. **Vandalism.** Intentional destruction of or interference with any part of the computer/technology system through creating or downloading computer viruses or by any other means is prohibited.
  8. **Charges.** The school division assumes no responsibility for any unauthorized charges or fees as a result of using the computer/technology system, including telephone, data, or long-distance charges.
  9. **Electronic Mail.** The school division's electronic mail system is owned and controlled by the school division. The school division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the school division. All electronic mail may be archived. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users may be held responsible and personally liable for the content of any electronic message they create or that is created under their account or password. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
  10. **Enforcement.** Software will be installed on the division's computers/technology devices having internet access to filter or block internet access through such computers/technology devices to child pornography and obscenity. The online activities of users may also be monitored manually. **Any violation of these regulations shall**

**result in loss of computer/technology system privileges and may also result in appropriate disciplinary action, as determined by school board policy, or legal action.**

Adopted: August 13, 2019

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Legal Refs: 18 U.S.C. §§ 1460, 2256.  
47 U.S.C. § 254.

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

Cross Refs:	GAB/IIBEA	Acceptable Computer/technology system Use
	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## Appendix D

### ACCEPTABLE COMPUTER/TECHNOLOGY SYSTEM USE AGREEMENT

**Each employee must sign this Agreement as a condition for using the School Division's computer/technology system. Each student and his or her parent/guardian must sign this Agreement before being permitted to use the School Division's computer/technology system. Read this Agreement carefully before signing.**

Prior to signing this Agreement, read Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R, Acceptable Computer/Technology System Use. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School Division's Acceptable Computer/Technology System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer/technology system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer/technology system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Student/Employee Name \_\_\_\_\_

(Please Print)

I have read this Agreement and Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R. I understand that access to the computer/technology system is intended for educational purposes and the **Surry County** School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer/technology system. I have discussed the terms of this agreement, policy, and regulation with my student.

I grant permission for my student to use the computer/technology system in accordance with Surry County School Division's policies and regulations and for the School Division to issue an account for my student.

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

(Please Print)

## Appendix E

# Surry County Public Schools

## Annual Notification

### **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records including:

1. The right to inspect and review the student's education records within 14 days of the day that Surry County Public Schools receive a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading or in violation of the student's privacy rights and the procedure for exercising this right. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent
4. The type of information designated as directory information and the right to opt out of release of directory information;
5. That the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
6. The right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
7. A specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest, and
8. The right to file complaints with the Family Policy Compliance Officer in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

### **Disclosure of Education Records**

Surry County Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law, Exceptions which permit the school division to disclose education record information without consent include the following.

A. To school officials who have a legitimate educational interest in the records.

A school official is:

- A person employed by the Division as an administrator, supervisor, instructor, or support staff member.
- A person appointed or elected to the School Board.
- A person employed by or under contract to the school division to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
- A person who is a teacher or school official, including teachers and school officials in other schools, who have legitimate educational interests in the student.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.
- Performing a task related to a student's education.
- Performing a task related to the discipline of a student.
- Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

B. To officials of another school, school system, or institution of postsecondary education upon request, in which a student seeks or intends to enroll. The Surry County Public Schools shall provide written notice of the transfer including the identity of the requester to the parent, guardian or other person having control or charge of the student or to a student who is 18 years of age or older within five days of the date on which the record was transferred. This notice requirement applies on the transfer of records to education programs in jails and detention centers.

C. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs, and in accordance with applicable federal regulations.

D. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

E. State and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state law adopted:

- prior to November 19, 1974, if the allowed disclosure or reporting concerns the juvenile justice system and its ability to effectively serve the student whose records are released; or



- after November 19, 1974, if the allowed disclosure or reporting concerns the juvenile justice system and its ability to effectively serve, **prior to adjudication**, the student whose records are released and the officials to whom the records are disclosed certify in writing to the division that the information will not be disclosed to any other party without the prior written consent of the parent or eligible student, except as provided by state law.
- F. To organizations conducting certain studies for or on behalf of the school division, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction.
  - G. To accrediting organizations to carry out their functions.
  - H. To parents of an eligible student who claim the student as a dependent for income tax purposes.
  - I. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
  - J. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals in an emergency.
  - K. To an agency case worker or other representative of the state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
  - L. Directory information so designated by the school division.
  - M. When the disclosure concerns sex offenders and other individual required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. §14071 and the information was provided to the division under 42 U.S.C. §14071 and applicable federal guidelines.
9. The right to a copy of the record upon request. The fee for copies will be .25 per page. There is no charge for records of children with disabilities. Copy of policy is available upon request.

### **Directory information**

Surry County Public Schools may disclose appropriate designated directory information without written consent, unless the parent or eligible student has advised Surry County Public Schools to the contrary in accordance with Surry County Public Schools procedures. The primary purpose of directory information is to allow Surry County Public Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your child's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;

- Graduation programs; and
- Sports activity sheets, such as for football, showing weight and height of team members.

Directory information, which is information that is contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed, can also be disclosed to outside organizations without a parent’s prior written consent. Directory information may include information such as the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student’s social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity such as a PIN or password or other factor known or possessed only by the authorized user.

Ref: Surry County School Board Policy

File: JO

### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S.

Department of Education (ED)–

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

- *Receive notice and an opportunity to opt a student out of–*

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and

3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- *Inspect*, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

**Surry County Public Schools has developed and adopted** policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. **Surry County Public Schools directly notify parents and eligible students of these policies at least annually at the start of each school year** and after any substantive changes. **Surry Public Schools** will also directly notify parents and eligible students, through handbook, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by U.S. Education Department.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents/eligible students who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605



**NO PHOTO**



## Appendix F

### Release of Student Information & Photo Release “Opt Out” Form

*This form should be filled out **ANNUALLY** and kept on file with the child’s school*

***ONLY IF PARENTS CHOOSE AN OPT-OUT OPTION.***

*Parents: Please check all that apply if you don’t give permission.*

**Student’s Name:** \_\_\_\_\_

**Grade:** \_\_\_\_\_

**School:** \_\_\_\_\_

**School Year:** \_\_\_\_\_

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. Parents and eligible students have a right to opt out of the inclusion of information about the student as directory information, photo/image, and student work. If you wish to opt out, you must check the box(es) below and return this form no later than the second week of school or ten days following the student’s enrollment in the District, whichever is later. This election is good for the remainder of the current school year.

**If no documentation is on file, we will assume that permission for release of directory information has been granted.**

**Parents - please check all that apply if you DO NOT give permission:**

<input type="checkbox"/> PLEASE DO NOT RELEASE MY STUDENT’S DIRECTORY INFORMATION TO THE <b>ARMED FORCES*</b>
<input type="checkbox"/> PLEASE DO NOT RELEASE MY STUDENT’S DIRECTORY INFORMATION TO <b>HIGHER EDUCATION.</b>
<input type="checkbox"/> PLEASE DO NOT PUBLISH MY STUDENT’S PHOTO/IMAGE AND STUDENT WORK IN THE NEWSPAPER AND OTHER MEDIA
<input type="checkbox"/> PLEASE DO NOT INCLUDE MY STUDENT’S INFORMATION IN <b>DIRECTORY INFORMATION*</b> THAT MAY BE RELEASED WITHOUT MY CONSENT INCLUDING, BUT NOT LIMITED TO: <ul style="list-style-type: none"> <li>• YEARBOOKS</li> <li>• NEWSLETTERS/BROCHURES</li> <li>• WEBSITE</li> </ul>

**Parent/Guardian’s Name (Please Print)** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent/Guardian’s Signature** \_\_\_\_\_

**PARENT/GUARDIAN’S PHONE NUMBER** \_\_\_\_\_

## About FERPA

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

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

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

## Student Directory Information \*

Public Disclosure of Student Directory Information – (For ALL Students Grades PreK-12)

In accordance with federal and state laws, Surry County Public Schools may release student directory information for various purposes. Student directory information may include:

- Student name, address, and telephone number
- Date and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Honors, awards & degrees received
- School & grade level
- Previous educational agencies or institutions attended by the student
- Photographs, videos and other similar information

Public disclosure of student directory information may occur in many ways, such as:

- School yearbooks (including photos).
- Team rosters and class lists.
- Graduation, theater, athletic, and music programs.
- Video performances, school activities, and athletic events.
- Articles about school activities and athletic events.
- School honor roll, scholarships and other awards.
- Releases to media.

Release of Directory Information to the ARMED FORCES – (For High School Students Only)

The No Child Left Behind Act of 2001 (NCLB) and the National Defense Authorization Act for Fiscal Year 2002 both require high schools to provide military recruiters with access to directory-type information on secondary school students. Upon request schools must release to military recruiters the name, address, and telephone numbers of high school juniors and seniors, unless the parent or eligible student has opted out of the release of this information to military recruiters. If you wish to opt out, you must check the box on the front of this form and return no later than the second week of school or ten days following the student's enrollment in the District, whichever is later. This election is good for the remainder of the current school year.

## Publishing of Pictures, Videos & Student Art/Work in Schools

Surry County Public Schools likes to celebrate achievements of our students and staff. We routinely include pictures of students in publications, broadcasts and on the web page. Community organizations often partner with the school district on various projects and may include pictures on their respective websites and publications when celebrating our partnerships. **This form should be completed and submitted to your child's school ONLY IF YOU DO NOT WANT YOUR CHILDS IMAGES USED.**

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**Appendix G  
Parent Copy**

**PARENTAL/GUARDIAN STATEMENT OF THE RECEIPT OF**

- 1) SECTION OF VIRGINIA CODE REGARDING PARENTAL RESPONSIBILITY**
- 2) SCHOOL BOARD’S STANDARDS OF STUDENT CONDUCT AS REQUIRED BY VIRGINIA CODE SECTION 27.1-279.3**
- 3) COMPULSORY SCHOOL ATTENDANCE LAW (VIRGINIA CODE SECTION 22.1-254)**
- 4) SCHOOL BUS AND SAFETY RULES**
- 5) ACCEPTABLE COMPUTER SYSTEM USE POLICY**
- 6) PARENT/STUDENT HANDBOOK**

I am the parent/guardian of the below named child and, by my signature, I acknowledge that I have received a notice of the requirements of Section 22.1-279.3 of the Code of Virginia entitled “Parental Responsibility and Involvement Requirements,” a copy of the Surry County Board’s *Student Code of Conduct*, annual notification of Federal Education Rights and Privacy Act (FERPA Rights: See 20 U.S.C. Section 1232g(e); 34 C.F.R. Section 99.10.), a copy of the Compulsory School Attendance Policy (Section 22.1-254), a copy of the School Bus and Safety Rules, a copy of the Acceptable Computer System Use (Section 22.1-78 and 22.1-70.2), and the Parent/Student Handbook.

By signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions or laws of the United States or the Commonwealth or Virginia. I further understand that I have the right to express disagreement with the school’s or school division’s policies or decisions.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Parent/Guardian**

\_\_\_\_\_  
**Student Name**

\_\_\_\_\_  
**Signature of Student**

**NOTICE TO PARENT**

**By signing the above statement of receipt, you shall not be deemed to waive, and you expressly reserve, your rights protected by the constitutions or laws of the United States or the Commonwealth, and you have the right to express disagreement with the school’s or school division’s policies or decisions.**

**This page is to be kept by the student and parent; however, please sign and return the separate identical page to your child’s school within five (5) days of receiving the handbook.**



**Appendix G  
School Copy**

**PARENTAL/GUARDIAN STATEMENT OF THE RECEIPT OF**

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\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Parent/Guardian**

\_\_\_\_\_  
**Student Name**

\_\_\_\_\_  
**Signature of Student**

**NOTICE TO PARENT**

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**Appendix H  
School Copy**

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Signature of Student

**NOTICE TO PARENT**

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