



Pulaski County Public Schools
Code of Student Conduct 2018-2019

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Preface

The development, implementation, and enforcement of the student conduct policy is intended to ensure a safe, non-disruptive environment for effective teaching and learning.

1. Standards of student conduct are designed to protect the health, safety, and welfare of students.
2. It is the belief of Pulaski County Public Schools that all students have the right to an environment that is safe, drug-free, and conducive to learning. To that end, the student conduct policy sets forth standards for student conduct.
3. The primary objectives of the standards of student conduct are (1) to provide standards and guidelines for student behavior; (2) to assist the student in becoming a responsible, productive, and self-disciplined citizen; and (3) to maintain a safe and orderly environment in the classroom and all other areas of the school.
4. The standards of student conduct cite those acts, actions, and behaviors that run contrary to acceptable, prudent, and responsible conduct on the part of students. When incidences occur, possible (resulting) dispositions are described.
5. An annual evaluation of the *Standards of Student Conduct* will be conducted within a month of the close of school. Revision, if necessary, will be completed prior to the opening of the next school year.

Reporting Codes Key:

1. Persistently Dangerous/Required to be reported to law enforcement (Red).
2. Required to be reported to law enforcement (Yellow).

Attendance

A1T Excessive Absences**A1T Tardiness****A1T Cutting Class****A1T Leaving without Permission**

- A. Excessive and Unexcused Tardies or Absences to School or Class-** Students are required to attend school every day that school is in session, from the time school begins in the morning until the time school is officially dismissed. Students who are absent from school for all or part of any school day must furnish a signed note from a parent or legal guardian explaining each absence. Unexcused tardies and/or skipping classes are considered a violation of compulsory attendance.
- B. Compulsory Attendance-** Once a student misses five (5) days of school in any given year, the students and parents may be subject to legal action by the school in accordance with the compulsory attendance laws. This action can and often does include filing a petition against the parents if the school determines that the parents are not making a reasonable effort to get the student to school regularly. Students who miss more than five days for excusable reasons should make every possible effort to communicate with the school so that their absences may be properly identified as an excused absence, preventing automatic investigation under compulsory attendance rules. Students with five unverified absences, or ten (10) absences with parental contact, or any combination of check-ins, check-outs totaling ten (10) whether verified or not, may have their record viewed and be placed on an Attendance Improvement Plan (and/or referred to Truancy Team).
- C. Leaving School without Permission-** Once a student arrives on school property, he or she may not leave without administrative permission prior to the end of the regularly scheduled day. Students with early dismissals must sign out prior to leaving school. All students must be signed out by a parent or legal guardian.
- D. Truancy-** Daily Absences from school, including all-day absences as well as late arrivals and early departures, are considered truant unless they fall into one of these categories:
- 1) Personal illness which can be verified
 - 2) Death in the immediate family
 - 3) Court appearance documented by summons or subpoena
 - 4) Doctor or dentist visit which can be verified
 - 5) Approved school related activity
 - 6) Special and recognized religious holiday
 - 7) Other reasons approved by the principal

Recommended Actions

Interventions

Counseling

Conference with Parent by Attendance Officer

Attendance Improvement Plan
Detention/ASI
SRC (In School Suspension)
School Resource Officer
Truancy Team Referral
Court Referral by Social Worker
Alternative Placement
Referral to a Disciplinary Hearing



Substance Abuse

A. Alcohol

1. Use, Possession of Alcohol

AC1-Alcohol Use AC2-Alcohol Possession AC3- Alcohol Sale/Distribution

Students will not use, have in their possession, or be under the influence of any alcoholic beverages on school property, at any school-sponsored event, or while going to and from school.

First Offense

Disposition

1. A minimum out of school suspension of ten (10) days and a twelve (12) month loss of attending or participating in extracurricular activities and parking privileges are mandatory.
2. Report the incident to the School Resource Officer
3. The Principal shall have the authority, at his/her discretion, to waive a recommendation of long-term suspension or expulsion for first-time offenders only, in favor of participation in the Board-approved Counseling and Preventative Services (CAPS) Program.
4. The building administrator **may** reduce ten(10) day out of school suspension to five(5) days out of school suspension, the twelve (12) month loss of attending or participating in extracurricular activities to thirty (30) calendar days and the loss of parking privileges for up to thirty school days if:
 - The student and parent/guardian agree to participate in the Board-approved Counseling and Preventative Services (CAPS) Program and follow the recommendations made by the SAP core team for up to one year. The student must be enrolled in the CAPS program prior to his/her return to school.
 - The student must be accompanied by a parent or guardian upon his or her return to school after the mandatory suspension. The student must meet with an administrator to present evidence of enrollment in CAPS.
 - Upon return, the student is required to attend after-school improvement sessions every day until all work missed during the suspension period is made up. Returning middle school and elementary school students are required to make up all work missed during the suspension period within 15 school days, making use of all-after school and other “extra-help” sessions available to him/her.
 - The returning student agrees to a strict improvement plan upon his/her return.

Subsequent Alcohol and/or Drug Abuse Offenses (Cumulative over four (4) years)

Disposition

1. Report the incident to the School Resource Officer

2. A minimum out of school suspension of ten (10) days
3. Referral to Disciplinary Review Hearing Officer
4. The hearing officer can recommend to the Superintendent any of the following actions: long-term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, loss of driving privileges, and/or participation in a substance abuse treatment program at the parent/guardians expense.

Possession with Intent to Sell or Distribute

AC3- Alcohol Sales/Distribution

Students shall not bring alcohol or alcoholic beverages onto school property or to a school-sponsored event with the intent to sale, give, share, steal, pass on to, take orders for, or arrange a sale before, during, or after-school.

Disposition

1. A minimum out of school suspension for ten (10 days) and a twelve (12) month loss of attending or participating in extracurricular activities and parking privileges are mandatory.
2. Report the incident to the School Resource Officer
3. The Principal shall have the authority, at his/her discretion, to waive a recommendation of long-term suspension or expulsion for first-time offenders only, in favor of participation in the Board-approved Counseling and Preventative Services (CAPS) Program.
5. The building administrator **may** reduce the ten(10) day out of school suspension to five(5) days out of school suspension, the twelve (12) month loss of attending or participating in extracurricular activities to thirty (30) calendar days and the loss of parking privileges for up to thirty school days if:
 4. reduce the twelve (12) month loss of attending or participating in extracurricular activities to thirty (30) calendar days and the loss of parking privileges for up to thirty school days if:
 - a. The student and parent/guardian agree to participate in the Board-approved Counseling and Preventative Services (CAPS) Program and follow the recommendations made by the SAP core team for up to one year.
 - b. Upon return, the student is required to attend after-school improvement sessions every day until all work missed during the suspension period is made up. Returning middle school and elementary school students are required to make up all work missed during the suspension period within 15 days, making use of all after school and other “extra-help” sessions available to him/her.
 - c. The returning student will be placed on a strict improvement plan upon his/her return.

Violation of these provisions or any other provisions included in the student’s improvement plan can result in a ten (10) day suspension and recommendation for a disciplinary hearing. The hearing officer can recommend to the Superintendent the following actions: long term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, and loss of driving privileges.

B. Drugs

1. Possession/Use

DG1-Schedule I & II drug use (e.g., heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, etc.)

DG2-Schedule I & II Drug Possession

DG5 – Synthetic Marijuana

DG7-Marijuana Use

DG8-Marijuana Possession

D10 – Other Drug Use

D11-Other Drug Possession/Paraphernalia/Possession

D 15- Possession of Inhalants

D16-Use of Inhalants

D17-Substances Represented as Drugs (Look-alikes)

D20-Anabolic Steroid/Use and Possession

DR2-Drug Violations Look-alikes, Use, Possession

Students will not use, have in their possession, or be under the influence of illegal drugs, marijuana, drug paraphernalia, controlled substances, or imitation controlled substances on school property, at any school-sponsored event, or while going to and from school.

Disposition

1. A minimum out of school suspension of ten (10) days and a twelve (12) month loss of attending or participating in extracurricular activities and parking privileges are mandatory.
2. Report the incident to the School Resource Officer
3. The Principal shall have the authority, at his/her discretion, to waive a recommendation of long-term suspension or expulsion for first-time offenders only, in favor of participation in the Board-approved Counseling and Preventative Services (CAPS) Program.
4. The building administrator **may** reduce the ten(10) day out of school suspension to five(5) days out of school suspension, the twelve (12) month loss of attending or participating in extracurricular activities to thirty (30) calendar days and the loss of parking privileges for up to thirty school days if:
 - a. The student and parent/guardian agree to participate in the Board-approved Counseling and Preventative Services (CAPS) Program and follow the recommendations made by the SAP core team for up to one year.
 - b. Upon return, the student is required to attend after-school AE sessions every day until all work missed during the suspension period is made up. Returning middle school and elementary school students are required to make up all work missed during the suspension period within 15 days, making use of all after school and other “extra-help” sessions available to him/her.
 - c. The returning student will be placed on a strict improvement plan upon his/her return.

Violation of these provisions or any other provisions included in the student’s improvement plan can result in a ten (10) day suspension and recommendation for a disciplinary hearing. The hearing officer can recommend to the Superintendent the following actions: long term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, and loss of driving privileges.

Subsequent Alcohol and/or Drug Abuse Offenses (Cumulative four (4) years)

1. Report the incident to the School Resource Officer
2. A minimum out of school suspension of ten (10) days
3. Referral to Disciplinary Review Hearing Officer
4. The hearing officer can recommend to the Superintendent any of the following actions: long-term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, loss of driving privileges, and/or participation in a substance abuse treatment program at the parent/guardians expense.

2. Possession with Intent to Sell or Distribute

DG3-Schedule I & II Drug Sale/Distribution

D6G-Over-the-counter/Prescription Medication/Sale/Distribution

DG6 – Synthetic Marijuana Distribution

DG9-Marijuana Sale/Distribution

D12-Other Drug Sale/Distribution

D17 Substance Represented as Drugs

D19-Sale and distribution of Steroids

DR3-Drug Violation of prescriptive drugs, theft or attempted theft of prescription drugs

DR4-Drug Violations Schedule I & II Anabolic Steroid Marijuana Sale/Distribution

Students shall not manufacture, distribute, or bring onto school property or to a school-sponsored event with the intent to distribute any of the following: Drugs (including anabolic Steroids), Chemicals or Look-Alike/Imitation Drugs or Chemicals.

Disposition

1. A minimum out of school suspension of ten (10) days and a twelve (12) month loss of attending or participating in extracurricular activities and parking privileges are mandatory.
2. Report the incident to the School Resource Officer
3. The Principal shall have the authority, at his/her discretion, to waive a recommendation of long-term suspension or expulsion for first-time offenders only, in favor of participation in the Board-approved Counseling and Preventative Services (CAPS) Program.
4. The building administrator **may** reduce ten(10) day out of school suspension to five(5) days out of school suspension, the twelve (12) month loss of attending or participating in extracurricular activities to thirty (30) calendar days and the loss of parking privileges for up to thirty school days if:
 - a. The student and parent/guardian agree to participate in the Board-approved Counseling and Preventative Services (CAPS) Program and follow the recommendations made by the SAP core team for up to one year.
 - b. Upon return, the student is required to attend after-school AE sessions every day until all work missed during the suspension period is made up. Returning middle school and elementary school students are required to make up all work missed during the suspension period within 15 days, making use of all after school and other “extra-help” sessions available to him/her.
 - c. The returning student will be placed on a strict improvement plan upon his/her return.

Violation of these provisions or any other provisions included in the student's improvement plan can result in a ten (10) day suspension and recommendation for a disciplinary hearing. The hearing officer can recommend to the Superintendent the following actions: long term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, and loss of driving privileges.

Subsequent Alcohol and/or Drug Abuse Offenses (Cumulative four (4) years)

1. Report the incident to the School Resource Officer
2. A minimum out of school suspension of ten (10) days
3. Referral to Disciplinary Review Hearing Officer
4. The hearing officer can recommend to the Superintendent any of the following actions: long-term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, loss of driving privileges, and/or participation in a substance abuse treatment program at the parent/guardians expense.

C. Possession or use of Medication and Prescription Drugs

D4G-Over-the Counter Medication Use D5G-Over the Counter Medication/Possession D6G – Over-the Counter Medicine Sale/Distribution

In order that school authorities will know what medicine a student is taking in case of an emergency, and, in order to prevent trafficking in drugs, no student may have in his/her possession any medication or prescription drugs, even if recommended or prescribed for the student's use, unless his parent or guardian has requested and received permission from the school for the student to possess and self-administer prescribed medication, in accordance with school board policy. Medication and prescription drugs shall not be taken to school by the student. A parent or guardian is required to take all such items to the school's clinic for documentation. "Medication" shall mean any drug or other substance used in treating illnesses, disorders, healing, or relieving pain, including over-the-counter drugs, such as aspirin, cough syrups, gargles, cold tablets, and the like, including over-the-counter sport supplements.

Recommended Actions-One or more may apply:

Parent Contact

Conference with Parent

Ten (10) Day Suspension/SAP

Alternative School

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Dangerous Objects and Firearms

WPO-Possession of Pneumatic Weapon (BB Gun, Paintball Gun, or Pellet Gun)

WP1-Possession of Firearm

WP2-Possession of Shot Gun or Rifle

W3P-Bring a Toy/Look-alike Gun to School or School Event

WP4-Possession of Weapon That Expels a Projectile

WP5-Possession of a Knife (Longer Than 3 Inches)

W1P-Possession of any Type of Ammunition

W2P-Possession of a Chemical Substance (Pepper Spray, Tear Gas, etc.)

WP7-Use of Bomb or Explosive Device

WP8-Possession of Other Firearms

W8P – Possession of Razor Blades, Box Cutter, or Knife (less than 3 inches)

WP9-Possession of Other Weapons

W9P-Bring Fireworks, Firecrackers, or Stink Bombs to School or School Event

WS1-Possession of Stun Gun

WT1-Possession of Taser

HO1-Homicide Against Staff with Firearm

HO2-Homicide Against Student with Firearm

HO3-Homicide Against Staff w/weapon

HO4-Homicide Against Student w/weapon

Students shall not have in their possession any type of unauthorized firearm or other article may be used as a weapon, regardless of whether it is commonly accepted as such.

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action. **The disciplinary sanction for bringing a firearm to school or to a school sponsored activity is expulsion for at least one year in accordance with Section 22.1-277.07 of the Code of Virginia.** Violation of this policy shall require that proceedings for the discipline of the student involved be initiated immediately by the principal.

Such weapons include, but are not limited to:

1. Any pistol, shotgun, stun gun, taser, revolver, or other firearm listed in Section 22.1-277.01 (E), of the Code of Virginia, designed or intended to propel a projectile of any kind, including a rifle.
2. Unloaded firearms in closed containers
3. Any air rifle or BB gun
4. Ammunition

5. Toy guns and look-alike guns, any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor. **Any and all knives are prohibited on school property.**
6. Slingshots, Spring sticks, brass or metal knuckles, blackjacks
7. 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, nunchku, shuriken, or fighting chain.
8. Any disc of whatever configuration, having at least two points or pointed blade, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, explosives, and destructive devices as defined in Section 22.1-277.01 (E), of the Code of Virginia, or dangerous articles.

Recommended Actions-one or more may apply:

Short Term Suspension

Ten (10) Day Suspension

Report the incident to the School Resource Officer

Discipline Hearing

Long-Term Suspension

Recommendation to the School Board for Expulsion

Disorderly Conduct/Disruptive Behavior

BO1-Bomb Threat

BO2-Chemical/Biological Threat

BO3-Terroist Threat

BO4-Setting Off False Fire Alarm

S1V-Inappropriate Personal Property) Dress Code Violation

LIS-Throwing Objects

D1C-Disrespect

D2C-Defiance

D3C-Disruptive Demonstrations

D4C-Possession of Obscene or Disruptive Literature

D5C-Classroom or Campus Disruption

D8C-Minor Insubordination

GA1-Gang Activity

D6C- Using obscene or Inappropriate Language or Gestures

HR1-Harassment

RG2-Attempting to Incite a Riot

L19 Public Display of Affection

RG1-Inciting a Riot

RG2 – Attempting to Incite a Riot

G1B - Gambling

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance within the school setting or during related activities, which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

- A. A student's dress and appearance shall not be such it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with dress code as defined in Regulation JFC-R2.
- B. A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.
- C. Students shall not use language, a gesture, or engage in conduct that is vulgar, profane, obscene, or disrupts the teaching and learning environment
- D. The possession or distribution of print or electronic materials which are obscene, violent, inappropriate, or significantly disruptive to the educational process is prohibited. Included are inappropriate student expression, threats, hit lists, distribution of non-authorized literature and illegal assembly.

- E. Students may possess a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device on school property, including school buses, provided that the device must remain off and out of sight on school buses or during instructional time, except in emergencies. If a student possesses such as device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent or legal guardian.
- F. Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by board policies and regulations.
- G. Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students.)
- H. Students shall not engage in any illegal conduct involving firebombs explosive or incendiary materials or devices, or hoax explosive devices, or chemical bombs as defined in the *Code of Virginia*. Moreover, students shall not make any threats of false threats to bomb other students, school personnel, or property.
- I. In addition to those specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise in violation of federal, state, or local law.
- J. Students shall not place, make, or receive any bet or wager of money or other thing of value dependent upon the result of the game, contest, or any other event with an uncertain outcome.

Recommended Actions-one or more may apply:

Student Conference

Parent Conference

Interventions

Counseling

Detention

SRC (In School Suspension)

Suspension

Alternative School Placement

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Fighting/Assaults/Threats

ST1-Stalking**FA2-Fighting with no or Minor Injury****F1T-Minor Physical Altercation****BA1-Battery/Assault Against Staff with Firearm or Other Weapon Against Staff****BA2-Battery/Assault Against Staff With no Weapon****BA3-Battery/Assault Against Student with Firearm or Other Weapon Against Student****BA4-Battery/Assault Against Student with No Weapons****BA5- Malicious Wounding Without a Weapon****BA6 – Assault/Battery Without Injur****EX1-Extortion****ET2-Attempted Extortion****H1Z-Hazing****KI1-Kidnapping****TI1-Threat/Intimidations against Staff****TI2-Threat/Intimidations against Student****LII-Provocation**

Students and school personnel are entitled to a school environment free from threat, aggression, and assault.

- A. A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery. Physical Assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting and fighting. Battery is the unlawful application of force to the person of another. This action may extend to mutual shoving, wrestling, or other aggressive action which may result in the danger of harm or injury to either party, bystanders, or school property. A student that is assaulted and retaliates by hitting, kicking, etc. may be disciplined for fighting.
- B. A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to, physical intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal conduct consisting of comments, regarding the race, gender, religion, physical abilities or characteristics or associates of the targeted person.
- C. Students shall not engage in hazing. Hazing means to recklessly or intentionally endanger the health or safety of a student or students or inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. Hazing is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed. In addition, any person receiving bodily injury by hazing has a right to sue,

civily, the person or persons guilty thereof, whether adults or minors. The principal of any school at which hazing causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

- D. Students shall not make any verbal or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.
- E. The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury is prohibited.
- F. Assault upon a School Board employee, School Resource Officer, DARE Officer, or volunteer is prohibited. Violation of this rule will result in an automatic recommendation for expulsion.
- G. Students shall not engage in a pattern of behavior that places another person in fear of serious harm.
- H. Cursing, threatening, using abusive language, bullying, teasing, hazing, or other acts of intimidation are prohibited.
- I. Unsafe conduct which endangers either oneself or others is prohibited.

Recommended Dispositions-one or more may apply:

Student Conference

Parent Contact

Parent Conference

Interventions

Detention

SRC (In School Suspension)

Suspension

School Resource Officer

Alternative School

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Integrity

BK1 Burglary: Actual

S1V – Inappropriate Personal Property

RB1- Robbery

S2V-Misrepresentation

RB2- Attempted Robbery

TF1 Theft of School Property

TF2 – Theft of Staff Property

TF3 – Theft of Student Property

TF4 – Possession of Stolen Property

S2V-Plagiarism

TF3-Theft of Student Property

TH2 – Theft of a Motor Vehicle

TF6 -Attempted Theft of Motor Vehicle

S3V – Other

Students are expected to perform honestly on any assigned school work or tests. The following actions are prohibited:

- A. Cheating**-includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving or unfair advantage on any form of academic work.
- B. Plagiarism**-is falsely claiming authorship, and it includes copying of language, structure, idea, and/or thought of another and representing it as one's own original work.
- C. Falsification**-includes the verbal or written statement of any untruth, including the production of forgery or use of forged writing.
- D. Attempted**-completion of any act described above would constitute a violation and may be punishable to the same extent as if the act had been completed.

Students should also demonstrate respect for the belonging and rights of others, including, but not limited to, staff members and volunteers. Stealing includes acquiring another's possessions without right or permission. The possession of stolen property is considered theft.

Falsifications also includes, but is not limited to, a verbal, written or electronic transmission (i.e., e-mails, images), including the production or use of forgery, or counterfeiting. In addition, the willful or malicious false accusations/reports against school personnel or other students are prohibited.

Recommended Actions-one or more may apply:

Student Conference

Parent Contact

Conference with Parent

Interventions

Detention

SRC (In School Suspension)

Suspension

Revocation of Computer Access and Use

Disciplinary Hearing

Alternative School

Long Term Suspension

Recommendation to the School Board for Expulsion



Transportation

LO3 Driving/Parking Violation

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior. Students who become disciplinary problems on school buses shall be reported to the principal by the driver and may have their riding privileges suspended. In such cases the parent or guardian shall be responsible for transporting the student to school.

Students are also subject to the same disciplinary action as would be prescribed had the behavior occurred at school. Students shall not behave in a disruptive manner or otherwise violate the *Standards of Student Conduct* while waiting for a school bus, while on a school bus, or after being discharged from a school bus. The driver of the bus has the authority to maintain order and the responsibility for providing a safe environment. The School served by the driver will render discipline assistance when the driver issues a bus incident report.

It is important to note that riding a school bus is a privilege. Students who do not behave at the bus stop or on the school bus may have the privilege of riding revoked for a specified time or permanently.

Motorized vehicles of any type are not permitted as means of transportation to and from school when driven by students enrolled in the elementary or middle school of Pulaski County. High school students who meet the requirements and accept the responsibilities of driving private automobiles to school are permitted to do so. This privilege depends on the student's willingness to follow the parking and auto usage regulations as prescribed by Pulaski County High School. Failure to adhere to these regulations could result in forfeiture of the privilege of parking a motor vehicle on school property or, in the case of a parking violation, having one's vehicle towed from the premises at the operator's expense.

Recommended Actions-one or more may apply

Student Conference

Parent Contact

Interventions

Conference with Parent

SRC (In School Suspension)

Suspension

Restricted Use or Loss of Transportation Privileges

Loss of Driving Privileges

School Resource Officer

Recommendation to the School Board for Expulsion

Disciplinary Hearing

Alternative School

Long Term Suspension

Trespassing

TR1-Trespassing

A student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion. All visitors to a school or its grounds shall report to the main office immediately. Persons who fail to do so may be considered trespassers and subject to legal action, and student visitors who fail to do so also may be subject to disciplinary action as well as legal action. Any person whose presence or action interferes with or disrupts the operation of the school, its students, or school activities shall be prohibited from entering school or remaining on school property or remaining at a school-sponsored activity, wherever located.

Recommended Actions-one or more may apply

Student Conference

Parent Contact

Conference with Parent

Additional Suspension Time

School Resource Officer/Law Enforcement Agencies

Suspension

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Tobacco Products

TC1-Tobacco Use

TC2-Tobacco Possession

TC3-Tobacco Sales/Distribution

T4B-Bringing Tobacco Paraphernalia to School or School Event

TB2 – Electronic Cigarettes

The law requires all school buildings to be tobacco and smoke-free.

All students are PROHIBITED from the use and possession of tobacco products, matches, and lighters on school property. Possession includes bringing the product onto school property or to a school-sponsored event. This prohibition includes all related activities (i.e., bus stops, school buses, extracurricular activities, etc.). All offenses require tobacco cessation counseling.

Recommended Actions:

First Offense

Referral to School Resource Officer

Referral to Tobacco Education Program

Second Offense

Referral to School Resource Officer

Three (3) Days Out of School Suspension

Third Offense

Ten (10) Days Out of School Suspension

Recommended for a Disciplinary Hearing

Referral to School Resource Officer

Vandalism

VA1 – Vandalism of School Property**VA2 – Vandalism of Private Property****VA3 – Graffiti**

Vandalism is the willful marring, defacing, or destruction of School Board property, including leases property or any employee's or other person's property. This section includes, but is not limited to, the buildings, both exteriors and interiors thereof, books, computer equipment and software, school buses, private automobiles, school grounds, and property as designated above. Causing, intent to cause or attempt to cause damage to school or personal property of others is prohibited.

Recommended Actions-one or more may apply:

Student Conference

Parent Contact

Conference with Parent

Interventions

School Resource Office/Law Enforcement Agencies

Restitution

SRC-In School Suspension

Suspension

Alternative School Program

Disciplinary Hearing

Long-Term Suspension

Recommendation to the School Board for Expulsion

Sexual Harassment/ Inappropriate Sexual Behavior

SB1-Sexual Battery Against Staff

SB2-Sexual Battery Against Student

SXO-Sexual Harassment

S1X-Offensive, Sexual, Improper Physical Contact against Staff

S2X-Offensive, Sexual, Improper Physical Contact against Student

SX3-Sexual Offenses Against Staff/Forcible Assault/Rape

SX4-Sexual Offense Against Student/Forcible Assault/Rape

SX5-Sexual Offenses Against Student/Attempted Forcible Assault/Rape

SX6- Sexual Offenses Against Student/Attempted Forcible Assault/Rape

SX7-Sexual Offenses Without Force

SX8-Aggravated Sexual Battery

The Pulaski County School Division is committed to maintaining a learning/working environment free from harassment and harassment based on race, national origin, disability, or religion. Therefore, Pulaski County School Division prohibits sexual harassment and harassment based on race, national origin, disability or religion of any student or school personnel at school or any school sponsored activity.

It shall be a violation of this policy for any student or school personnel to harass a student or school personnel sexually, or based on race, national origin, disability, or religion. Further, it shall be a violation of this policy for any school personnel to tolerate sexual harassment or harassment based on a student's or employee's race, national origin, disability, or religion by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes, school board members, school employees, agents, volunteers, contractors, or other persons subject to the supervision and control of the School Division.

The School Division shall: (1) promptly investigate all complaints, written or verbal, of sexual harassment and harassment based on race, national origin, disability, or religion; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

Recommended Actions-one or more may apply:

Student Conference

Parent Contact

Conference with Parent

Suspension

Alternative School Program

School Resource Officer/Law Enforcement Agencies

Court Referral

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Arson-Actual/Attempted

AS1-Arson: Actual**AS2-Arson : Attempted****AS3-Lighted Firecrackers, or Cherry Bombs, Stink-Bombs (That Contribute to a Damaging Fire)****BO1-Bomb Threat****BO2-Chemical Biological Threat****BO3-Terrorist Threat****BO4-Falso Fire Alarm/911 Call****WP6-Posession of Explosive Device****WP7-Use of Bomb of Explosive Device****W9P-Bringing Fireworks, Firecrackers or Stink Bombs to School or School Event**

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

- A. The use, intent to use, or threat to use an explosive, including, but not limited to, fireworks, cherry bombs, smoke/stink bombs, or any device contributing to a fire or representation of an explosive device, including a bomb threat, is prohibited. These actions include bringing the items on school property or to a school-sponsored event.
- B. The use or intent to use any material (matches, lighters, etc.) which may result in a fire on school property or setting fire to the property of students, staff, or volunteers, is prohibited, unless specially authorized by school officials.

Recommended Actions-one or more may apply:

Confiscation

Suspension

Law Enforcement Agencies/Fire Marshal

Court Referral

Restitution

Disciplinary Hearing

Alternative School

Long-Term Suspension

Recommendation to the School Board for Expulsion

Technology and the Internet

T1C-Unauthorized Use of Technology or Information

T2C-Causing/Attempting to Cause Damage to Computer Hardware, Software or Files

T3C-Violations of Acceptable Usage Policy

T4C-Violations of Internet Policy

C1M-Electronic Devices

The Pulaski County Public School District (“School District”) provides employees, students and guests (“users”) with access to the School District’s electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

Computers, network, Internet, electronic communications and information systems (collectively “IT systems”) provide vast, diverse and unique resources. The School District will provide access to the School District’s IT systems in order to access information, to conduct research, to facilitate learning and teaching, and to foster the educational purpose and mission of the School District.

For users, the School District’s IT systems shall be used primarily for education-related purposes. Students may only use the IT systems for educational purposes. Users may not use their personal computers to access the School District’s Intranet, Internet or any other IT Systems unless approved by the Technology Director or designee.

Unauthorized Use of Computer Technology: Unauthorized or illegal use of computers, software, computer networks, telecommunications and related technologies; or involvement in willful acts that cause physical, financial, or other harm, or which disrupts information technology in any manner is prohibited. Each student and the parent(s) or guardians(s) of each student shall sign an Acceptable Use Agreement developed by the Superintendent before gaining access to the Division’s System. Any student who fails to comply with the terms of this policy or the regulations developed by the Superintendent may lose system privileges, and students may be disciplined in accordance with the *Standard of Student Conduct* or other School Board Policies and Regulations governing student discipline. Students may also be the subject of appropriate legal action for violation of this policy or implementing regulations.

Recommended Actions-one or more may apply:

Student Conference

Conference with Parent

Removal of Unauthorized Files and Folders

Detention SRC (In School Suspension)

Alternative School Program

Parent Contact

Interventions

School Resource Officer

Revocation of Computer Access and Use
Suspension

Alternative School Program

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for
Expulsion

Bullying

BU1-Bullying

BU2-Cyber Bulling

Definition-Bullying is characterized by the following three criteria:

- It involves aggressive behavior or intentional “harm-doing.”
- It is carried out repeatedly and over time; and
- It occurs within an interpersonal relationship characterized by an imbalance of power, real or perceived.

Bullying involves physical and emotional behaviors that are intentional, controlling, hurtful, thus creating a climate of harassment and fear. “Targets” of bullies sense isolation and loss of self-confidence, while those who bully face rejection, possible school-failure, and potential antisocial behavior patterns that can continue well into adulthood.

Bullying behavior often occurs without apparent provocation, thus may be considered a form of abuse (i.e, peer abuse). Such peer abuse may be manifested both openly and directly and subtly or indirectly. Research confirms that a strong, proactive stance is the best means to address bullying in school settings.

Examples of conduct that may constitute bullying behavior include:

- Physical Bullying: (other than assault/fighting as defined in JFCR) hitting, punching, poking, shoving, pinching, jabbing, kicking, choking, unwanted touching, blocking, chasing and cornering, tripping, vandalizing, stealing, and writing graffiti (on both public and private property and by use of computers or other technological devices).
- Emotional bullying: Name calling, threatening, taunting, malicious and incessant teasing, spreading rumors, mocking, making faces or obscene gestures, making offensive racial or sexual comments, ganging up on others, belittling, excluding others from a group activity (shunning), ignoring, and lying.

**** The Principal must report all cases of alleged bullying within 5 days to the parents of the alleged victim and offender.**

Recommended Actions (K-5):

First Offense:

Parent contact and/or conference
Conference with School Counselor

Second Offense

Time Out or In-School Suspension-One (1) day
Administrator/Parent Conference

Third Offense

One to three (1-3) days out of school suspension.

Required counseling (in or out of school)

Administrator/Parent Conference

Fourth Offense

Consideration for Long-Term Suspension

Consider placement in an Alternative Education Program

Recommended Actions (6-8):**First Offense:**

Contact Parent and make them aware of the serious situation

Conference with a counselor to discuss the situation and consequences

Document in student discipline record as a warning for bullying behavior

Second Offense

One to three days SRC

Parent Contact

Document in student discipline record a second offense has occurred

Initiate a contract of agreement to stop the behavior (counselor will be involved)

Third Offense

Three to ten days out of school suspension (depending on offense)

Document in student discipline record a third offense has occurred

Parent Contact

Fourth Offense

Recommended Long Term Suspension

Consider placement in an Alternative Education Program

Recommended Actions (9-12):**First Offense**

Contact parent and make them aware of the serious situation

Conference with a counselor to discuss the situation and consequences

Document in student discipline record as a warning for bullying behavior

Peer mediation with the offender and the target

Initiate a contract of agreement to stop the behavior

Second Offense

Three to five (3-5) days SRC/ISS

Parent Contact

Required Counseling

Document in student discipline record a second offense

Third Offense

Three to ten (3-10) days of school suspension (depending on offense)

Document in student discipline record a third offense has occurred

Parent Contact

Fourth Offense

Recommended Long Term Suspension

Consider placement in an Alternative Education Program

Possession of beepers, Cellular Phones, MP3 Players, Personal Digital Devices (PDAs), or Similar Electronic Devices

C2M Cellular Phones

C3M Electronic Devices

C1M beepers

Students may possess a beeper, cellular telephone, Personal Digital Assistant (PDA) or other electronic communication devices on school property, including school buses, provided that the device remains powered off and out of sight on school buses and during the school day, except when there is an emergency defined by the school administration. A school day is defined by when students first enter the building in the morning and the dismissal time at each individual school.

Students may possess electronic audio and visual devices to include MP3 players, CD and DVD players, video game units, cameras, and other similar electronic devices, provided that the device must remain off and out of sight during the school day. However, students may use electronic audio and visual devices for pre-approved academic and extra-curricular activities. Use of these devices on school buses may be permitted if the devices are muted and headphones are used:

Pulaski County Public Schools is not responsible for any damaged, lost, or stolen electronic devices.

Recommended Actions-one or more may apply:

The device will be confiscated, and can be returned to the student at the end of the days.

The device will be confiscated, and can be returned only to a parent or guardian.

SRC-In School Suspension

Out of School Suspension

The student will lose their privilege of possessing any electronic communication device on school property for the remainder of the school year

Alternative School Placement

Disciplinary Hearing

Long Term Suspension

Recommendation to the School Board for Expulsion

Quick Guide to Rules of Conduct and Disciplinary

Consequences

Suspension of 10 Days and Recommendation for Expulsion	Report to Law Enforcement
Physical assault on staff member with bodily injury	Yes
Sexual assault or battery	Yes
Mob assault	Yes
Distribution or manufacture of alcohol or inhalers	Yes
Possession of controlled or imitation controlled substance (second offense)	Yes
Illegal use or possession of prescription drugs (second offense)	Yes
Distribution or manufacture of a controlled or imitation controlled substance, illegal drugs, or drug paraphernalia	Yes
Unauthorized use or possession of any weapon or any object used as a weapon	Yes

Suspension for Up to 10 Days	Report to Law Enforcement
Threat to assault a staff member	Yes
Threat or assault of another student	Possible
Use, possession, or under influence of alcohol, inhalants, or nonalcoholic beer	Yes
Assault or assault and battery of another student or person other than staff member with bodily injury	Yes
Assault or assault and battery without bodily injury	Possible

Discretion of the Principal	Report to Law Enforcement
Endangering well-being of others: fighting, bullying	Possible
Fireworks-use or possession	Possible
Unauthorized or illegal use or disruption of information technology	Possible
Gang-related activities	Yes
Vandalism of school property; bomb threats	Yes
Theft	Possible
Unauthorized presence	Possible
Tobacco (second and subsequent violations)	Possible
Hazing	Yes (report to Commonwealth's Attorney)

Procedures in the Disciplinary Process

Procedure for Appealing Out-Of-School Suspension of Ten Days or Less:

A decision to suspend a student may be appealed by the student's parent or legal guardian. An appeal of a suspension shall not hold the suspension in abeyance. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A parent or legal guardian may appeal a suspension to the principal of the school, and then to the Superintendent's designee in the following manner:

- A. A parent or legal guardian shall submit a written letter of appeal to the Coordinator of Student Services within three (3) administrative working days of notification of the suspension. The parent or legal guardian should state specifically the reasons for appeal and consider the following before appealing a suspension: (1) whether the facts warrant the suspension, (2) if the consequences were appropriate for the behavior, and (3) whether school and county procedures were followed. The Coordinator of Student Services shall review the suspension, all the evidence, and render a written decision as soon as possible but within five (5) working days. For suspensions of ten (10) days or less, the decision of the Coordinator of Student Services shall be final.

Procedure for Appealing Out-Of-School Suspension of More than Ten Days

The Superintendent may suspend a student from school in excess of ten (10) school days after the student and the parent or legal guardian have been provided written notice of the proposed action, the reason thereof, and the right to a hearing. A decision to suspend a student in excess of ten (10) school days may be appealed by the student's parent or legal guardian. An appeal of a suspension shall not hold the suspension in abeyance.

A parent or legal guardian may appeal a suspension in excess of ten (10) days to the School Board in the following manner:

- A. When a student has been suspended more than (10) days by the Superintendent, the student and the parent or legal guardian may appeal that decision to the School Board. Such an appeal must be in writing and must be filed within seven (7) calendar days of the decision to suspend in excess of ten (10) days. The parent or legal guardian should state specifically the reasons for the appeal and consider the following before appealing a suspension: (1) Whether the facts warrant the suspension, (2) if the consequences were appropriate for the behavior, and (3) whether school and county procedures were followed. Failure to file a written appeal within the specified time will constitute a waiver of the right to appeal.
- B. The School Board shall, within thirty (30) calendar days of the decision to suspend in excess of ten (10) days, conduct a review of the record and render a written decision.

Counseling and Preventative Services (CAP) Policy and Procedures

To ensure the safety, health, and well-being of all students, Pulaski County Public Schools is committed to continuing the CAPS programs, which emphasizes drug and alcohol abuse prevention, intervention, aftercare support and necessary corrective actions. The program will address the legal, social, and health consequences of drug and alcohol use, and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. The program will be age-appropriate and developmentally based for all students in all grades. At the conclusion of each year, the Assistant Superintendent for Administration will evaluate the effectiveness of the program. The CAPS program is available to all students of Pulaski County Public Schools. This includes first time violators of Pulaski County Public School's Substance abuse Policy and self-referrals.

Students who are found to be violation of the school division's controlled substance abuse policies and procedures with regard to possession and/or use of said substances on school property or while engaged in school activities and events off school property, including being under the influence of controlled substances while at school or engaging in school activities or events, shall be immediately suspended and may be recommended for long-term suspension or expulsion. The school Principal or his/her designee will conduct a hearing with the student and his/her parent or guardian, and shall have the authority, at their discretion, to waive long-term suspension or expulsion for first-time offenders only, in favor of participation in the Board-approved Counseling and Preventative Services Program (CAPS).

Students who are referred to the CAPS in lieu of long-term suspension must follow all CAPS rules, regulations, and procedures in order to be re-admitted to regular school attendance. CAPS rules, regulations, and procedures include, but are not limited to, the following:

1. The student is referred to the appropriate law enforcement agency.
2. The student remains suspended from regular school attendance for five (5) days prior to return, regardless of when his/her CAPS sessions begin.
3. The student must be enrolled to begin the next available CAPS session before returning to regular attendance after the mandatory five (5) days suspension.
4. The student must be accompanied by a parent or guardian upon his/her return to school after the mandatory five (5) day suspension. The student and his/her guardian must meet with the principal or his/her designee and present evidence of enrollment in the CAPS. Failure of the student to enroll in the CAPS may result in the long-term suspension of the student.
5. The student and parent/guardian agree to participate in the Board-Approved Counseling and Preventative Services (CAPS) Program and follow the recommendations made by the SAP core team for up to one year.
6. Upon return, the student is require to attend after-school AE sessions every day until all work missed during the suspension period is made up. Returning middle school and elementary school students are required to make up all work missed during the suspension period within 15 school days, making use of all after-school and other "extra-help" sessions available to him/her.
7. The returning student will be placed on a strict improvement plan upon his/her return.

Violations of these provisions or any other provisions included in the student's improvement plan can result in a ten (10) day suspension and recommendation for a disciplinary hearing. The hearing office can recommend to the Superintendent the following actions: long-term suspension or recommendation for expulsion, loss of privileges to participate in or attend all extracurricular activities for twelve (12) calendar months, and loss of driving privileges.

CAPS Referral Information:

Students are referred by the school to the CAPS Counselor. The first appointment will be an intake appointment to gather information. Parents are required to attend this appointment with their student. In addition, there will be a drug screen in this first session.

Students must have a scheduled appointment before returning to school.

The program consists of eight (8) counseling sessions as follows:

- Intake session with student and parent
- Six (6) individual and/or group sessions
- Exit session with student and parent
- Drug tests as appropriate

The CAPS counselor will contact the school to inform us that the sessions are complete or to inform us if there are missed sessions. All information shared between counselor and the student is absolutely confidential.

There is no cost for this program; it is funded by Pulaski County School System
Sessions are located at the Pulaski Mental Health clinic located in Pulaski

Revised: 06/14

Parent Responsibility and Involvement Requirements

22.1-279.3. Parental Responsibility and Involvement Requirements:

- A. Each 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 person or property, and supportive of individual rights.
- B. A school 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, the school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled 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 the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitution or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions. Each parent or legal guardian 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 selection. Each school shall maintain records of such signed statements.
- D. The school principal may request the student's parent or guardian, if both parents have legal and physical custody of such student, to meet with the principal or his designee to review the school board's standards of student conduct and the parent's or guardian'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 the due process procedures set forth in this article and the guidelines required by §22.1-279.6, the school principal may notify the parents or guardians of any student who violates a school board policy 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) 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 or guardian have met with school officials to discuss improvement of the student's behavior, unless the school principal or his/her designee determines that readmission, without parent conference, is appropriate for the student.
- G. Upon the failure of a parent or guardian to comply with the provisions 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 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 a 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/her parent, or both, to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior, including participation in parenting counseling or a mentoring program, as appropriate or (ii) the student or his parent, or both, 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 G. 2. Upon 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.
- I. 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. (1995, c.852; 1996, c. 771; 2000, c. 538; 2001, cc. 688, 820.)

Acknowledgement of Receipt and Review of the Code of Student Conduct and Compulsory Attendance Law

I acknowledge:

1. I am aware that the Pulaski County School Board's *Code of Student Conduct* is available on the school website at *pcva.us* and understand that printed therein are Section 22.1-279.3 of the *Code of Virginia* and the PCPS Acceptable / Safe Use of Technology and the Internet. Hard copies are available at each school, upon request.
2. I am in receipt of the Pulaski County School Board's *Code of Student Conduct* and understand that printed therein are Section 22.1-279.3 of the *Code of Virginia* and the PCPS Acceptable / Safe Use of Technology and the Internet.
3. I am receipt of the *Code of Student Conduct* from the school attended by my child, and I have reviewed its contents with him/her.
4. I have received a letter and information from the school attended by my child outlining the Attendance policies and procedures, and I have reviewed its contents with him/her.
5. That signing below only signifies receipt and review, and furthermore, that by signing this statement of receipt, I am not waiving, but expressly reserving, my rights protected by the constitutions or laws of the United Sates or commonwealth of Virginia, and my right to express disagreement with a school's or school division's policies or decisions.

Student's Name and Grade

Student Signature/Date

School Parent/Legal Custodian

Parent/Legal Custodian Signature/Date

Principal Signature

Please return this page to your child's teacher with in two (2) weeks of enrollment of each new school year.

Definition of Terms/Reporting Procedures

1. **Absence-** Student's physical absence from assigned classroom or learning location, including arrivals and early departures.
2. **Alternative education program-** Shall include, but not be limited to: Night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.
3. **Behavioral Contract-** A written agreement between the student/parent/guardian and school listing requirements for improvement.
4. **Bullying-** Physical and emotional behaviors that are intentional, controlling, or hurtful, thus creating a climate of harassment and fear.
5. **Check In-** Late arrival to school.
6. **Check Out-** Early departure from school
7. **Destructive device**
 1. Any explosive, incendiary, or poison gas, bomb, grenade, or rocket having a propellant charge of more than four ounces, missile, having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.
 2. Any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known will, or may be readily converted to, expel a projective by the action of an explosive or other propellant, and that has a barrel with a bore of more than one-half inch in diameter.
 3. Any combination of parts either designed or intended for use in converting any device that may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device.
8. **Detention-** Detaining a student for disciplinary reasons before or after school hours
9. **Disruptive behaviors-**A violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.
10. **Expulsion-** Any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of expulsion.
11. **Firearm-** any weapon prohibited on school property or at a school sponsored activity pursuant to Va. Code sec. 18.2-308.1 or (1) any weapon, including a started gun, that will, or is designed to or may readily be converted to, expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device.
12. **Immediate Removal-**If the principal or his/hr designee determines that the student's presence at school creates a continuing danger to persons or property or an ongoing threat of disruption, the student may be removed from school immediately.
13. **Interventions-**Referral, time-out, after-school and in-school detention, behavioral contract, probation contract, alternative education program, mediation, written communication, counseling, parent/pupil conference, modification of student classroom assignment or schedule, referral to student support services, suspension of student privileges for a specified period, removal from

class, initiation of child study process, referral to in-school intervention, or community service programs.

14. **Long-Term Suspension**-any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.
15. **Probation Contract**-A written agreement with the student for a defined period of good behavior in lieu of suspension.
16. **Reinstatement**-For students, who have been expelled by the Discipline Committee, the school board may consider a written request for readmission to school after one calendar year from the date of expulsion; such a request should be accompanied by evidence that the student has corrected inappropriate behaviors and has established acceptable patterns of conduct.
17. **Referral**-To school counselor, student support team, psychologist, social worker, or other.
18. **Restriction**-The temporary denial of the student's right to participate in designated activities.
19. **School Property**-Any real property owned or leased by the school board or any other vehicle owned or leased by the school board or operated by or on behalf of the school board.
20. **Short-term suspension**-Any disciplinary action whereby a student is not permitted to attend school for a period to not exceed ten school days.
21. **Skip**-Absence or early departure from assigned classroom or learning location without checking out through the office.
22. **Staffing**-A meeting of school personnel and others to consider the behavior of the student and make recommendations for improvement.
23. **Tardy**-Late arrival to assigned classroom or learning location.
24. **Time-Out**-The temporary removal of a student from class.
25. **Truancy**-Absences which are unverified.
26. **Written communication**-A letter, progress report, or other communication, sent to the parent/guardian.

Procedures for Reporting Long-Term Suspensions and Expulsions

A. Regular Education Students

1. "Student A" is suspended for ten days by an administrator and referred to a hearing.
2. "Student A's" attendance should be marked as a suspension until the absences reach 15 consecutive days. On the 16th day, the student will be withdrawn from school as a W9.
3. Within the 10 day period, "Student A's" hearing will be held and a recommendation will be sent to the Superintendent. When the Superintendent of the school board has come to a final decision and the timeline for any appeals has expired, a final check sheet will be sent to the administrative team by the Director of Administration.
4. When the final decision is received, all issues (homebound, attendance, and the withdrawal date) will be reconciled based on the final decision.
5. Scenarios:
 - a. If "Student A" is allowed to come back to school (including The Cougar Center): "Student A" should be marked suspended until he/she returns to school.
 - b. If "Student A" is given a long-term suspension: "Student A" should be withdrawn on the 16th day of suspension. When the final decision is made, the withdrawal day should be changed to the date after which the incident occurred. When the student returns he will be reentered.

- c. If “Student A” is expelled: “Student A” should be withdrawn on the 16th day. If the final decision is expulsion, then the student should be withdrawn the day immediately following the incident date.

B. Special Education/504 Students

1. “Student B” is suspended for ten days and referred to a hearing. These suspension days should be marked in attendance. An MDR will be held prior to the hearing.
2. If a causal relationship is found, the student will immediately return to school and the attendance should be reconciled.
3. Homebound instruction should be set up for the student as soon as the MDR is completed and no causal relationship is found. Homebound instruction should begin by the 11th day of suspension. The student should remain on homebound instruction until a final decision is reached by the Superintendent or the School Board.
4. After the hearing is held, the final decision will be made by the Superintendent or the School Board. When the Superintendent or the School Board have come to a final decision and the timeline for any appeals has expired, a final check sheet will be sent to the administrative team by the Coordinator of Student Services.
5. When the final decision is received, all information (home schooling, attendance, and the withdrawal date) will be reconciled based on the final decision. If necessary, the IEP committee will be convened to discuss any changes to “Student B’s” IEP.
6. Scenarios:
 - a. “Student B” returns to school after an MDR finds a causal relationship: Personnel will go in and delete the appropriate suspension days.
 - b. “Student B” is referred to a hearing after no causal relationship is found: Homebound instruction will be initiated on the day after the 10 day suspension. When a final decision is reached, the IEP committee will meet to change placement if needed.

Removals from Placement over 10 days for Students with Disabilities

To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 school days in a row, remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than 10 school days in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see Change of Placement Because of Disciplinary Removals for the definition, below). Once a child with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, the school division must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading Services.

Additional Authority

If the behavior that violated the student code of conduct was not a manifestation of the child’s disability (see Manifestation Determination, below) and the disciplinary change of placement would exceed 10 school days in a row, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under Services. The child’s IEP Team, which includes the parent(s), determines the interim alternative educational setting for such services.

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A school division is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed

A child with a disability who is removed from the child's current placement for more than 10 school days must: 1. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and 2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not happen again. After a child with a disability has been removed from his or her current placement for 10 school days in that same school year, and if the current removal is for 10 school days in a row or less and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Manifestation Determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that is for 10 school days in a row or less and not a change of placement), the school division, the parent, and relevant members of the IEP Team (as determined by the parent and the school division) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine: 1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or 2. If the conduct in question was the direct result of the school division's failure to implement the child's IEP. If the school division, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability. If the school division decides to change your child's placement because of behavior, you and the school staff must meet to determine if the behavior was connected to your child's disability. The school must also consider if the behavior was caused by the school division not following your child's IEP. 34 If the school division, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the school division's failure to implement the IEP, the school division must take immediate action to remedy those deficiencies.

Determination that Behavior was a Manifestation of the Child's Disability

If the school division, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either: 1. Conduct a functional behavioral

assessment, unless the school division had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or 2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior. Except as described below under the sub-heading Special circumstances, the school division must return the child to the placement from which the child was removed, unless the parent and the division agree to a change of placement as part of the modification of the behavioral intervention plan.

Special Circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child: 1. Carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of VDOE or a school division; 2. Knowingly has or uses illegal drugs (see the definition below), or sells or solicits the sale of a controlled substance, (see the definition below), while at school, on school premises, or at a school function under the jurisdiction of VDOE or a school division; or 3. Has inflicted serious bodily injury (see the definition below) upon another person while at school, on school premises, or at a school function under the jurisdiction of VDOE or a school division. Definitions Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)). Illegal drug means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law. If your child's behavior involves illegal or controlled drugs, a dangerous weapon, or serious bodily injury, the school division has greater flexibility to discipline your child. 35 Serious bodily injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code. It means "bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty." Weapon has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code and § 18.2-308.1 of the Code of Virginia. Dangerous weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 3 inches in length. Notification On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the school division must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS

A removal of a child with a disability from the child's current educational placement is a change of placement if: 1. The removal is for more than 10 school days in a row; or 2. The child has been subjected

to a series of removals that constitute a pattern because: a. The series of removals total more than 10 school days in a school year; b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another. Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school division and, if challenged, is subject to review through due process and judicial proceedings.

DETERMINATION OF SETTING

The Individualized Education Program (IEP) Team must determine the interim alternative educational setting for removals that are changes of placement, and removals under the headings Additional authority and Special circumstances, above. Your child's suspension from school can be considered to be a "change in placement," in some circumstances. 36

APPEAL

General The parent of a child with a disability may file a request for due process (see above) if he or she disagrees with: 1. Any decision regarding placement made under these discipline provisions; or 2. The manifestation determination described above. The school division may file a request for due process if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

For further information, please refer to:

http://www.doe.virginia.gov/special_ed/regulations/state/procedural_safeguards/english_procedural_safeguards.pdf

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