

Virginia Beach City Public Schools

Code of Student Conduct

2011-2012 School Year

A Partnership in Responsibility: Administrators, Parents, School Board, Students, Superintendent, Teachers

Dear Parents and Guardians:

I am pleased to provide you with Virginia Beach City Public Schools' *2011-2012 Code of Student Conduct*. This helpful booklet contains information about the school division's expectations regarding behavior and conduct in the classroom and at all school related activities. The *Code of Student Conduct* serves as a guide to ensure every school continues to offer all students a safe and productive environment -- *free of disruptions*. Although this document clearly addresses consequences for behavior that is unacceptable, it also serves as a useful resource that helps all students feel safe and secure every day.

While I hope students look forward to the daily activities of school, order is necessary to promote a climate that encourages student achievement and social responsibility. If we are to be successful in preparing every student for graduation your support is necessary. Please take the time to review and discuss the importance of the *Code of Student Conduct* with your child or children. After reading the *Code of Student Conduct*, please sign, date, and return the Acknowledgement Form for school year 2011-2012 to your child's school by September 16, 2011.

I would like to remind parents that even though students may access social networking sites outside of the school day, using these communication tools in an inappropriate manner can have negative consequences and could impact the instructional setting – especially if unkind words or threats are used with the intent to hurt others. Please remind your child how important it is to refrain from engaging in hurtful words, whether it be through the use of electronic communications or face-to-face. As partners in this effort, we can work together to protect children from harm's way in the real and "virtual" world. I am asking every parent to encourage his/her child to act immediately when aware of any threat intended to cause harm to anyone. The responsible course of action is to immediately alert school officials or the police.

Even though cell phones serve as a primary means of communication, to include accessing social networking sites, using a cell phone during the school day is not permitted as it is disruptive to the instructional day. Although middle and high school students have the privilege of possessing a portable communication device while attending school, use of these devices is only permitted before and after the instructional day. Elementary level students are not permitted to possess these devices. Most importantly, please make note of the consequences all students will face for using a cell phone or any portable communication device during the instructional day. This information can be found on page 4.

I consider each and every parent or guardian a partner with Virginia Beach City Public Schools in helping our students achieve their maximum potential in a safe, engaging, inspiring, and challenging learning environment. On behalf of our principals, teachers, bus drivers, and school staff, we thank you for your support and extend our best wishes for a school year that is productive and exciting for your family.

With kindest regards,

James G. Merrill
Superintendent

Code of Student Conduct Overview

The *Code of Student Conduct* outlines major categories of behavior and states disciplinary actions that may occur as a result of student misconduct. When enforcing the *Code of Student Conduct*, students and their property may be searched if there is reasonable suspicion that a law or school rule has been or is about to be broken. School staff may question or interview minor students regarding violations of the *Code of Student Conduct* and criminal matters without the consent or presence of parents or legal guardians. Metal detectors and other types of surveillance equipment will be used in the schools and at school activities for both random searches and where reasonable suspicion to search is present. Police dogs will be used on school property to detect the presence of weapons, drugs, and/or other contraband.

Parental Responsibility and Involvement: Each parent of a student enrolled in a public school in Virginia Beach has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere which is free of disruption and threat to persons or property. Parents are to be supportive of individual rights, and to pay all fees and charges levied against their children by the Virginia Beach City Public Schools, including costs associated with damage to or loss of books and other school property. [Section 22.1-279.3 of the Code of Virginia]

Faculty/Staff Responsibilities: Teachers handle the major portion of student discipline through their system of classroom management. However, teachers will refer a student for misconduct when the situation warrants. In Virginia Beach, each public school has in place a referral system for student discipline. The principal is responsible for addressing the student's behavior after the teacher referral.

The Office of Student Leadership provides administrative support for presentation of discipline cases to hearings before discipline hearing officers, School Board discipline committees, and appeals to the School Board.

[School Board Policies and Regulations](#) can be accessed via our Web site at www.vbschools.com and in each school library.

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Disciplinary Action Levels

The following summarizes the levels of disciplinary action which shall be enforced by school personnel with students who are in violation of school rules, *Code of Student Conduct*, *School Board Bylaws*, *Policies*, *Division Regulations*, *the Discipline Guidelines*, and/or local, state, or federal laws.

Level 1 - Verbal Warning/Reprimand

The teacher/staff member will tell/remind the student not to engage in inappropriate behavior or give the student a reminder of the rule.

Level 2 - Conference

Staff members may conduct a conference with the student, parent, or both.

Level 3 - Intervention

Staff members may use one of the following interventions: **Referral** to school counselor, student support team, psychologist, social worker, or other; **Time-out**, the temporary removal of a student from class; **Detention**, detaining a student for disciplinary reasons before or after school hours; **Student Support Team**, a meeting of school personnel and others to consider the behavior of the student and make recommendations for improvement; **Behavioral Contract**, a written agreement between the student/parent/guardian and school listing requirements for improvement; **Restriction**, the temporary denial of the student's right to participate in designated activities; **Confiscation**, temporary possession of personal property; **Saturday School**, three hours served on Saturday morning - with permission of the parent/guardian; **Afternoon/Evening School**, three hours served after school or in the evening with the permission of the parent/guardian; **Probation**, a written agreement with the student for a defined period of good behavior in lieu of suspension; **Mediation**, referral to conflict mediation; **Written Communication**, a letter, progress report, or other communication, sent to the parent/guardian; and **Bus Discipline**, temporary removal or loss of bus privileges.

Level 4 - Suspension (In-School 1-3 Days) (Choices Program - Secondary) [[School Board Regulation 5-21.2](#)]

A student may be given in-school suspension (ISS) for up to three days. In ISS, a student is assigned to a classroom for the day and given work to do by qualified school personnel serving as the school's ISS coordinator. Students are released from ISS only after successfully completing such work. Students are then given an excused absence for all classes missed while in ISS. Refusal to attend ISS will result in out-of-school suspension (OSS) until the ISS is served.

The principal, parent/guardian, hearing officer, or School Board Discipline Committee may initiate the placement to the Choices Program as an alternative to suspension. The principal/assistant principal meets with the parent/guardian and the student to review the requirements of the Choices program to determine the acceptance of the responsibilities of this placement.

Level 5 - Suspension (Out-of-School 1-5 Days) (Choices Program - Secondary) [[School Board Regulation 5-21.1, B](#)]

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for a period up to five days for engaging in prohibited conduct as outlined in the *Code of Student Conduct*. The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement.

Level 6 - Suspension (Out-of-School 6-10 Days) (Choices Program - Secondary) (Referral to Office of Student Leadership) [[School Board Regulation 5-21.1, B](#)]

The principal, assistant principal, acting principal, or his/her designee may suspend a student from school for six to ten days with approval of the director, Office of Student Leadership, for engaging in prohibited conduct as outlined in the *Code of Student Conduct*. The parent/guardian shall be required to confer with the principal or his/her designee prior to the student's reinstatement.

Any student who is under OSS and also enrolled in a work cooperative program and/or extracurricular activities shall be restricted from employment and/or excluded as a participant or spectator from extracurricular activities until reinstated in his/her school.

The principal may suspend the student and refer the student to the Office of Student Leadership for a meeting with the coordinator of Student Conduct. The parent must contact the Office of Student Leadership to set up an appointment.

Level 7 - Suspension (Out-of-School Over 10 Days) [[School Board Regulation 5-21.1, D](#)]

A student can be suspended for more than ten days following a hearing before a hearing officer designated by the superintendent or designee. For certain offenses or habitual offenses, a student may be suspended for the remainder of the semester, the rest of the school year, or for a calendar year. The school administration may determine that transfer to another school serves the best interest of the student and the school.

In the case of a recommendation for long-term suspension, the director, Office of Student Leadership, shall arrange a time and place for the hearing before the hearing officer and notify the parent/guardian and the principal.

Level 8 - Expulsion [[School Board Regulation 5-21.1, D](#)]

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

In the case of a recommendation for expulsion by the principal, the director, Office of Student Leadership, shall review the recommendation, which he/she may uphold or modify. If the director, Office of Student Leadership, upholds the recommendation of expulsion, he/she shall notify the student and his/her parent/guardian of the time and place of a hearing before a discipline committee of the school board. A hearing shall be held before the discipline committee within ten school days of the date of notice from the principal or acting principal. If the decision of the three-member committee to uphold the expulsion is unanimous, there is no right of appeal of this decision. If, however, the decision of the committee is not unanimous, the student and his/her parent(s)/guardian(s) may appeal the decision to the full School Board.

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Due Process [School Board Policy 5-36, B.]

With the requirements of fair and equitable treatment of all students and within the guidelines of the federal judiciary, the following shall constitute the minimum due process procedures to be followed in the detention, suspension, and expulsion of students:

1. The student shall be given written notice of the charges against him/her.
2. If he/she denies the charges, he/she must be given an explanation of the facts as known to school personnel and an opportunity to present his/her version of what occurred.
3. The student shall be informed of the conditions of the disciplinary action.
4. In the case of a suspension of more than 10 days or the case of an expulsion:
 - o The officer, committee, or school board which hears the case must be impartial; and
 - o The disciplinary decision must be based on evidence presented at the hearing in the presence of both parties. If the student and parent(s)/legal guardian(s) fail to appear, the hearing may be held in their absence.
 - o A parent/guardian will be notified about the existence of community-based educational, training, and interventional programs. The cost for participation in those programs not offered by the school division is borne by the parent/guardian of the student.
5. The parent or guardian of a student or the student, if eighteen years or older, may appeal the decision as provided in School Board Policy 5-21 or 5-6 as appropriate.

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

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Prohibited Conduct

Students are subject to the *Code of Student Conduct* while on school property, while engaged in or attending a school activity, or while going to or returning home from school including while at bus stops and while riding the bus. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects the educational environment. [S. B. Policy 5-1, S. B. Policy 5-21, A., and S. B. Policy 5-35, A.]

Students may be suspended or expelled from attendance at school for sufficient cause. Prohibited conduct is any behavior incompatible with the school environment and good citizenship and includes, but is not limited to, the following:

1. **Attendance:** Tardiness, truancy, excessive absences, skipping, being in an unauthorized area and leaving the classroom, building, or assigned area without permission. [S. B. Policy 5-11 and 5-17/S. B. Reg. 5-11.1 and 5-17.1/Rule 1]
2. **Food/Beverages:** A student will not eat in nor carry food to unauthorized areas of school. [School Handbook/Rule 2]
3. **Cheating/Plagiarism:** Students are expected to perform honestly through the production of their own work.[S.B. Reg. 5-34.2/Rule 3]
4. **Inappropriate Property:** The unauthorized possession or use of any type of electronic, communication or mechanical device, etc., which distracts or impedes the educational process is prohibited. **Middle and high school students will have limited use of telecommunication devices. Elementary school students are not permitted to possess a telecommunication device.** The School Board will assume no responsibility in any circumstance for the loss/destruction/damage or theft of Portable Communication Devices or for any communication bill associated with the authorized or unauthorized use of Portable Communication Devices. Students will be responsible for locating such lost/stolen items. For limited use of cell phones see S. B. Reg. 5 36.8. [Rule 4/Rule12]
5. **Student Dress:** A student will maintain personal attire and grooming standards that promote safety, health, and acceptable standards of social conduct. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low cut pants, low cut neck lines that show cleavage, tube tops, halter tops, backless blouses or blouses with ties in the back, clothing constructed of see through materials and head coverings unless required for religious or medical purposes. All students are expected to wear dress appropriate to the occasion; extreme or ostentatious apparel or appearance is to be avoided. Any article of clothing or accessory or tattoo which advertises alcohol or an illegal substance, depicts lewd graphics, displays offensive or obscene language or is gang-related is forbidden. Student dress that disrupts the school environment will not be tolerated. Dress standards shall be set by the principal. [S. B. Policy 5-41/Rule 5]

6. **Disruption:** Any disruption, which interrupts or interferes with teaching or orderly conduct of school activities, is prohibited. Conduct, which by its nature is so extreme or offensive that it negatively impacts the school or places the student at risk either physically or educationally, will also constitute disruption. [S. B. Policy 5-2/5 38/Rule 6]
7. **Disrespectful Behavior:** A student will behave in a respectful manner toward teachers/staff and other students. Examples of disrespectful behavior are: walking away, talking back, refusing to identify self properly, rude behavior, spitting, and challenging authority. [Rule 7]
8. **Insubordination:** A student will obey the directions of any staff member. Examples of insubordination are: failure to comply with direction or instruction of a staff member, refusal to work in class, refusal of detention, refusal to participate in in-school alternatives, and refusal to report to in-school suspension. [Rule 8]
9. **Profanity/Obscenity:** Use of language, gestures, or conduct that is vulgar, profane, obscene or abusive, or disruptive to teaching or learning, and possession of offensive materials such as nude photographs, pornographic videos, etc. [S.B. Regs. 5-36.3, C.; 5-37.1/Rule 9]
10. **Trespassing:** Students, patrons, and school personnel are expected to have appropriate authorization to be on school board property. [S.B. Reg. 5-36.5 and 5-37.1/Rule 10]
11. **Unauthorized Use of Computer Technology:** Any student who fails to comply with the terms of this policy or the regulation developed by the superintendent may lose system privileges, and students may be disciplined in accordance with the *Code of Student Conduct* or other school board policies and division regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of this policy or regulation. See **Acceptable Use of Computers**. [S. B. Reg. 5-36.9/Rule 11]
12. **Gambling:** A student will not play games of skill or chance for money or property or be present at the scene of gambling. [S. B. Reg. 5-37.1/Rule 13]
13. **Fighting:** Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. The following acts are prohibited: two or more parties striking each other for the purpose of causing bodily harm, threatening, incitement/instigation, physical abuse, gang activity, and bullying (repeated negative behavior that targets a specific victim.) A student who is assaulted and retaliates by hitting, kicking, or any other physical means, may be disciplined for fighting. [S. B. Reg. 5-36.1; 5-36.3; 5-37.1/Rule 14]
14. **Reckless Vehicle Use:** Elementary and middle school students may not drive any motorized vehicle to or from school. Subject to availability of parking spaces, high school students who meet and follow parking and vehicle use regulations prescribed by their school may drive to school. Failure to adhere to such regulations could result in forfeiture of the parking privilege. In the case of a parking violation, a vehicle could be towed away at the operator's expense. [S. B. Policy 7-57 and 7-61/Rule 15]
15. **Defacing/Destroying School or Private Property:** A student will not willfully or maliciously deface, damage, or destroy property belonging to another, including school property at any time and private property while the student is under the school's jurisdiction. A student or parent/guardian will be held financially responsible, as allowed by Virginia law, for willful or malicious destruction of school property. Examples are as follows: writing on walls, mirrors, or desks; damaging another's clothing or property; and graffiti. [S. B. Policy 5-42 and Reg. 5-42.1/Rule 16]
16. **Theft/Attempted Theft:** A student will not possess or attempt to possess stolen property. [S. B. Reg. 5-37.1 and 5-42.1/Rule 17]
17. **Tobacco:** The law requires all school buildings to be smoke free. Students are prohibited from the use and possession of tobacco products on school property. This prohibition includes all related activities (i.e., bus stops, school bus, extracurricular activities, etc.). [S. B. Reg. 5-45.2/Rule 18]
18. **Medication:** "Students are not to be in possession of medication (prescribed or over-the-counter) at any time. All medications must be taken by the parent and/or guardian to the clinic and will be administered by a parent/guardian or designated adult per guidelines in accordance with School Board policy. Additional information is available in the clinic regarding procedures for allowing students to carry and self-administer the following: a.) inhaled medication for asthma, b.) diabetes syringes, glucose meter and insulin, and c.) epinephrine auto-injector pen for life-threatening allergies. Medications needed during field trips are likewise handled through the school clinic and require written consent from the parent and/or guardian in order to be administered by a designated adult while on a field trip." [S. B. Regs. 5-45.1, C and 5-57.1/Rule 20]
19. **Mace/Mace-like Devices:** A student shall not supply, handle, use, transmit, or possess pepper gas, mace, chemical stink bomb, or similar substances on School Board property, on the way to or from school, or at school-sponsored activities. [S. B. Reg. 5-36.7/Rule 23]
20. **Firearms/Look-alike Weapons:** Possession of an instrument or device that resembles or looks like a pistol, revolver, or any type of weapon capable of propelling a missile is prohibited. These may include, but are not limited to, a cap pistol, water pistol, or any look-alike gun. The principal may determine if a look-alike is considered a weapon. [S. B. Reg. 5-36.4 and 5-37.1/Rule 24]
21. **Weapons/Explosives/Fireworks:** A student will not distribute, handle, use, transmit, or possess a weapon or any object that is designed or used to inflict bodily injury or place a person in fear of bodily injury or any object which can be reasonably considered a weapon. Students shall not possess, distribute, discharge, or participate in the discharge of fireworks or similar items. Examples of weapons and fireworks and other substances are as follows: bomb, knife/razor blade/box cutter, ammunition, metal knuckles, fireworks, small explosives such as firecrackers, caps, poppers, and stink bombs, the use of any object or substance that will potentially cause harm, irritation, or bodily injury to students or any other person. When a laser pen is used to threaten, intimidate, or injure, it is considered a weapon. [S. B. Reg. 5-36.4/Rule 25]
22. **Serious Violations:** A student will not participate in any criminal acts in violation of local, state, or federal laws. [S. B. Reg. 5-37.1/Rule 27]
23. **False Fire Alarms/Bomb Threats/911 Calls/Threats Against Persons/Hoaxes:** Activating a fire alarm without cause, making a bomb threat, false threats, oral threats, written threats, and hoaxes (imitation infectious, biological, toxic, or radioactive substances) against students, division personnel or School Board property, communicating a threat in writing or electronically (including forwarding a text message containing a threat) or encouraging or soliciting any person to commit such a threat. [S. B. Reg. 5-36.2 and 5-37.1/Rule 28]
24. **Sexual Offenses:** A student will not engage in sexual or immoral behavior such as offensive touching, sexual harassment, indecent

exposure, obscene phone calls, inappropriate sexual behavior, or acts of sexual assault or battery. [S. B. Reg. 5-44.1/Rule 26]

25. **Harassment or discrimination based on race, color, sex, disability, national origin, ethnicity or religion:** A student will not harass or discriminate against another person based upon that person's race, color, sex, disability, national origin, ethnicity or religion. [S. B. Policy 5-7/Rule 31]

For a full explanation of these offenses, please consult the cited policies and regulations, and the rules referenced in the Discipline Guidelines.

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Mandatory Expulsion

Any student committing any of the following offenses while on school property or at school-sponsored or related activities, shall, except for a first-time simple drug possession or drug paraphernalia possession offense at the discretion of the principal as provided in S. B. Reg. 5-45.1 (I)(A), be automatically recommended by the principal to the superintendent for expulsion of at least one calendar year and, when appropriate, referred for criminal prosecution. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects the educational environment.

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

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After-School Activities

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

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

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Cell Phone Authorization

Middle and high school students will have limited use of telecommunication devices, which include cell phones, etc. To avoid disruption of the instructional process, students shall not display, use, activate, or permit Portable Communication Devices to be activated during the instructional day. For the purpose of **School Board Regulation 5-36.8**, the "instructional day" is defined as the moment a student enters the school building to the final dismissal bell. The "instructional day" includes, but is not limited to, study halls, lunch break, class changes and any other structured or non-structured instructional activity that occurs during the normal school day. School officials shall take possession of Portable Communication Devices for twenty-four hours for any violation of this regulation and parents/legal guardians/adult students must make arrangements with school officials to claim such devices. The School Board will assume no responsibility in any circumstance for the loss/destruction/damage or theft of Portable Communication Devices or for any communication bill associated with the authorized or unauthorized use of Portable Communication Devices. Students will be responsible for locating such lost/stolen items. As a condition of possessing and using a Portable Communication Device on school property, at school sponsored events or while traveling to and from school, students and their parents/legal guardians are deemed to have consented to reasonable searches

of the Portable Communication Device. A Portable Communication Device may be searched or reviewed by school personnel when reasonable suspicion exists that the Portable Communication Device was used in violation of this Regulation, the Code of Student Conduct or other law or regulation. School personnel may use other information obtained from the Portable Communication Device during such review as the basis for discipline or referral to other appropriate authorities. Failure to comply with the provisions of this Regulation may result in revocation of the privilege to possess or use Portable Communication Devices on school property, at school sponsored events or traveling to or from school. High School students will be given a Level 4 suspension (ISS 1-3 days) for the first offense, Level 5 suspension (OSS 1-5 days) for the second offense, Level 6 suspension (Request for OSS 6-10 days) for the third offense, and a Level 7 suspension (Long-term suspension recommendation) for the fourth offense. Middle school students will be given a Level 4 suspension (ISS 1 day) for the first offense, Level 4 suspension (ISS 2 days) for the second offense, Level 5 suspension (OSS 1 day) for the third offense, and a Level 5 suspension (OSS 3-5 days) for the fourth offense. Elementary students are not permitted to possess a telecommunication device and are subject to disciplinary action. For limited use of cell phones see **S.B. Reg. 5-36.8**.

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Bullying

In addition to maintaining a safe environment, free of disruptions, it is important for every student and parent to know that Virginia Beach City Public Schools is committed to providing an educational atmosphere free from harassment, intimidation, or bullying. Students who threaten to cause harm or harass others will be referred to the principal or assistant principal for appropriate disciplinary actions, which may include suspension and/or recommendation for long-term suspension or expulsion.

Bullying is any repeated negative behavior intended to frighten or cause harm and is not reciprocated by the victim, which may include, but is not limited to verbal or written threats (to include social networking) or physical harm. Should a student be aware of any act of bullying committed by another student that takes place in school, on school property, at a bus stop, on a school bus, or at any school activity, he or she should immediately report this incident to the administration.

Understanding how emotionally painful bullying can be to a child, Virginia Beach City Public Schools' staff remain committed to preventing this type of harmful activity during the school day and at school-related activities. There are **numerous initiatives and programs** in place to create a culture that embraces respect for one another. [**S. B. Regulation 5-36/Code of Va. Sec. 22.1-208**]

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Social Networking

The wide variety of social networking tools presently available provides students easy access to share important news and events with each other. However, using these communication tools in an inappropriate manner can have negative consequences—especially if unkind words or threats are used with the intent to hurt others. Any authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications devices, information technology, and related technologies, which disrupts or interferes with the educational process in any manner is prohibited and may result in a recommendation for expulsion.

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

Virginia Code Ann. Sec. 18.2-60 states that any person who knowingly communicates in writing, including an electronically transmitted communication, a threat to kill or do bodily injury to a person or a member of his/her family is guilty of a Class 6 felony. Further, any person who communicates, in writing, including an electronically transmitted communication, a threat to kill or do bodily harm to another person on school grounds or premises, on a school bus or at a school sponsored event is guilty of a Class 6 felony.

Virginia Code Ann. Sec. 18.2-152.7 states that "A person is guilty of a crime of personal trespass by computer when he uses a computer or computer network to cause physical injury to an individual."

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

[**S.B. Policies 6-62 and 6-64**] [**S.B. Regulations 6-62.1 and 6-64.1**] [Virginia Code Ann. Secs. 18.2-152.7; 18.2-152.7:1.] [Virginia Code Ann. Sec. 18.2-60]

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Acceptable Use Of Computers

The School Board provides a computer system to promote educational excellence, resource sharing, innovative instruction and communication, and to prepare students to live and work in the 21st century. The division's computer system includes, but is not limited to, all hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, filtered Internet access, and local and wide area networks. Misuse of the computer system may result in disciplinary action including long-term suspension and/or expulsion. The division's computer system shall not be used to conduct illegal activities or to send, receive, view, or download illegal materials. Any

authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications, information technology, and related technologies; or involvement in willful acts that cause physical, financial, or other harm in any manner, is prohibited and may result in a recommendation for expulsion. Any authorized or unauthorized use in school or out of school of computer software, computer networks, telecommunications, information technology, and related technologies, which disrupts or interferes with the education of students in any manner is prohibited and may result in a recommendation for expulsion. Any student who fails to comply with the terms of the [Acceptable Use Policy \(6-64\)](#) or the regulations developed by the superintendent may lose system privileges, and students may be disciplined in accordance with the *Code of Student Conduct* or other School Board policies and division regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of these policies or regulations. [[S. B. Policies 6-62 and 6-64](#)] [[S. B. Regulations 6-62.1 and 6-64.1](#)]

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The Choices Program (Secondary Schools Only)

The principal, parent/guardian, hearing officer, or School Board Discipline Committee may initiate a student's placement in the Choices Program as an alternative to suspension. The principal/assistant principal meets with the parent/guardian and the student to review the requirements of the Choices program to determine whether the student and parent/legal guardian will accept the responsibilities of this placement.

Choices is an after-school, ten session instructional program designed to serve students who consistently demonstrate inappropriate behaviors, excluding truancy, that interfere with learning. Students placed in this program have not successfully implemented the behavioral interventions recommended by the school's Student Support Team (SST). The Choices curriculum provides students with information and activities to develop skills necessary to make appropriate choices and understand the impact of anti-social behavior on their lives and the lives of their families and communities. VBCPS Student Support Specialists and certified intervention specialists from the City of Virginia Beach Department of Human Services teach the research-based social skills curricula. Placement in Choices is offered to students in lieu of suspension from school.

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Disciplinary Action For Conduct Not Related To School Activities

The School Board may require any student who has been charged: (i) with an offense relating to the Commonwealth's laws, or with a violation of School Board policies on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime which resulted in or could have resulted in injury to others, or of a crime for which the disposition ordered by a court is required to be disclosed to the superintendent; or (iii) expelled for certain drug offenses, convictions or adjudication of delinquency to attend an alternative education program, including, but not limited to, night school, adult education or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. The School Board may impose this requirement regardless of where the crime occurred. [[S. B. Regulation 5-36.1/Code of Va. Sec.22.1-277.2](#)]

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Suspension Appeal Procedures

In-school Disciplinary Actions Including Detention, ISS, and OSS Ten Days or Fewer [[S. B. Reg. 5-6.1](#)] [[S. B. Reg. 5-21.1](#)]

Should a parent disagree with disciplinary action of the school other than out-of-school suspensions of more than ten days or expulsions, the parent may appeal the school's decision using the following guidelines. For your convenience, information on how to contact the Office of Student Leadership is included at the bottom of this page.

1. Appeal the school's decision to the school principal in writing within three school days of the incident. School principal will meet with a parent/legal guardian and respond in writing within five school days of the receipt of the appeal. If the principal determines that the student's presence at the school creates a continuing danger to persons or property or an ongoing threat of disruption, the student may be removed from school immediately and the notice, explanation of the facts and opportunity to present his/her version shall be given as soon as practicable thereafter. The school principal may assign a designee to meet with a parent/legal guardian and to respond in writing within five school days of the receipt of the appeal if the principal will be absent pursuant to authorized leave during the entire five-day appeal period as set forth in this section. The appeal process stops here for bus suspensions, detentions, and in-school suspensions.
2. Appeal principal's decision (OSS ten days or fewer) to the Office of Student Leadership in writing within three school days of the receipt of the principal's decision. The appropriate coordinator in the Office of Student Leadership will investigate the matter and respond in writing within ten school days of the receipt of the appeal.
3. Appeal the coordinator's decision to the director of the Office of Student Leadership, in writing, within three school days of receipt of the coordinator's decision. The director of the Office of Student Leadership, acting as the superintendent's designee, will investigate the matter and respond in writing within ten school days of the receipt of the appeal. Acting as the superintendent's designee, the decision of the director of the Office of Student Leadership shall be final.

Long-term Suspensions (*more than ten days*) [[S. B. Policy 5-21/Reg. 5-21.1, 5-21.3](#)]

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

1. Such requests to appeal must be filed in writing by the parent with the director of the Office of Student Leadership, within five school days of receipt of the decision, or the right to appeal is waived. The discipline committee will consider the appeal within thirty calendar days and

may confirm, amend, or disapprove the suspension.

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

Expulsions [S. B. Policy 5-21/Reg. 5-21.1, 5-21.3]

Following the superintendent's or his/her designee's recommendation for expulsion, a hearing will be held by a discipline committee of the School Board, and the committee may confirm or disapprove the expulsion. If the decision of the three-member discipline committee is not unanimous, the parent may appeal the decision to the full School Board. The appeal must be in writing and must be filed by the parent with the director of the Office of Student Leadership within five school days of receipt of the decision or the right to appeal is waived. The School Board will consider the appeal within thirty calendar days. Students remain subject to compulsory attendance laws while on suspension. If the student fails to enroll in an education program offered by VBCPS during the suspension, the student and/or parent/legal guardian are responsible for otherwise complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children for educational service options. Students who are expelled from VBCPS remain subject to compulsory attendance laws. Adult students, parents/or legal guardians are responsible with for complying with the compulsory attendance laws and may be subject to referral to the court system for failure to comply. Students with disabilities should consult the Office of Programs for Exceptional Children for educational service options.

Reinstatement

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

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How to Contact the Office of Student Leadership

Office of Student Leadership
Virginia Beach City Public Schools
1413 Laskin Road
Virginia Beach, Virginia 23451
Phone: 757.263.2020
Fax: 757.263.2022

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Regulations for Passengers Riding School Buses

Meeting the School Bus [S. B. Policy 5-34/S. B. Reg. 5-34.1]

- Students are subject to all conditions of the *Code of Student Conduct* while at the bus stop, going to and from the bus stop, or riding the bus. Items that are prohibited at school, such as skateboards, boom boxes, etc., are not allowed on the bus.
- Parents or their designee should accompany their children to and from the school bus stop.
- Students must be on time. It is recommended that students be at their stop no earlier than **five minutes** before regular pickup time.
- Students must not stand on the traveled portion of the roadway or on private property while waiting for a bus.
- While waiting at a bus stop, students must respect the property of homeowners in the area.
- Students must not run alongside a moving bus, but must wait until it has stopped, then walk to the front door.

Conduct on the School Bus [S. B. Policy 5-34/S. B. Reg. 5-34.1 & 5-36.8]

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

- Students must not open windows without permission from the driver.
- The following items will not be permitted on the bus: head phones, live animals, glass objects, skateboards, scooters, surf/boogie boards, and other items that do not directly support the educational process.
- Portable communication devices, including cell phones, may be displayed, activated or used on school buses by high school and middle school students while being transported to and/or from school.
- The bus driver has the right to refuse transportation to any student who has an unsafe object (matches, knives, firearms, etc.) in his/her possession.
- Students must provide written request from their parents to go home any other way than their regular route, subject to the approval of their school administrator.
- No change will be made in the location of bus stops or bus routing without the approval of the Office of Transportation Services, 263.1545.
- Students must use the bus to which they are assigned. No change in a bus may be made without the permission of the school principal.

Leaving the School Bus [S. B. Policy 5-34/S. B. Reg. 5-34.1]

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

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