



Powhatan County Public Schools
Portrait of a Graduate

Empowering Today to Innovate Tomorrow

Inspired By Core Values

Prepared to Thrive in a Global Community

Life-Long Learning

Critical Thinker

Creative Innovator

Integrity



POWHATAN COUNTY PUBLIC SCHOOLS

2020-2021

Student Rights and Responsibilities



POWHATAN COUNTY PUBLIC SCHOOLS

Inspiring · Empowering · Innovating

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Vision and Mission

Vision: Empowering Today to Innovate Tomorrow

Mission: Powhatan County Public Schools prepares students to thrive in a global community.

Philosophy

Powhatan County Public Schools believes in holding students to high expectations while providing positive behavioral interventions and supports through a tiered framework. PCPS values the partnerships between school, community, and families to continue to improve the school climate and conditions for learning. We believe in an instructional, prevention-based approach to provide students with the skills and strategies necessary to meet those expectations and thrive in a global community.

Purpose and Intent

Every student should be in a safe, supportive school environment that is conducive to learning, free of disruption, and acknowledging individual rights. Likewise, students and adults have the responsibility to contribute to that safe environment. This guide provides the minimum standards of behavior for all students enrolled in Powhatan County Public Schools.

This guide for Student Rights and Responsibilities specifically outlines major categories of behavioral expectations. The guide provides a menu of responses to be used by school personnel to preserve a safe, non-disruptive environment for effective teaching and learning. Responses to behavior focus on prevention and instruction while considering age, developmental-level, past record and social-emotional development.

Every effort shall be made to assure timely notice to parents/guardians in order to identify positive solutions and supports for student behaviors. If a student is removed from the classroom as a response to behaviors, the student will be able to access appropriate education services and behavioral interventions to facilitate a successful transition to the educational setting. We will encourage community partnerships to promote the long-term academic and social-emotional success of our students.

This guide for Student Rights and Responsibilities applies to all Powhatan County Public School students when they are on school property, while traveling to school or from school, to, from, and at bus stops, in School Board vehicles, and in attendance at school or at any school-sponsored activity. Students who observe or are subjected to inappropriate actions as described in this guide are expected to report such incidents to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment. Students and their property, including but not limited to, backpacks, purses, other containers, automobiles, lockers, desks, computers, cell phones, and personal electronic devices are subject to search. Metal detectors, surveillance cameras, and detection dogs may be used on school property and at school-sponsored activities in order to maintain a safe and productive learning environment.

The School Board of Powhatan County, Virginia, complies with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Improvement Act of 1990, and the Individuals with Disabilities Education Act. The School Board does not discriminate on the basis of race, color, national origin, religion, sex, age, or disability in any of its programs and activities. The Superintendent of Schools or the Disciplinary Hearing Officer (DHO) is responsible for the coordination of compliance with these provisions. The School Board offices are located at, 4290 Anderson Highway Powhatan, VA 23139.

The Superintendent reserves the authority, either on the recommendation of an administrator or teacher, or on his own initiative, to impose or recommend to the School Board and/or Disciplinary Officer, as the case may be, the suspension of a student for any length of time, or to recommend expulsion, when in his opinion the circumstances surrounding the violation warrant a consequence more severe than that stated in this guide or imposed by a principal or other persons, regardless of whether the violation is an initial or a repeated violation. The School Board reserves the final authority in all disciplinary matters.

This guide is a supplementary tool intended to summarize policies referenced as the Code of Student Conduct, regulations, and procedures as they existed at publication, and which are subject to change without notice. The School Board and Powhatan County Public Schools (PCPS) reserve the right to enforce changes immediately. In any dispute, the official regulation in effect at the time of an incident will govern and supersede the language in this guide. Related local policies may include, but are not limited to, those governing student searches, bullying, attendance, discipline of students with disabilities, and threat assessments. The current regulations and policies can be found at www.powhatan.k12.va.us.

Roles and Responsibilities

Parents and Families

Parents and families are essential partners in helping students develop skills and strategies necessary to meet expectations, develop personal responsibilities, and accept accountability. It may be necessary to contact the school to discuss student expectations, rights, and responsibilities. To develop a positive partnership, parents are encouraged to create avenues of communication by speaking directly with school personnel (classroom teacher, bus driver, counselor, etc.). If additional support is needed, please contact the principal of the school. The names and telephone numbers are included here for your convenience.

Flat Rock Elementary School	804.598.5743	Mrs. Tanja Atkins-Nelson, Principal Dr. Martha Powers, Assistant Principal
Pocahontas Elementary School	804.598.5717 SKA	Mr. Thomas Sulzer, Principal Ms. Ella Helms, Assistant Principal
Powhatan Elementary School	804.598.5730	Mrs. Constance Deal, Principal Mrs. Isabella Worrell, Assistant Principal
Powhatan Middle School	804.362.2500	Dr. Samantha Martin, Principal Mrs. Kathy Conner, Assistant Principal Mrs. Christine Phaup, Assistant Principal
Powhatan High School	804.598.5710	Dr. Michael Massa, Principal Mrs. Nicole Arnold, Assistant Principal Mr. Michael Barak, Assistant Principal Mrs. Michelle Martin, Assistant Principal
School Board Office	804.598.5700	Division Superintendent Executive Assistant to the Superintendent Assistant Superintendent for Finance and Business Operations Assistant Superintendent of Instruction Director of Special Education/Equity & Diversity Director of Administration Technology Director of Human Resources, Discipline Hearing Officer Director of Elementary Instruction Director of Facilities Director of Student Services and Interventions
Dr. Eric L. Jones Mrs. Linda Hockaday Mr. R. Larry Johns Dr. Tracie Omohundro Dr. Lynn Clayton-Prince Mr. Jeffrey Durrett Dr. Meredith Parker Dr. Cheryl Thomas Dr. Jason Tibbs Mrs. Katie Wojcicki		
Transportation	804.598-5706	Acting Director of Transportation/Bus Garage
Mr. Brian Bartlett Supervisor		

Definitions

Academic Sanctions

Academic sanctions may occur in certain cases, such as cheating.

Admission of Students Suspended or Expelled from another School Division

A student who has been expelled or suspended for more than 30 days from attendance at school by a school board or a private school, or for whom admission has been withdrawn by a private school, may be excluded from attendance for no more than one calendar year in the case of expulsion or withdrawal of admission, and in the case of suspension of more than 30 days, for no longer than the duration of such suspension.

The school shall provide written notice to the student and his or her parent/guardian of the reasons for such possible exclusion and of the right to a hearing conducted by the division superintendent. The student may not attend school until a review of the case is conducted by the division superintendent or designee.

Exclusion shall be imposed upon a finding that the student presents a danger to the other students or staff members of the school division. The decision to exclude the student shall be final unless altered by the School Board after timely written petition. Upon the expiration of the exclusion, the student may petition the division superintendent for admission.

Alternative Education Program

Students may be assigned to an alternative education program. Homebased instruction and online classes are examples of alternative educational programs. Online instruction is not available for all grades and subjects. Section 277.2:1 of the Code of Virginia authorizes school boards and/or superintendents, if so designated, to require any student to attend an alternative education program under prescribed circumstances.

Assault/Battery

An assault is a threat of bodily injury. A battery is any bodily hurt, however slight, done to another in an angry, rude, or vengeful manner.

Behavioral Intervention Plan (BIP)

A plan that utilizes positive behavioral interventions and supports to address behaviors that interfere with the learning of students with disabilities or the learning of others or behaviors that require disciplinary action.

Bullying

Bullying means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. Bullying includes cyber bullying. 'Bullying' does not include ordinary teasing, horseplay, argument, or peer conflict. Bullying or harassment of any student is prohibited, regardless of where it originated, if it disrupts the educational environment.

Bystander

Bystanders witness bullying, cyberbullying, and fights in action. They stand by, watch, or film, or share filmed events digitally. It is a form of disruptive behavior that may be subject to disciplinary action.

Cheating

Cheating includes the actual giving, receiving or use of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. Attempts toward completion of cheating would constitute a violation and may be punishable to the same extent as if the attempted act had been completed.

Chronic Absenteeism

Students who miss more than ten percent (10%) of a school year, for any reason, are considered to be chronically absent.

Cyberbullying

Cyberbullying is using information and communication technologies, such as cellphone text messages and pictures and internet email, social networking websites, apps, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile behavior intended to harm others.

Dispositions

Violations of this guide may result in one or more of the following corrective disciplinary actions.

- **Admonition and counseling** – Corrective feedback provided to assist a student in understanding that his/her conduct interferes with his/her educational process, threatens the rights of others, or is contrary to school policy or regulations and needs to be corrected.
- **Parent contact** – Parent notification of incident.
- **Parent / Pupil conference** – A formal or informal meeting with student and/or parent.
- **Modification of student seating, assignment or schedule** – A temporary or permanent change.
- **Student behavior contract/plan** – A written plan for student behavior, interventions, and/or supports.
- **Referral to student assistance programming services** – Includes a range of school-based interventions.
- **After-school detention / Saturday school** – Retention outside of regular school hours.
- **In-school detention** - Temporary removal from regular non-academic daily programming.
- **Loss of student privileges for a specified period** – Includes extra- or co-curricular activities, or access to computer and school networks.
- **Restitution** - The replacement of, or payment for property taken, damaged or destroyed by a student will be required of the student and/or parent. (*Code of Virginia 22.1-276*)
- **Confiscation** - Any student's property, which disrupts the learning environment, shall be removed from the student's possession. The property may be either returned to the student, the parent, or handed over to law enforcement officials.
- **Removal from class** – A teacher's initial authority to remove a student for disruptive behavior from a class.
- **Referral to community programming services** – Includes a range of community-based interventions.
- **In-school suspension** – Temporary removal from regular academic daily programming.
- **Short-term suspension** – A suspension for not more than ten school days. No child in pre-school through grade three shall be suspended for more than three school days or expelled for attendance at school unless (i) the offense involved physical harm, or credible threat of physical harm to others, or (ii) the local school board or division superintendent or designee finds that aggravating circumstance exist as defined by the Department of Education. Aggravating circumstances will include consideration of a student's disciplinary history. While on suspension, whether in or out of school, a student shall not be allowed to attend or participate in any extracurricular activities.
- **Long-term suspension** – A suspension for at least eleven, but not more than 45 school days. A long-term suspension may extend beyond a 45-school-day period, not to exceed 364 calendar days, if (i) the offense

involves weapons, drugs, or serious bodily injury or (ii) the school board or division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department of Education. Aggravating circumstances will include consideration of a student's disciplinary history. While on suspension, whether in or out of school, a student shall not be allowed to attend or participate in any extracurricular activities.

- **Recommendation for expulsion** - Any disciplinary action imposed by the School Board as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for re-admission for 365 calendar days after the date of the expulsion. The school board shall establish a schedule pursuant to which such students may apply for readmission to school. Such schedule shall be designed to ensure that the hearing and ruling on any initial petition for readmission, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. Recommendations for expulsion for actions other than those specified in 22.2-277.07 and 22.1-277.08 shall be based on consideration of the following factors: (1) the nature and seriousness of the violation; (2) the degree of danger to the school community; (3) the student's disciplinary history, including the seriousness and number of previous infractions; (4) appropriateness and availability of an alternative educational placement or program; (5) the student's age and grade level; (6) the results of any mental health, substance abuse, or special education assessment; (7) the student's attendance and academic records; and (8) such other matters as deemed appropriate. No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection shall be deemed to preclude a school board from considering any of these factors as "special circumstances" for the purpose of 22.1-277.07 and 22.1-277.08. While on suspension, whether in or out of school, a student shall not be allowed to attend or participate in any extracurricular activities.

Falsification

Falsification includes, but is not limited to, a verbal, written or electronic transmission (i.e., emails, images) including the production or use of forgery or counterfeiting. Attempts to falsify may be punishable to the same extent as if the attempted act had been completed.

Felony Charges

Section 22.1-277 of the Code of Virginia authorizes the suspension or expulsion of pupils "for sufficient cause," including acts off school property when the acts lead to an adjudication of delinquency, a conviction of certain offenses or a charge that would be a felony if committed by an adult.

Functional Behavior Assessment (FBA)

A process to determine the underlying cause or functions of a child's behavior that impede the learning of the child with a disability or the learning of the child's peers. A functional behavioral assessment may include a review of existing data or new testing data or evaluation as determined by the [Individualized Education Program] IEP team.

Gang Related Activity

Gang Related Activity is described by State Board Guidelines (Code 18.2-325) as "any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction." The General Assembly has established criminal penalties for gang activities taking place within 1000 feet of any public or private school. Section 16.1-260G of the Code of Virginia

requires an intake officer to report to the division superintendent any student against whom a petition is filed for the following gang-related activities: prohibited criminal street gang activity pursuant to Code 18.2-46.3.

Harassment

Repeated verbal, electronic, or physical actions that denigrates or shows hostility toward an individual because of his or her race, color, religion, national origin, gender, disability, sexual orientation, gender identification, genetic information, or any other characteristic protected by federal and/or state law. Harassment may create an intimidating, hostile, or offensive learning environment, and/or interfere with an individual's academic performance.

Hazing

Coercing a student to commit an act that creates risk of harm to a person, or recklessly or intentionally endangering the health or safety of a student or inflicting bodily injury on a student in connection with or for the purpose of initiation, admission into, or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student so endangered or injured participated voluntarily in the relevant activity. The Code of Virginia prohibits hazing and imposes criminal penalties. (Class 1 misdemeanor per §18.2-56)

Homebound Instruction

Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist. **Administrative Homebound Instruction** may be provided by the school for students who are removed from school by the division for disciplinary or other reasons.

Home-based Instruction

Home-based instruction shall be made available to children whose IEPs require the delivery of services in the home or other agreed-upon setting.

Juvenile Probation Officer

The Juvenile Probation Officer functions as a school resource person and as the liaison between the school system and the courts. The officer attempts to correct problems before they come to the attention of the court. In cases of serious violations of the law, such as drug offenses and assaults, the Juvenile Probation Officer processes cases that need to be taken to court.

Offense Codes

Each expectation within this guide lists potential discipline codes as defined by the Virginia Department of Education. A complete listing of offense codes that may be used can be found at http://www.doe.virginia.gov/info_management/data_collection/support/school_safety/discipline_crime_violence/crosswalk_all_offenses.pdf. Offense Codes marked with an asterisk (*) require notification to law enforcement.

Plagiarism

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

Principal Attendance Plan

A collaborative plan developed by school administration, parent, and student (when appropriate) to help resolve non-attendance or chronic absenteeism.

Re-entry Plan

A plan to facilitate a student's return to school after an absence as a result of disciplinary action, medical care, or chronic absenteeism.

Search and Seizure

Search is the examination or inspection of a location, (locker, desk, pockets, etc.), vehicle, or person by a law-enforcement officer or other person authorized to do so, for the purpose of locating objects relating to or believed to be related to criminal activity. Seizure is the taking into custody, by law-enforcement officers or other persons authorized to do so, of objects relating to or believed to relate to criminal activity.

Lockers and other storage facilities, which are made available to students for the storage of their personal possessions, remain under the control of the school administration. The school administration has the right to search lockers, desks, and other storage facilities for items which violate the law, school policies and regulations, or which may be harmful to the school or its students. Lockers and other storage facilities are subject to periodic searches by school officials. The school administration also has the right to search any student when there is a "reasonable suspicion" to believe that the student possesses an item that violates the law, school policies and regulations, or which may be harmful to the school or its students. All searches shall be consistent with state laws, federal laws and constitutional principles.

Stalking is engaging in conduct on more than one occasion directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury.

Sexual Harassment

Harassment that includes unwelcome sexual advances, regardless of sexual orientation; requests for sexual favors; and other inappropriate verbal, electronic, or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment.

Stealing / Larceny

Unlawful taking or carrying away of someone else's personal property with the intent to deprive the owner of it permanently.

Threat Assessment

A fact based process relying primarily on an appraisal of behaviors to identify potentially dangerous or violent situations, and to address them in a professional and timely manner.

Truancy Conference

A meeting with the division attendance officer, school counselor, parent, and student (if appropriate) to develop an attendance plan designed to resolve non-attendance or chronic absenteeism.

Weapon

Weapons include, but are not limited to, any gun or object designed to propel a missile of any kind, a look-a-like gun, ammunition, any knife, or any object that can be used with the intent of threatening or harming any individual.

The Code of Virginia §18.2-308.1 lists numerous types of weapons that are prohibited on school property or at school-sponsored events. stun guns; knife with a blade of three or more inches; pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; dirk, bowie knife, switchblade knife, ballistic knife, machete, razor, slingshot, spring stick, metal knucks, or blackjack; any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; and any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart.



1 ATTENDANCE

A1T Excessive Absences from School

A2T Tardy to Class

A3T Absent from Class (Skipping)

A4T Leaving without Permission

Compulsory Attendance

The Code of Virginia (Section 22.1-254) requires school attendance by persons between the ages of five (by September 30) and eighteen, with certain exceptions. Students are expected to arrive at school and attend all classes on time every day in order to derive the maximum benefit from the instructional program and develop habits of punctuality, self-discipline and responsibility. Students are expected to remain at school unless dismissed with parental and school permission.

No student under the age of eighteen may terminate his/her attendance at school unless: 1) the student is released from compulsory attendance by the School Board; or 2) the student is released from compulsory attendance by the Court.

In the case of long term illness, homebound instruction (and/or on-line instruction) shall be provided if appropriate medical and or psychiatric verification is obtained. Certain classes may be unavailable through homebound instruction.

Learnfare students affected by the "Learnfare" policy which relates school attendance to welfare payments in the Temporary Assistance for Needy Families (TANF) shall continue to be reported.

Notification and Approval of Absences or Tardies (Excused and Unexcused)

The law requires that schools notify parents daily of student absences and obtain explanations for the absences. All student absences (including early dismissals or late arrivals) are considered unexcused unless the parent either contacts the school in person, in writing, by telephone or by email to provide a justifiable reason for the absence within two days of the absence. Excused absences (including early dismissals or late arrivals) include:

1. Student illness
2. Serious illness or medical emergency in family which requires the absence of the student
3. Death of family member
4. Recognized religious holiday
5. Mandatory court appearance
6. Family trip with prior approval of school administrator upon a review of attendance patterns and academic performance
7. Medical/dental appointment
8. Extenuating circumstances approved by school administration.

Truancy

The Code of Virginia (Section 22.1-258) mandates specific procedures for monitoring student absences and identifying truancy.

If a student has been absent for a total of five days for the school year and no indication has been received

by school personnel that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall make reasonable effort to ensure that direct contact is made with the parent to explain to the parent the consequences of continued nonattendance. The law further requires the development of a plan to resolve the pupil's non-attendance. Continued non-compliance results in either or both of the following (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of services (CHINS) or (ii) instituting proceedings against the parent. Therefore, the following procedure shall be followed at each school:

1. An attendance clerk at each school shall contact the parents of absent students daily, and document the reason for the absence.
2. When the student misses five (5) scheduled school days, which are unexcused, the school principal or designee shall make a reasonable effort to ensure direct contact is made to obtain an explanation for the pupil's absence and explain to the parent the consequence of continued non-attendance. The principal, the pupil, and the parent should jointly develop a plan to resolve the student's non-attendance including documentation of the reason for the student's non-attendance.
3. When the student is absent an additional day, after direct contact with parents, the school principal shall schedule a conference with the parent, principal, and school personnel to be held no later than ten school days after the 10th absence.
4. The conference team will continue to monitor and intervene as necessary.
5. If a parent and/or student refuses compliance with compulsory attendance requirements, the principal or designee will make a referral to the attendance officer. The attendance officer will schedule a conference with the parent and student within ten school days of the referral and may (i) file a complaint with the Juvenile Domestic Relations Court that the student is a Child In Need of Supervision (ChINS) as defined in 16.1-228 of the Code of Virginia or (ii) institute proceedings against the parent pursuant to 18.2-371 or 22.1-262 of the Code of Virginia.

Chronic Absenteeism

Students who miss more than 10% of school are considered to be chronically absent. The reason for the absence shall not be considered in administering this policy except in those cases in which the student is under a doctor's care for a serious illness/accident, is enrolled in school division approved home-bound or home-based instruction, is absent due to the observance of a religious holiday or for school related events.

The following supports and procedures are in place to address chronic absenteeism:

1. School-Home Collaboration:
 - a. Initial Contact: – After five (5) accrued days of absence, the student's teacher will reach out to the family to offer assistance.
 - b. Counselor Contact: After seven (7) days of accrued absences, the student's counselor will reach out to offer assistance.
 - c. Administrator Contact: After ten (10) days of accrued absences, the student's administrator will reach out to offer assistance. Assistance may include required interventions or an attendance plan.
2. After ten (10) days of accrued absences, documentation (i.e., physician's note, court order, etc.) will be required to verify absences in order to qualify for continued excused absences. The building administrator has the discretion to waive this requirement in cases of documented chronic illness or severe injury.
3. After fifteen (15) days of accrued absences, the school will notify the parent in writing of the number of absences and will work collaboratively to develop an administrative attendance plan to address

the non-attendance issues. To support the student and the family in resolving nonattendance issues, a referral to other community agencies may be deemed appropriate.

None of the stated procedures preclude the authority of the principal or division attendance officer from requiring additional documentation if deemed to be necessary.

Leaving School Property without Permission

Once a student arrives on school property, he may not leave without administrative permission prior to the end of the regularly scheduled day.

Afterschool Activities

Students must be present during the school day to participate in afterschool activities. Exceptions must be approved by school administration.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract / plan
- Referral to student assistance programming services
- After-school detention / Saturday school / In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Removal from class
- Referral to community programming services
- In-school suspension

2 DISRUPTIVE BEHAVIOR

C2M Cellular Phones

C3M Electronic Devices

D1C Disrespect

D2C Defiance (Refuses Request)

D3C Disruptive Demonstration

D4C Obscene/Disruptive Literature

D5C Classroom Disruption

D6C Using Obscene or Inappropriate Language or Gesture

D8C Minor Insubordination

G1B Gambling

S1V Inappropriate Personal Property (includes Dress Code)

S3V Other School Violations

“Disruptive behavior” is defined in §22.1-276.01 of the Code of Virginia as a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

Students are entitled to a learning environment free of unnecessary disruption. Students shall not engage in conduct that is or is intended to be disruptive or obstructive of the learning environment or of any school activity, function or process of the school, or is dangerous to the health or safety of students or others.

Disruptive Behavior includes, but is not limited to, failure to meet the following responsibilities and expectations:

Dress Code

The purpose of the school dress code is to provide a clear, enforceable statement of acceptable attire, designed to facilitate a safe environment conducive to learning.

All students are expected to dress appropriately for a K-12 educational environment as determined by school administration. Any clothing that interferes with or disrupts the educational environment, is immodest, obscene, or presents a threat to the safety or health of the student or others is unacceptable. School clothing should be appropriate to time, place, and weather. Depending upon the age and the maturity level of students, elementary school administrators shall use discretion regarding appropriate dress. Students must comply with specific building dress regulations which shall be made available. Parents of students requiring accommodations for religious beliefs, disabilities, or other reasonable circumstances should contact the principal.

Students are to follow these guidelines:

Footwear must be worn at all times. Bedroom shoes, house slippers, and bare feet are not allowed. Shoe and boot laces must be tied or straps must be strapped at all times. Footwear should be appropriate for instructional activities.

Belts must be buckled at all times and pants secured at the waist. Swimming trunks and cuts-off may not be worn.

Headgear, including hats, caps, do-rags, head coverings, and bandanas may not be worn inside the building unless worn in connection with an approved school activity, because of a valid religious belief, or used as personal protective equipment to prevent the spread of viruses (i.e. COVID-19).

Sunglasses shall not be worn inside the school building unless prescribed by a physician.

No spaghetti straps may be worn in grades six and above. Students may not expose the back, midriff, or cleavage. No part of undergarments should be showing or worn as outer garments. Sleepwear is prohibited.

Students may not wear shorts, athletic shorts, dresses, skirts, or other similar clothing that is shorter than the students' thumb with their arms hanging naturally at their sides.

Clothing with language or images that are discriminatory, obscene, relating to alcohol, tobacco, drugs, sex, profanity, obscenity, vulgarity, violence, that is demeaning any group or individual, or that promotes conduct contrary to the Powhatan County Public Schools guide to Student Rights and Responsibilities is prohibited. This would include clothing with language or images of Confederate flags, swastikas, KKK references, or any other images that might reasonably be considered intimidating to others such that it may cause a disruption to the learning environment.

Any item of clothing, jewelry, or other accessory which is distracting or dangerous will not be allowed. This includes, but is not limited to, studded items, chains or other straps hanging from the waist, any sharp objects, and costumes that have not been approved by administration.

The administration in each school shall have discretion regarding dress code decisions. Parents of students who violate the dress code may be contacted to provide appropriate clothing for their children.

Electronic Devices

At the elementary and middle school (s), the use of personal electronic devices (including but not limited to, blue tooth devices, cameras, cell phones, electronic games, e-readers) during the school day is strictly prohibited. Elementary and middle school students who bring cell phones to school for the purpose of communicating with parents after school hours must keep them in their book bags and silenced.

At the high school, students may use personal electronic devices only with explicit permission from the classroom teacher or school administration.

On the school bus, students may use electronic devices, if they are not disruptive to others, for example, if earbuds/headphones are used, with the permission of the bus driver.

Additional prohibited uses of personal electronic devices may include using built-in cameras or photographic capabilities for unethical and illegal purposes. Some examples include cheating on tests, taking and distributing unauthorized videos or photographs of other people, or reproducing copyrighted materials.

Failure to adhere to this policy may result in confiscation of the personal electronic device. The school system will not be responsible for lost or stolen property. Parents and students who bring personal electronic devices onto school property do so at their own risk.

Defiance / Insubordination

Students must respond appropriately to reasonable written or verbal directions given by school personnel, chaperones, volunteers, or law enforcement officers.

Classroom and Campus Disruption / Disruptive Demonstration

Other activities which disrupt the orderly functions of the school include, but are not limited to: demonstrating hostile or disruptive classroom or campus behavior, habitual offenses, inappropriate or

obscene language/slurs or gestures (including swearing, cursing, hate speech, gang signs or gestures), possession of items demeaning of any group or individual, unauthorized fraternities, secret societies, obscene or inappropriate literature, unauthorized sales by students, possession of inappropriate toys, social media posts that affect the learning environment, gambling, gang-related activity, inappropriate use of school facilities, and setting off false fire alarms.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract/plan
- Referral to student assistance programming services
- After-school detention / Saturday school / In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Removal from class
- Referral to community programming services
- In-school suspension
- Short-term suspension
- Long-term suspension
- Recommendation for expulsion

3 BULLYING, HARASSMENT

BU1 Bullying

BU2 Cyber Bullying

H1Z Hazing

HR1 Harassment

ST1* Stalking

SX0 Sexual Harassment

SX2 Offensive Sexual Touching Against Student

Bullying, harassment, or hazing of any student is prohibited, regardless of where it originated, if it disrupts the educational environment. Examples of these actions include, but are not limited to, the offenses below.

Bullying

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

Cyberbullying is using information and communication technologies, such as cellphone text messages and pictures and internet email, social networking websites, apps, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile behavior intended to harm others.

Harassment

Repeated verbal, electronic, or physical actions that denigrates or shows hostility toward an individual because of his or her race, color, religion, national origin, gender, disability, sexual orientation, gender identification, genetic information, or any other characteristic protected by federal and/or state law. Harassment may create an intimidating, hostile, or offensive learning environment, and/or interfere with an individual's academic performance.

Hazing

Coercing a student to commit an act that creates risk of harm to a person, or recklessly or intentionally endangering the health or safety of a student or inflicting bodily injury on a student in connection with or for the purpose of initiation, admission into, or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student so endangered or injured participated voluntarily in the relevant activity. The Code of Virginia prohibits hazing and imposes criminal penalties. (Class 1 misdemeanor per §18.2-56)

Stalking is engaging in conduct on more than one occasion directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury.

Sexual Harassment is 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

Offensive Sexual Touching Against Student is improper physical contact against a student that is offensive, undesirable, and/or unwanted as determined by the victim.

The principal or designee is directed to notify the parent of any student involved in an alleged incident of bullying and of the status of any investigation within five (5) school days of the allegation of bullying.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract/plan
- Referral to student assistance programming services
- After-school detention / Saturday school / In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Removal from class
- Referral to community programming services
- In-school suspension
- Short-term suspension
- Long-term suspension
- Recommendation for expulsion

4 THREATS, FIGHTS, ASSAULT, BATTERY

BA2* Battery Against Staff

BA3* Battery Against Student / with Weapon

BA4* Battery Against Student

BA6 Assault/Battery w/o Injury

BB1* School Threat

BO4* Setting off False Fire Alarm

FA2 Fight with No Injury or Minor Injury

F1T Minor Physical Altercation

D3C Disruptive Demonstrations (Minor Verbal Altercation)

T12 Threat/Intimidations against Student

Students and school personnel are entitled to a school environment free from threat, aggression, and assault. Students shall not physically strike, or otherwise commit an assault or battery upon another person. Students shall not use physical or verbal threats.

Threat Against Student

Students shall not place a 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.

Fights and Altercations

Students shall not engage in actions, comments or written messages that result in a verbal or physical altercation. Intentionally hitting, shoving, scratching, biting, kicking, blocking the passage of, or throwing objects at a student is prohibited.

Assault / Battery

An assault is a threat of bodily injury. A battery is any bodily hurt, however slight, done to another in an angry, rude, or vengeful manner.

Any student who commits an assault or battery on another student with the assistance of one or more other persons shall be recommended for expulsion. In each instance of assault and battery resulting in bodily injury the parent and law enforcement officials shall be notified.

Any student who commits an assault or battery on a school employee shall be recommended for expulsion.

School Threats

- Any threat (verbal, written, or electronic) by a person to bomb or use other substances or 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.
- Without just cause, using calls or summons by telephone or otherwise any ambulance or fire-fighting apparatus or maliciously activating a manual or automatic fire alarm in a building used for public assembly or for a public purpose, including public schools, regardless of whether the fire department responds (false fire alarms).

Dispositions – one or more may apply

Admonition and counseling
Parent contact

Parent / Pupil conference
Modification of student seating, assignment or schedule
Student behavior contract/plan
Referral to student assistance programming services
After-school detention / Saturday school / In-school detention
Loss of student privileges for a specified period
Restitution
Confiscation
Removal from class
Referral to community programming services
In-school suspension
Threat Assessment
Short-term suspension
Long-term suspension
Recommendation for expulsion

5 DANGEROUS OBJECTS, WEAPONS

W1P Possession of Ammunition

W3P Possession of a Toy or Look-alike Gun

WP5* Possession of a Knife with a Blade of 3 inches or more.

W8P Possession of Razor Blades/Box Cutters/ Less than 3-inch blade knife

W9P* Possession of Fireworks, Firecrackers, or Stink Bombs

WPO* Possession of Pneumatic Weapon (BB Gun)

WP1/WP2* Possession of a Firearm

Carrying, bringing, using, or possessing dangerous instruments in any school building, on school grounds, in a school vehicle, or at a school-sponsored activity on or off school property is grounds for disciplinary action.

Firearms

A student who has possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in the Code of Virginia § 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Disciplinary proceedings for violation of this policy will be initiated promptly.

Any firearm, whether in a closed container or not, is prohibited on school board property.

Other weapons

Any unauthorized use of any weapon, or possession of any of the weapons listed below, or possession of any weapon of any kind, shall result in a suspension, referral to the Disciplinary Hearing Officer, referral to law enforcement, and/or recommendation for expulsion. Such weapons include, but are not limited to:

- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife, or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chuck or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star,
- explosives,
- and destructive devices as defined in Va. Code § 22.1-277.07, or other dangerous articles.

Dispositions – one or more may apply.

Admonition and counseling

Parent contact

Parent / Pupil conference
Modification of student seating, assignment or schedule
Student behavior contract/plan
Referral to student assistance programming services
After-school detention / Saturday school / In-school detention
Loss of student privileges for a specified period
Restitution
Confiscation
Removal from class
Referral to community programming services
In-school suspension
Threat Assessment
Short-term suspension
Long-term suspension
Recommendation for expulsion

6 INTEGRITY

S2V Misrepresentation

TF1 Theft of Property - School

TF2 Theft of Property - Staff

TF3 Theft of Property - Student

Powhatan County Public Schools students are expected to perform honestly through the production of their own work. They should also demonstrate respect for the belongings and rights of others, including, but not limited to, staff members and volunteers. Students shall not cheat, plagiarize, or knowingly make false verbal or written statements with respect to any assigned schoolwork or tests, to include electronic assignments. Students shall not forge the signature of anyone, including parents or staff members. Students shall not alter school documents.

A student shall not take or attempt to take school board property or the personal property of another person without his or her consent. The possession of stolen property will be considered theft. The school system will not be responsible for lost or stolen property. Students who bring valuables onto school property do so at their own risk.

Dispositions – one or more may apply

Admonition and counseling

Parent contact

Parent / Pupil conference

Modification of student seating, assignment or schedule

Student behavior contract/plan

Referral to student assistance programming services

After-school detention / Saturday school / In-school detention

Loss of student privileges for a specified period

Restitution

Confiscation

Removal from class

Referral to community programming services

In-school suspension

Short-term suspension

Long-term suspension

Recommendation for expulsion

7 SUBSTANCE ABUSE

AC1* Alcohol Use

AC2* Alcohol Possession

AC3* Alcohol Sale/Distribution

D4G Over the Counter Medicine - Use

D5G Over the Counter Medicine - Possession

D6G Over the Counter Medicine – Sale /
Distribution

TB1 Tobacco Products– Use/Possession/Sale/Dist

TB2* Nicotine Vapor Products –
Use/Possession/Sale/Dist

T4B Tobacco paraphernalia to school or event

D15/D16* Possession/Use of Inhalants

D11* Other Drug Possession/Paraphernalia

D17* Substances Represented as Drugs (Look-alikes)

DG1* Schedule I & II Drug Use

DG2* Schedule I & II Drug Possession

DG3* Schedule I & II Drug Sale/Dist.

DG7* Marijuana Use

DG8* Marijuana Possession

DG9* Marijuana Sale/Distribution

DG5 Synthetic marijuana Use or Possession

DG6 Synthetic marijuana – Sale/Distribution

DR3 Prescription Drug – Use/Sale/Distribution

Possession, Use, Sale, or Distribution of Unlawful Substances or Paraphernalia

Regardless of the age of the student, students shall not use, be under the influence of, have in their possession, manufacture, sell, or distribute on school property or at school-sponsored activities any of the following:

- tobacco or tobacco products, or nicotine vapor products*,
- alcoholic beverages of any kind, imitation alcoholic beverages,
- look-alike drugs, over-the counter medications,
- prescription drugs prescribed for another person,
- inhalants, anabolic steroids,
- marijuana, other controlled substances, or
- related paraphernalia.

“Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. “Nicotine vapor product” includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Reporting to Police: The principal shall report all violation of law that requires disciplinary action to the appropriate law enforcement officials in accordance with 22.1-280.1 of the Code of Virginia, including all alcohol and other drug violations. Material that is suspected of being a controlled substance shall be turned over to law enforcement authorities.

Possession or Use of Medication and Prescription Drugs

Students are required to maintain over-the-counter or prescribed medications for personal use in the clinic. In order that school authorities will know what medicine a student is taking in case of an emergency and in order to prevent trafficking of drugs, no student may have in his possession any medication or prescription drugs, even if recommended or prescribed for the student's use. Permission must be granted for prescription medication that must be in a student's possession because of a life-threatening situation and have been registered in the clinic, for example, inhaled asthma medication or diabetes self-manage care.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract/plan
- Referral to student assistance programming services
- After-school detention / Saturday school /In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Removal from class
- Referral to community programming services
- In-school suspension
- Substance abuse education program
- Short-term suspension¹
- Long-term suspension
- Recommendation for expulsion²

¹There is a minimum ten-day suspension for unlawful drug or alcohol use or possession offenses.

²The sale, distribution, or possession with the intent to distribute any illegal drug, alcohol, or look-alike drug or alcohol will warrant a recommendation for expulsion.

8 TRANSPORTATION

To ensure student safety, students are expected to display acceptable standards of conduct, cooperate with the driver, and obey promptly all directions and instructions given by the driver or other authorized personnel while at bus stops, entering, exiting, and riding the school bus.

Drivers shall ensure that student behavior meets safety regulations. It may be necessary to re-assign a student's seat on the bus for a specified time or permanently and/or contact the school administration for additional support. When the driver requires assistance to resolve a potentially harmful situation on the bus, the principal or designee of the school served by the driver will render assistance. Students may be suspended from using school transportation services for violations of the *Student Rights and Responsibilities* guide or if the student endangers the health, safety or welfare of him/herself or other riders. In such cases the parent or guardian is responsible for transporting the student to and from school.

Students must ride the bus to which they are assigned. Temporary permission to ride an alternate bus must be requested, in writing, in compliance with the school's bus pass procedures. Powhatan County Public Schools will attempt to accommodate a written transportation request on a space available basis.

Students are expected to:

- Remain seated while the bus is in motion. Wait for the bus to stop completely before getting up.
- Keep all body parts and personal items inside the bus.
- Keep aisles clear of books and bags. Objects too large to be held on the student's lap or stowed under the seat should not be transported on the bus. Athletic equipment and musical instruments may be stowed at the driver's directive. The bus driver must approve questionable items before they are transported on the bus and has the authority to prohibit large objects or those that could become projectiles in the case of a sudden stop or accident.
- Gather belongings together and be prepared before reaching the stop.
- Ride assigned buses only and get on and off the bus at the assigned stop only.
- Speak in reasonable conversational tones except at railroad crossings and other danger zones, as designated by the driver, where additional safety precautions may be necessary.
- Use electronic devices only with the permission of the bus driver if they are not disruptive to others, for example, if ear phones are used.
- Take care of bus property. Students or their parents shall be required to pay for damages to school buses, personal property of others, or public property.
- Not sell or trade items on the bus.
- Refrain from any abusive or profane language.
- Clean up after themselves.
- Keep away from any emergency equipment, unless otherwise directed by the driver.
- Wait for the bus to come to a complete stop and wait for the signal from the driver that it is safe to cross if the student must cross the road or street for pick-up or drop-off.
- Become familiar with the danger zone of the bus and safely cross at least ten (10) feet in front of the bus.
- Board immediately after dismissal from school.
- Be at the bus stop on time. Parents are responsible to have their children at the bus stop five (5) minutes prior to the scheduled pick-up time.

Items prohibited in school as outlined in this guide are also prohibited on school buses and other vehicles used to transport students.

A parent or designee must accompany young children to and from the bus stop. A parent must be present at drop off in the case of elementary aged students.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract/plan
- Referral to student assistance programming services
- After-school detention / Saturday school /In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Referral to community programming services
- In-school suspension
- Short-term suspension
- Long-term suspension
- Recommendation for expulsion

9 TRESPASSING, VANDALISM

TR1 – Trespassing

VA1 – Vandalism

Trespassing

Students shall not enter school property without authorization or invitation or otherwise unlawfully.

Trespassing includes instances whereby:

- A student attends or visits a Powhatan County Public School without authorization from the administration of the school or the school division.
- A student is requested by an administrator to leave school property and refuses to do so immediately
- A student who has been suspended from attendance or expelled and/or denied school bus privileges violates the assigned disciplinary action. Law enforcement officials shall be notified, as needed; and/or
- A student who enters or remains on a campus or school board facility after being directed to leave the facility, campus, or function.

Vandalism

Students shall not willfully and/or maliciously destroy, damage, or deface public or private property without the consent of the owner or the person having custody or control of it. This includes graffiti.

The Code of Virginia 22.1-280.4 allows the School Board to take action against students or their parents for the actual loss, breakage, or destruction of, or failure to return school property in pursuit of their studies, which includes seeking reimbursement from the student or the student's parent.

Dispositions – one or more may apply

Admonition and counseling

Parent contact

Parent / Pupil conference

Modification of student seating, assignment or schedule

Student behavior contract/plan

Referral to student assistance programming services

After-school detention / Saturday school In-school detention

Loss of student privileges for a specified period

Restitution

Confiscation

Removal from class

Referral to community programming services

In-school suspension Short-term suspension

Long-term suspension

Recommendation for expulsion

10 TECHNOLOGY

T1C – Unauthorized use of Technology or Information

T2C – Causing Damage to Computer

T3C – Violations of Acceptable Use Policy

T4C – Violation of Internet Policy

Students and staff should use the Powhatan County Public Schools' computer system and technology resources in a responsible, efficient, ethical, and legal manner in accordance with its mission. The use of the PCPS network is a privilege, not a right, which may be revoked at any time for inappropriate behavior. All use of the Powhatan County Public Schools' computers, computer systems, and technology equipment shall be consistent with the School Board's goal of promoting educational excellence and college and career readiness. The Acceptable Computer System Use Agreement governs (1) access to and transmission of data and information within the K-12 environment, and (2) any technology-based devices in the school or personal devices brought into the school. Students must agree to abide by all rules contained within before being granted access to the computer system.

The terms computer system and technology resource include, but are not limited to, hardware, software, data, communication lines and devices, terminals, printers, servers, personal computers, wireless access points, projectors, cameras, cabling, the Internet and any other internal or external device.

The Powhatan County Public Schools recognizes the value of computer and other electronic resources to improve student learning and to enhance the administration and operation of its schools. To this end, Powhatan County Public Schools expects the responsible use of computers, computer networks, including the Internet, and other electronic resource.

Students will be held accountable for appropriate use of technology resources within the division. Infractions related to technology resources will be noted, reported to the building administrator, and may result in loss of computer system privileges, disciplinary procedures, and/or appropriate legal action.

Stakeholders

Stakeholders are users of the Powhatan County Public Schools computer systems, parents, legal guardians, or citizens. As such, stakeholders must abide by this Acceptable Use Policy. Stakeholders' roles and responsibilities are defined as follows:

- Parents, Guardians, and Caregivers will be aware that technology and the Internet are valuable learning tools that also poses potential dangers and requires monitoring. These stakeholders will be given the opportunity to attend training at PTO meetings, Back-to-School Nights, Parent/Teacher conferences, and assemblies where Internet safety is addressed.
- Students will use the Internet safely and effectively and comply with the regulations stated in the Acceptable Use Policy and Student Rights and Responsibilities.
- All school instructional and support personnel will accept responsibility for teaching students that the Internet is a valuable information resource to use for learning, which also presents potential danger. These stakeholders will also accept responsibility for staying up-to-date on Internet safety issues, providing accurate information to students and working together to develop lesson plans appropriate for each grade level. Internet safety instruction will emphasize education, security, ethics, and safety and will

educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

- School and District Administrators will have knowledge of, oversee, and periodically review the Internet safety program with all staff. These stakeholders will enforce the division's Acceptable Use Policy, Technology Standards for Instructional Personnel, and the Technology Standards for Students. Division administrators will be responsible for annual evaluations through stakeholder feedback. Any adjustments in the implementation, enforcement, or evaluation will be analyzed as needed and presented to the School Board for approval.
- The Division Superintendent and School Board will review and approve the division's revised Acceptable Use Policy and implementation plan every two years. The superintendent and board ensure the policy complies with current federal telecommunication codes, state, and local laws relating to Internet safety.
- The Community members will be given the opportunity to participate in Internet Safety Awareness programs through PTO meetings, assemblies and community outreach programs. Community members may include citizens enrolled in adult education classes or in groups that meet in schools and may use the school computer system and technology resources.
- A Technology Advisory Committee shall periodically review the Acceptable Use Policy and the roles and responsibilities of all stakeholders, and to provide feedback.

Internet Safety

We believe the responsible use of the PCPS network will allow students and staff to significantly expand their knowledge by accessing and using information resources, and by analyzing, collaborating and publishing information.

Employees are expected to teach responsible use when students are using the Internet, and to provide guidance and supervision of those using the Internet in the following ways:

- Teachers and other supervising adults will discuss the appropriate use of the PCPS network and the Internet with their students, monitor their use, and intervene if resources are not being used appropriately.
- For students in grades K-5, computers that allow access to the Internet should only be placed in areas where adults are present to monitor student use.

Software is installed on the division's computers and network to filter and block access to inappropriate content, including pornographic or obscene materials, and material that the school division deems harmful to juveniles, harmful to minors, or otherwise inappropriate for minors. Any attempt to circumvent the web filter shall result in loss of computer system privileges and may also result in appropriate disciplinary action, including legal action, as determined by School Board policy.

It is possible that students may find material on the Internet that parents consider objectionable. Although students are supervised when they use the Internet, this does not guarantee they will not access inappropriate materials. PCPS network guidelines for accessing the Internet prohibit access to material that is inappropriate in the school environment. Students should report inappropriate access of material to a teacher, other staff persons, or their parents. Parents are encouraged to discuss responsible use of the Internet with their children and how this responsibility includes using the Internet safely at school, as well as from home.

Internet Privacy Protections and Considerations for Students

Staff and student users of the PCPS network must be aware that information accessed, created, sent, received or stored on the network is not private. It is subject to review by PCPS network system administrators.

Online Educational Services

Powhatan County Public Schools may provide students with access to online educational services. PCPS makes every reasonable effort to ensure that educational service providers are in compliance with all federal and state laws regarding student privacy. Students may be provided with a username and password to access educational content on these websites. Such websites may collect personally identifiable information from students including usernames and passwords. Specific website company/vendor privacy policies should be consulted regarding collection of information, including information for students under the age of 13. Please contact Powhatan County Public Schools at any time regarding privacy questions or concerns or to request to review what personally identifiable information has been provided by the school and/or division. As requested, Powhatan County Public Schools can also provide contact information for the educational service providers' websites so parents may contact them directly to request that they delete the personally identifiable information of their child and disallow further access. Please note that this removal could prevent the student from having access to critical instructional materials.

Copyright & Plagiarism

Adherence to federal copyright law is required in both print and electronic formats. Powhatan County policies intend to adhere to the state and federal legislation and guidelines related to the duplication and/or use of copyrighted materials. Powhatan County guidelines only permit copying specifically allowed by copyright law, the digital millennium copyright act, fair use guidelines, license agreements or proprietor's permission.

Security

Computer system security is a high priority for Powhatan County Public Schools. If any user discovers a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall not allow access to any other person. Users shall be held accountable for the consequences of intentional or negligent disclosure of password information.

Data and network security is monitored and reviewed on a regular basis. A secure firewall is in place to prevent intrusion from outside the network. The Internet filtering provide through PCPS exceed the Children's Internet Protection Act (CIPA) requirements. Access to the Internet is filtered through a commercial filtering system. Potential problems that may arise with the emergence of new technology are identified and addressed by the Technology Staff as they occur. Methods to ensure data and network security are reviewed by the Director of Technology on an ongoing basis.

Acceptable Use

Access to the Division's computer system shall be (1) for the purposes of education and research and be consistent with the educational objectives of the school division or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account may be monitored or read by school officials. Each user is responsible for his or her actions on the computer system.

Acceptable conduct includes:

- Using the computer resources to support educational and research objectives consistent with the mission and objectives of Powhatan County Public Schools.
- Proper codes of conduct in electronic communication must be used. In online forums, giving out personal information is inappropriate.
- Use appropriate language and decorum. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited. Policies prohibiting sexual harassment and discriminatory harassment apply to communications on school division computer systems.
- Users shall respect the computer system's resource limits. Users shall not use the computers or network for entertainment. Do not download or stream music, videos, or news programs unless they are to be used for instruction. Such media cannot be used unless it has a direct correlation to the curriculum.

Unacceptable Use

Each user is responsible for his or her actions on the computer 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 system.
- Unauthorized downloading of software.
- Using the computer system for private financial or commercial purposes.
- Wastefully using resources, such as file space or excess printing of materials.
- 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 system while access privileges are suspended or revoked.
- Vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
- Intimidating, harassing, or coercing others.
- Threatening illegal or immoral acts.

The Chromebook that is issued for middle and high school student use is the property of Powhatan County Public Schools and must be returned at the end of the academic year, or upon withdrawal from school, or immediately upon the request of a teacher or administrator.

Electronic Mail

The School Division's electronic mail system is owned and controlled by Powhatan County Public Schools. Unauthorized access to an electronic mail account by any student or employee is prohibited. 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.

The Freedom of Information Act (FOIA) requires all school divisions to archive electronic communications. All electronic mail coming into or leaving PCPS is scanned for viruses. All electronic mail is scanned for offensive material. Users shall be held personally liable for the content of any electronic message they create.

The following individuals are authorized to use e-mail on the PCPS school network:

- PCPS employees and school board members are issued an individual e-mail account. The division provides electronic mail to staff members to enable them to communicate effectively and efficiently with other faculty, administration, parents, students and peers in the profession.
- Students at Powhatan High School and Pocahontas Middle School are issued a PCPS e-mail account. The division provides electronic mail to students for the purpose of communicating with teachers, administrators, college and/or military recruiters. It is not to be used for purposes other than enhancing your education.
- All students in grades 3-12 are given access to a Google Apps Account unless a parent or guardian has returned an email opt-out form.
- Others may be issued Guest Accounts based on their need for doing PCPS business.

Professional Development

Ongoing Professional Development will be provided to each stakeholder group.

Instructional and support staff will participate in training, which will include review of the policy, the Internet Instructional Program, sample lessons, and expectations for student outcomes. Professional Development will begin during the first workdays of the school year and continue throughout the academic year. Evaluation will be conducted through stakeholder feedback, reflections, and/or surveys.

Liability

The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from the use of the computer system including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer 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. In addition, the School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system.

Dispositions – one or more may apply

- Admonition and counseling
- Parent contact
- Parent / Pupil conference
- Modification of student seating, assignment or schedule
- Student behavior contract/plan
- Referral to student assistance programming services
- After-school detention / Saturday school /In-school detention
- Loss of student privileges for a specified period
- Restitution
- Confiscation
- Removal from class
- Referral to community programming services
- In-school suspension
- Short-term suspension
- Long-term suspension
- Recommendation for expulsion

Disciplinary Action: Criteria, Procedures, and Processes

Teacher Removal from Class (PCPS School Board Policy: JFCA)

Teachers have the initial authority to remove students from class for disruptive behavior. “Disruptive behavior” means a violation of School Board regulations governing student conduct that interrupts or obstructs the learning environment.

In order for a teacher to remove a student from class for disruptive behavior

- removal of the student from the class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student’s behavior
- interventions by the teacher and/or administrators have been attempted and failed to end the student’s disruptive behavior, and
- notice of the student’s disruptive behavior and the opportunity to meet with the teacher and/or school administrators must have been provided to the student’s parents.

Short-Term Suspensions (PCPS School Board Policy: JGD/JGE) (10 days or fewer)

“Short-term suspension” is any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days. (§22.1-276.01)

Suspensions may be either in-school or out-of-school removal from instruction. Students who are suspended may not be on school board property or participate in school-sponsored activities without express permission from school administration.

In-school or out-of-school for ten days or less (short-term), may make up school work according to a plan approved by the principal, which shall include dates/times, location, supervising teacher and timelines for completion.

A pupil may be suspended for not more than ten school days by either the principal, any assistant principal, or in their absence, any teacher. The principal, assistant principal, or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, he will be given an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat or disruption, the pupil may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as practicable thereafter.

Upon suspension of any pupil, the administrator responsible for such suspension shall report the facts of the case in writing to the building principal or his/her designee and the parent of the pupil suspended. The building principal or his/her designee shall review forthwith the action taken by the assistant principal, or teacher upon a petition for such review by any party in interest and confirm or disapprove in writing such action on an examination of the record of the pupil's behavior. The decision of the building principal shall be

final. In cases where the building principal is the suspending administrator, the disciplinary hearing officer will review any appeal. The oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days shall include notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program offered by the school division shall be borne by the parent of the student.

The suspending administrator shall make a reasonable effort to inform the parent immediately by telephone, that his/her child has been suspended. Parents shall receive written notification as soon as practicable following the suspension of their child from school. The letter shall inform parents of the violations, duration of the suspension, and information regarding the appeal process. Any oral or written notice to the parent of a student, who is suspended, should contain information regarding the availability of community-based educational programs, alternative educational programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program offered by the school division shall be borne by the parent of the student.

A principal (or his designee) may impose a short-term suspension, pursuant to Va. Code §22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code §16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

Long Term Suspension (PCPS School Board Policy: JDE/JGE)

A pupil may be suspended from attendance at school for more than ten days, but no more than 45 days. A long term suspension may extend beyond a 45-school-day period, not to exceed 364 calendar days, if (i) the offense involves weapons, drugs, or serious bodily injury or (ii) the school board or division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department of Education.

The school board, the superintendent, or the disciplinary hearing officer may suspend students from school in excess of ten (10) school days after the pupil and his parent(s) or guardian have been provided written notice of the proposed action and the reason therefore and of the right to a hearing. In any case in which the superintendent or his designee(s) has suspended a student after a hearing, the student and his parent(s) or guardian may appeal the decision to the School Board. Such appeal shall be decided by the school board within thirty days.

If the regulations provide for a hearing by a committee of the school board, the regulations shall also provide that such committee may confirm or disapprove the suspension of a student. Any such committee of the school board shall be composed of at least three members. If the committee's decision is not unanimous, the pupil or his parent may appeal the committee's decision to the full school board. Such appeal shall be decided by the school board within thirty days.

Such appeal must be in writing and must be filed with the superintendent within ten (10) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board will consider the appeal upon the record of the suspension hearing within thirty (30) calendar days of the appeal.

Students who are long-term suspended (more than ten days) or expelled will not be permitted to make up work, unless approved by the Superintendent, Disciplinary Officer, or the School Board.

Alternative Placements of Students (PCPS School Board Policy: JGD/JGE)

The School Board may require any student who has been (1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent of the school division pursuant to Va. Code § 16.1-260.G; (2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to Va. Code §16.1-260.G.; (3) found to have committed a serious offense or repeated offenses in violation of School Board policies; (4) suspended pursuant to Va. Code §22.1-277.05; or (5) expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code §22.1-277, to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime occurred. The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil.

Suspension/Expulsion of Students upon Receipt of Certain Reports by Division Superintendent

A student for whom the division superintendent has received a report pursuant to *Code of Virginia* 16.1-305.1 of an adjudication of delinquency or a conviction may be suspended or expelled from school attendance pursuant to *Code of Virginia* 22.1-277. The *Code of Virginia* 16.1-305.1 provides that when a juvenile is adjudicated delinquent or is convicted of a crime based upon a violation specified in that code section, the clerk of the court shall within 15 days, if there is no notice of appeal, provide a written notice to the division superintendent in which the child was enrolled at the time of the court disposition. If the student is not enrolled in school at the time of court disposition, the notice should be sent to the school division where the student was enrolled at the time of the offense. The notice must include the nature of the offense and the disposition ordered by the court. **S4V - Report of Conviction of Adjudication of Delinquency**

Suspension from Extra-Curricular Activities

A student's privilege to participate in all or certain extra-curricular activities and/or school sponsored activities may be suspended for a fixed period of time or until certain specified conditions have been fulfilled. Suspension from extra-curricular activities may be imposed by the coach/sponsor, the principal, the superintendent, disciplinary officer, or the school board.

Emergency Suspension

Any student whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be summarily removed from school immediately and the notice, explanation of facts, and opportunity to present his or her version shall be given as soon as practicable thereafter.

Exclusions (PCPS School Board Policy: JEC)

A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Powhatan County

School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the superintendent or his designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the superintendent or his/her designee. If the School Board grants a review of the record, the decision of the superintendent or his/her designee may be altered.

Expulsion

The principal, with the concurrence of the disciplinary hearing officer, may recommend that a student be expelled. The principal shall notify the student and his parent(s) or guardian in writing of the proposed action and the reasons therefore; and the right to inspect the student's school records.

The student and his parent(s) or guardian must schedule a hearing with the disciplinary hearing officer. The disciplinary hearing officer will conduct a hearing in which school personnel and the student and his parent(s) will be able to present evidence and information. After said hearing, the disciplinary hearing officer will provide written notification to the students and his parent(s) informing them of the disciplinary consequence.

Any suspension of longer than 10 days may be appealed to the school board. If appealed to the School Board, the appeal shall be decided by the School Board within thirty days.

The written notice given to the pupil and his parent shall include notification of the length of the expulsion and shall provide information to the parent of the student concerning the availability of community-based educational, training, and intervention programs. The notice shall also state whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission.

The written notice shall also advise the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

Disciplinary Hearing

The procedure for any disciplinary hearing shall be as follows:

1. The disciplinary hearing officer, the student and his parent(s) and school administrators may attend a disciplinary hearing.
2. The disciplinary hearing officer may ask for opening statements from the principal or his/her representative and the student or his parent(s) (or their representative) and, may allow closing statements. The parties shall then present their evidence. Because the principal has the ultimate burden of proof, he/she shall present his/her evidence first. The disciplinary hearing officer may, at his/her discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination.
3. The parties shall produce such additional evidence, as the disciplinary hearing officer may deem necessary. The disciplinary hearing officer shall be the judge of the relevancy and materiality of the evidence.

4. The disciplinary hearing officer may uphold, reject, or alter the recommendation for expulsion or suspension.
5. The disciplinary hearing officer shall transmit his/her recommendation, including the reasons therefore, to the student, his parent(s), the principal and the superintendent. Information regarding the time in which a student may reapply for admission shall be communicated to the parent.

The student or his/her parent(s) may appeal the decision of the superintendent and the disciplinary hearing officer to the full School Board. The appeal must be in writing and must be filed with the disciplinary hearing officer within ten (10) calendar days of the decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board will decide upon the record of the case within thirty (30) calendar days of the request for an appeal.

Appeals to the School Board will follow similar disciplinary hearing procedures as outlined above. The disciplinary hearing officer will be responsible for presenting the school's case and the student and his parent(s) will present their reasons for appeal.

Appeal Processes

The appeal process ensures that the *Student Rights and Responsibilities* and disciplinary process and procedures are managed effectively, consistently, efficiently and legally as set for School Board policies.

Procedure for Appealing In-School Suspension, Bus Suspension, and Out-of-School Suspension of 10 Days or Less by a School Administrator

A school administrator's decision to suspend a student may be appealed by the student's parent/guardian. An appeal of a suspension shall not hold the suspension in abeyance. A student shall remain on out of school suspension while awaiting the appeal. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A student or parent/guardian shall submit a written letter of appeal to the principal of the school within two (2) working days of notification of suspension. The student or parent/guardian should state specifically the reason(s) for the appeal and consider the following before appealing a suspension: (i) Whether the facts warrant the suspension; (ii) if the consequences were appropriate for the behavior; (iii) and whether school and division procedures were followed.

The principal shall review the suspension and all the evidence and render a written decision as soon as possible within three (3) working days. The decision of the principal is final.

Procedure for Appealing Out-of-School Suspension of 10 Days or Less by a Principal

A principal's decision to suspend a student may be appealed by the student's parent/guardian. An appeal of a suspension shall not hold the suspension in abeyance. A student shall remain on out of school suspension while awaiting the appeal. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A parent/guardian may appeal a suspension to the principal of the school, then to the disciplinary hearing officer in the following manner:

A student or parent/guardian shall submit a written letter of appeal, which should include all supporting documentation, to the principal of the school within two (2) working days of notification of the suspension. The student or parent/guardian should state specifically the reason(s) for the appeal and consider the following before appealing a suspension: (i) whether the facts warrant the suspension; (ii) if the consequences were appropriate for the behavior; (iii) and whether school and division procedures were followed.

The disciplinary hearing officer shall review the information, gather additional information, and/or conduct a hearing if necessary, and render a decision. For suspensions of ten (10) days or less, the decision of the disciplinary hearing officer is final.

Procedure for Appealing Out of School Suspension in Excess of 10 Days (Long-Term) or Expulsion

A decision to suspend a student in excess of ten (10) school days or to recommend expulsion may be appealed by the student or the student's parent/guardian. An appeal of a suspension shall not hold the suspension in abeyance. A student shall remain on out-of-school suspension while awaiting the appeal. A student or parent/guardian may appeal a suspension in excess of ten (10) days or a recommendation for expulsion in the following manner:

The student or his parent/guardian must file the appeal in writing within ten (10) calendar days of the decision to suspend in excess of ten (10) days or the decision to recommend for expulsion. Appeal must be submitted to the disciplinary hearing officer after meeting with the building principal. Failure to submit a letter within ten (10) calendar days will constitute a waiver of the right to appeal. The student or parent/guardian should state specifically the reason(s) for the appeal and consider the following before appealing a suspension or expulsion: (i) whether the facts warrant the suspension; (ii) if the consequences were appropriate for the behavior; and (iii) whether school and division procedures were followed.

At the hearing, the disciplinary hearing officer will review the events leading to the suspension or recommendation for expulsion as presented by the school; will hear any information presented, and will determine the final length of the suspension, or whether the offense warrants a recommendation for expulsion. Parents have the right to bring legal counsel to the meeting with the disciplinary hearing officer; however, notification is required at the time the hearing is scheduled.

Any appeal to the School Board shall be in writing and shall be directed to the disciplinary hearing officer within ten (10) calendar days after notification of the disciplinary hearing officer's decision. Failure to submit a letter within ten (10) calendar days will constitute a waiver of the student's or parent's/guardian's right to appeal. The written appeal should briefly explain any facts which are in dispute and why the decision should be reversed or modified and should have attached any documents that explain or support the appeal. The written appeal may also include a request for a hearing before the School board. The School Board shall, at its monthly meeting or work session, render a decision based on the record, the written appeal, and any information presented in a hearing before the Board.

Students with Disabilities

Definition

For purposes of this regulation, a student will be considered disabled if he or she has been identified as disabled by the Special Education Eligibility Committee under the IDEA, the eligibility committee under Section 504 of the Rehabilitation Act of 1973, or if there is reason to suspect a disability based on the factors set out in the IDEA. Students with disabilities may be disciplined to the same extent as a non-disabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. ***These rights are given to parents as a part of their parental rights.***

Short-Term Suspensions

Students with disabilities may be suspended for ten (10) days or less in a school year in accordance with regular suspension procedures. Students with disabilities may be removed for additional periods of up to ten (10) school days each for separate accounts of misconduct. The behaviors must be analyzed to determine if a pattern exists.

If the removal does not constitute a pattern:

- Educational services will be provided as determined by school personnel in consultation with the student's special education teacher.
- Consideration must be given to the need to conduct a Functional Behavior Assessment (FBA), and to develop a Behavior Improvement Plan (BIP), or to reviewing and modifying an existing Behavior Improvement Plan

If the removal does constitute a pattern:

- Educational services will be determined by the IEP (Individual Education Plan team).
- A Manifestation Determination Review must be made within 10 school days

Long-Term Suspension and Expulsion

If a long-term suspension or expulsion is proposed, the following procedures must be followed in addition to the regular suspension and expulsion procedures:

- The principal shall give notice to the parents of the recommended discipline and of the grounds for the discipline and provide the parents with the procedural safeguards no later than the date on which the decision to take disciplinary action is made.

Within ten (10) school days of the decision for long-term removal, relevant members of the IEP Team and the parents will convene for a Manifestation Determination Review (MDR)

- The MDR Team will review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information provided by the parents to determine:
- If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability
- If the conduct in question was the direct result of the LEA's failure to implement the IEP
- If either part of the test is not met, there must be a finding that a manifestation exists.

The Assistant Superintendent of Special Education or designee shall be responsible for notifying the parent(s) or guardian of the time, date, place, and purpose of the MDR meeting and must identify the individuals who will be attending the meeting. Accommodations in the scheduling should be made, within the time constraints, to permit the parent or guardian's attendance. Documentation of efforts to notify the parent(s) or guardian shall be maintained. If the parent(s) or guardian decline to attend or fail to attend after having been given notice, the committee may meet without them. The parent(s) or guardian may have representation during the meeting at their own expense, if desired.

- Documentation of the MDR meeting shall be maintained. The documentation shall include those attending, the information considered, the decision of the committee and the rationale for the decision. The Assistant Superintendent of Special Education or his or her designee shall give written notification to the parent(s) or guardian of the MDR committee's decision and of procedural safeguards including the right to contest the committee's decision through a due process hearing.
- If the IEP Team determines that the behavior of the student was not a manifestation of the student's disability, the student may be subject to the same disciplinary procedures applicable to students without disabilities. The MDR team must determine whether a FBA and BIP should be conducted or updated.

- If a manifestation is found, the FBA and BIP must be conducted or updated.
- The student may not be unilaterally suspended from school for more than (10) school days while the MDR committee process is being followed unless the parent(s) or guardian gives permission in an IEP meeting for a longer removal, which may be to home based instruction. In the absence of parental consent, authorization for a longer removal may be sought from the court.
- Educational services must be provided for any removal after the first 10 cumulative days of removal from school in the school year. The IEP team will determine the nature of the educational services to be provided. The IEP services must allow the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the IEP.
- A parent may request an expedited due process hearing when he or she disagrees with the manifestation determination or with the alternative education placement. During the pendency of any proceedings to contest the imposition of discipline, the student may be placed in an alternative education setting, including home based instruction, provided the MDR team determined that there was no manifestation placement.
- School personnel may order a change in placement for a student with a disability without parental permission under the following circumstances:
 - a. Placement in an appropriate interim educational setting as determined by the IEP Team for not more than forty-five (45) school days and for not more than the same amount of time as a non-disabled student would be disciplined if:
 - (1) The student carries a weapon to or possesses a weapon at school, on school premises or at a school function under the jurisdiction of the SEA or LEA;
 - (2) The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the SEA or LEA; or
 - (3) The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.

Exceptions to Section 504 Disciplinary Procedures

Students who have been identified as disabled under Section 504 and who are recommended for discipline arising from the current use or possession of alcohol or illegal drugs may be disciplined by using the same procedures applicable to regular education students. These cases do not require the use of the procedure outlined above. The students in these situations may not utilize the special education hearing procedures.

Section 504 students are not entitled to receive educational services while on suspension or expulsion unless services are provided to non-disabled students under the same circumstances.

Parental Responsibility and Involvement Requirements

The *Code of Virginia* 22.1.279.3 requires that parents be sent a copy of the *Student Rights and Responsibilities (Code of Student Conduct)* and return the signature page executed with his/her signature.

A. Each parent of a student enrolled in a public school 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 free of disruption and threat to persons or property, and supportive of individual rights.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each student (i) a notice of the requirements of this section and (ii) a copy of the school board's standards of student conduct. These materials shall include a notice to parents that by signing the statement of receipt, parents shall not deem 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 a 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 and the notice of the requirements of this section. Each school shall maintain records of such signed statements.

D. The school principal may request the student's parents to meet with the principal or his designee to review the school board's standards of student conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress.

E. In accordance with 22.1-277 and the guidelines required by 22.1-278, the school principal may notify the parents of any student who violates a school board policy and when such violation could result in the student's suspension, whether or not the school administration has imposed such disciplinary action. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.

F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

G. Upon the failure of a parent to comply with the provision of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior, as follows:

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or
2. If the court finds that the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order (i) the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or (ii) the student or his parent to 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.

H. The civil penalties established pursuant to this section shall be enforceable in the Juvenile and Domestic Relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision 3 of subsection

- I. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.
- J. All references in this section to the Juvenile and Domestic Relations court shall be also deemed to mean any successor in interest of such court.

Compulsory Attendance

§ 22.1-254. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.

A. As used in this subsection, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

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, cause such child to attend a public school or 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 § 22.1-254.1.

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by causing a child to attend 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 causing the child to attend 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 apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of § 22.1-253.13:1 and in § 22.1-254.01. The requirements of this section shall not apply to (a) 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 pursuant to subsection E, and (b) 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 as set forth in this article.

B. A school board shall excuse from attendance at school:

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. Each local school board shall develop policies for excusing students who are absent by reason of observance of a religious holiday. Such policies shall ensure that a student shall not be deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, for any which he missed by reason of such absence, if the absence is verified in a manner acceptable to the school board.

D. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or

2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

E. Local school boards may allow the requirements of subsection A to be met under the following conditions:

For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

1. Career guidance counseling;
2. Mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such preparatory program or approved alternative education program to such principal or his designee;
3. Mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills assessment;
4. Successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
5. Counseling on the economic impact of failing to complete high school; and
6. Procedures for reenrollment to comply with the requirements of subsection A.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

F. A school board may, in accordance with the procedures set forth in Article 3 (§ 22.1-276.01 et seq.) of Chapter 14 and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § 16.1-260; (iii) suspended pursuant to § 22.1-277.05; or (iv) expelled from school attendance pursuant to § 22.1-277.06 or 22.1-277.07 or subsection C of § 22.1-277, require the child to attend an alternative education program as provided in § 22.1-209.1:2 or 22.1-277.2:1.

G. Whenever a court orders any pupil into an alternative education program, including a program preparing students for a high school equivalency examination approved by the Board of Education, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime that resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students, as provided in §§ 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, and 22.1-277.2. As used in this subsection, the term "charged" means that a petition or warrant has been filed or is pending against a pupil.

H. 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.

I. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
5. Children excused pursuant to subsections B and D.

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

PCPS Student Activities Contract

Student Name _____ Sport/Activity _____

By signing this Pledge, the student and parent or guardian affirm they have read and understand all the rules, regulations and expectations listed herein. Furthermore, it is agreed that all students must abide by these rules. It is also understood that all parents should attend a policy meeting to help insure a mutual understanding of the philosophy, conduct and eligibility expectations.

Scholarship

- I must be enrolled in at least five classes or their equivalent.
- I must have passed at least five classes at the High School and five classes at the Middle School or their equivalent during the preceding semester.
- At the end of each grading period, I must present my report card and/or interim to my parents for their signature and to my coach for review. If my grades are not satisfactory, my parents may remove me from the activity or team, or my coach may place me on probation and/or require me to attend a mandatory study hall.

Attendance

- I must attend school regularly during the season.
- In order to participate in a game or activity, I must be in school at least 2 blocks (not including study hall) on the day of the practice or activity. (For weekend contests, I must be in school the preceding Friday.)
- If there are extenuating circumstances that will prevent me from being in school the day of the practice or activity, my parents may appeal the attendance requirement to the principal at least one day before the practice or activity.

Sportsmanship

- I will display good sportsmanship at all times as a participant and as a spectator.
- I will encourage teammates and refrain from making inappropriate remarks about officials, opposing players, coaches or schools.
- I will place team goals above personal goals.

Conduct

- I must be a student “in good standing” in Powhatan County Public Schools; that is, I must follow the **Powhatan County Public Schools Student Rights and Responsibilities** and all school and team rules.
- I am not eligible to participate in practice, competitions, or contests when I am assigned to In-School Suspension (ISS) or suspended out of school (OSS).
- If I am involved in a violation of the law, I may be suspended or removed from the athletic/non-athletic team. Suspensions may be longer than a season or permanent, depending upon the violation.

Concussion Policy

- I have read the School Board Policy, JJAC – Student-Athlete Concussion During Extracurricular Activities, and the Concussion Information Fact Sheet that describes the short and long term health effects of concussions

Virginia High School League Regulations

VHSL regulations state the following: “Final authority and the ultimate responsibility in all matters pertaining to interscholastic activities of each school, both athletic and non-athletic, shall be vested in the principal who acts under the authority granted by the division superintendent of schools.”

Student’s Signature _____

Date _____

Print Student’s Name _____

Grade _____

Parent/Guardian’s Signature _____

Date _____

Parent Statement of Receipt

RETURN THIS PAGE TO YOUR CHILD'S TEACHER BY SEPTEMBER 11, 2020

Dear Parents,

Please take time to review the guide for *Student Rights and Responsibilities*. It is highly recommended that you review it with your child. With the School Board's commitment to the guide *Student Rights and Responsibilities*, the behavioral expectations outlined in this booklet are the official standard for our entire school division. The success of maintaining a standard of student behavior is dependent upon the school and the parents working together and supporting each other's efforts to instill the values of proper conduct. The attached form acknowledging your receipt and understanding of the ***Student Rights and Responsibilities***, as well as individual school rules, must be signed and returned to your child's teacher.

Sincerely,



Eric L. Jones, Ph.D.
Division Superintendent

PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3 AND SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT AND ACCEPTABLE USE POLICY

I acknowledge that I have received (available online and in school offices)

1. a copy of the Powhatan County Public Schools' ***Student Rights and Responsibilities***;
2. a copy of Section 22.1-279.3 of the Code of Virginia entitled "**Parental Responsibility and Involvement Requirements**" located in this guide for *Student Rights and Responsibilities*; and
3. a copy of the "**Compulsory School Attendance Law**" located in this guide for *Student Rights and Responsibilities*.

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

In addition, by signing this Statement of Receipt, I understand and agree to abide by the Powhatan County School Division Acceptable Use Policy (Section 10 of the guide for *Student Rights and Responsibilities*).

Print Student's Name _____ Grade _____

Student's Signature _____ Date _____

Parent/Guardian Signature _____ Date _____

If you do not want Powhatan County Public Schools to disclose directory information from your child's education record without prior written consent (see page 41,) you must notify the school division by September 25, 2020. You may do so by addressing your written statement to Mrs. Linda Hockaday, Public Information Officer, Powhatan County Public Schools, 4290 Anderson Hwy, Powhatan, VA 23139. However, no school shall disclose the address, telephone number, or email address of a student unless the parent or eligible student has affirmatively consented in writing to such disclosure.