



**POWHATAN COUNTY**

**PUBLIC SCHOOLS**

Inspiring · Empowering · Innovating

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# 2022-2023 Student Rights and Responsibilities

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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, effective 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.

A safe, supportive, effective school environment:

- Fosters social and physical safety;
- Provides support that enables students and staff to realize high behavioral expectations;
- Ensures effective academic instruction that provides opportunities for authentic instructional engagement with high rates of positive, task specific feedback to master rigorous academic standards;
- Encourages and maintains respectful, trusting, and caring relationships throughout the school community; and
- Provides the resources, services, and supports to every school community to ensure equitable access to education and to achieve equitable outcomes in education for all students.

This guide for Student Rights and Responsibilities provides the minimum standards of behavior for all students enrolled in Powhatan County Public Schools. This guide specifically outlines major categories of behavioral expectations. It also 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, 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](http://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/guardians 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.

<b>Flat Rock Elementary School</b>	<b>804.598.5743</b>	Mrs. Isabella Worrell, Principal Mrs. Meghan Ellis, Assistant Principal
<b>Pocahontas Elementary School</b>	<b>804.598.5717</b>	Mr. Thomas Sulzer, Principal Mrs. Amanda Johnson, Assistant Principal
<b>Powhatan Elementary School</b>	<b>804.598.5730</b>	Mrs. Constance Deal, Principal Mrs. Karen Gobble, Assistant Principal
<b>Powhatan Middle School</b>	<b>804.362.2500</b>	Dr. Samantha Martin, Principal Mr. Jon Ferguson, Assistant Principal Mrs. Christine Phaup, Assistant Principal
<b>Powhatan High School</b>	<b>804.598.5710</b>	Dr. Chris Sumner, Principal Mr. Aaron Boughner, Assistant Principal Dr. Alecia Clements, Assistant Principal Mrs. Kami Louth, Assistant Principal
<b>School Board Office</b> Dr. Beth Teigen Mrs. Shelia Eggleston Dr. Lynn Clayton-Prince  Mr. Lloyd Banks Dr. Tracie Omohundro Mr. Jeffrey Durrett Mrs. Terri Allison Dr. Cheryl Thomas Mr. Bob Benway Mrs. Katie Wojcicki Mrs. Kathy Conner	<b>804.598.5700</b>	Division Superintendent Executive Assistant to the Superintendent Assistant Superintendent of Special Education/Equity & Diversity Director of Finance Assistant Superintendent of Instruction Director of Administration Technology Director of Human Resources Director of Elementary Instruction Director of Facilities Director of Student Services and Interventions Disciplinary Review Hearing Officer
<b>Transportation</b> Mr. Andy West	<b>804.598-5706</b>	Director of Transportation

# STUDENT BEHAVIOR CATEGORIES

Students are entitled to an environment conducive to learning. Students shall not engage in conduct that is or is intended to interrupt 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.

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. The categories are a means to sorting behaviors in order to apply leveled administrative responses to student behaviors.

**A. Behaviors that Impede Academic Progress (BAP):** These behaviors impede academic progress of the student or of students. They are typically indicative of the student's lack of self-management or self-awareness. Sometimes, the student may need help in understanding how the behavior impacts others so training in social awareness may also be indicated.

**B. Behaviors Related to School Operations (BSO):** These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social awareness skills.

**C. Relationship Behaviors (RB):** These behaviors create a negative relationship between two or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.

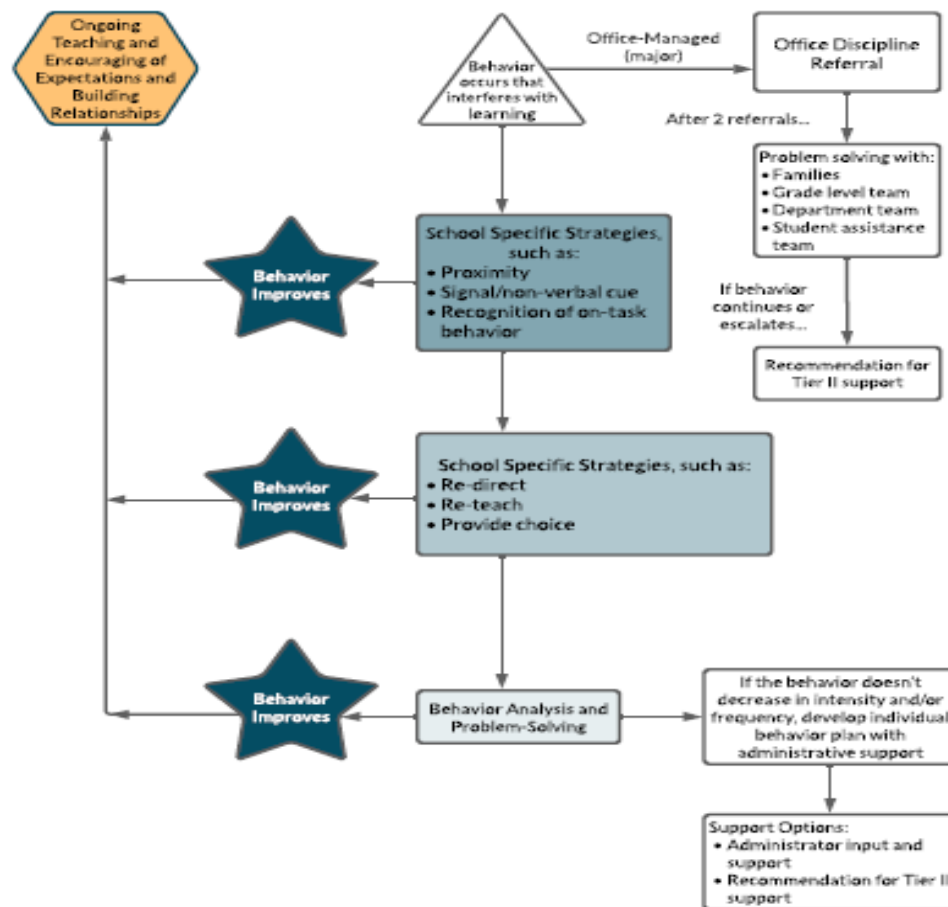
**D. Behaviors that Present a Safety Concern (BSC):** These behaviors create unsafe conditions for students, staff, and visitors to the school. The underlying reasons for this type of behavior may lie in any of the social-emotional competencies so the administrator should investigate the underlying motivation for the student's behavior. Training in social awareness and decision-making are usually indicated in any behavior that creates a safety concern.

**E. Behaviors that Endanger Self or Others (BESO):** These behaviors endanger the health, safety, or welfare of either the student or others in the school community. Behaviors that rise to this level of severity are often complex and may also require a more integrated response.

# CONTINUUM OF SUPPORT

School personnel set classroom- and school-level expectations. Student behaviors may be addressed at the classroom level and/or the administrative level. These behaviors require teachers and administrators to take the appropriate actions which should include interventions and/or consequences. Each school develops a process for classroom-managed and office-managed behaviors utilizing this type of flow chart.

**Discipline Process Flow Chart:**  
**Continuum of Support for Discouraging Inappropriate Behavior**



Adapted from MO SW-PBS, 10.2014

Teachers will notify parents/guardians as needed for classroom-managed behaviors. For office-managed behaviors, a principal or principal's designee shall notify the student's parents/guardians. Behaviors exceeding the ability to be managed at the classroom and/or office level may be referred for division-level responses.

# LEVELED RESPONSES TO STUDENT BEHAVIOR

PCPS has worked to establish an effective approach to intervention and discipline. In addition to creating a positive educational climate, having proactive classroom management routines, and providing teaching and reinforcement for clear school-wide expectations, PCPS has developed a set of leveled responses that school administrators will use when responding to student discipline. The Virginia Department of Education's *Model Guidance for Positive and Preventative Code of Student Conduct Policy and Alternatives to Suspension* states:

In an effective approach to intervention and discipline, when students do not meet behavioral expectations, they receive supports to address the root causes of the behavior and learn appropriate alternatives. When a specific student behavior does not change following an intervention—or the behavior increases in frequency, intensity, or duration—a problem solving approach identifies alternative interventions and responses. All stages of a system of intervention should include opportunities for learning acceptable replacement behaviors within the school and community and access to interventions to address the underlying causes of behavior.

Delivering disciplinary responses to unwanted behaviors is often needed but never a sufficient strategy for reducing inappropriate behavior. Therefore, leveled systems of disciplinary responses should always be only one part of more comprehensive policy around behavior that includes instructional, preventive, and proactive strategies as described earlier in this document. The delivery of disciplinary responses should only serve four key functions:

- preventing a negative behavior from being rewarded;
- preventing a problem behavior from escalating;
- preventing a problem behavior from significantly interrupting instruction; and
- preventing physical and/or social-emotional harm to others.

PCPS has developed levels of responses to student behavior that shall be used at the level noted in the Student Behavior and Response Charts, but also may include lower level responses in order to provide additional instructional, preventive, and proactive strategies.

## Level 1 Responses to Student Behavior

Any of the following Level 1 responses may be used to address behavioral issues while keeping the student in school.

Elementary (Grades PK-5) Level 1 Responses	Secondary (Grades 6-12) Level 1 Responses
<ul style="list-style-type: none"><li>• Behavior progress chart</li><li>• Community service (appropriate to correct the behavior)</li><li>• Confiscation</li><li>• Detention</li><li>• Mediation or conflict resolution</li><li>• Parent/Guardian conference</li><li>• Recognize/reinforce appropriate behavior</li><li>• Restitution</li></ul>	<ul style="list-style-type: none"><li>• Administrator/Teacher/Parent/Guardian conference</li><li>• Behavior progress chart</li><li>• Community service (appropriate to correct the behavior)</li><li>• Confiscation</li><li>• Detention</li><li>• Mediation or conflict resolution</li><li>• Recognize/reinforce appropriate behavior</li></ul>



Elementary (Grades PK-5) Level 1 Responses (cont.)	Secondary (Grades 6-12) Level 1 Responses (cont.)
<ul style="list-style-type: none"> <li>• Re-teaching or modeling of expected behavior</li> <li>• Seat change</li> <li>• Student conference with appropriate staff (includes re-teaching of expected behavior)</li> <li>• Student contract</li> <li>• Temporary loss of privileges (school, class, transportation, or extra-curricular)</li> <li>• Written reflection or letter of apology</li> </ul>	<ul style="list-style-type: none"> <li>• Restitution</li> <li>• Re-teaching or modeling of expected behavior</li> <li>• Seat change</li> <li>• Student conference with appropriate staff (includes re-teaching of expected behavior)</li> <li>• Student contract</li> <li>• Temporary loss of privileges (school, class, transportation, or extra-curricular); restricted day</li> <li>• Written reflection or letter of apology</li> </ul>

## Level 2 Responses to Student Behavior

Administrative responses and interventions at Level 2 are designed to address behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.

Elementary (Grades PK-5) Level 2 Responses	Secondary (Grades 6-12) Level 2 Responses
<ul style="list-style-type: none"> <li>• Behavior contract (developed with and signed by the student, parent/guardian, and school officials)</li> <li>• In-school suspension with behavioral interventions, academic support, and/or restorative practices (one to three days)</li> <li>• Refer to Student Assistance Team</li> <li>• Referral for community-based services</li> <li>• Referral to appropriate collaborative support services</li> <li>• Referral to Individualized Education Plan (IEP) Team and/or School Based Team</li> <li>• Schedule change</li> <li>• Student Behavioral Assessment and/or Student Behavior Plan Development</li> </ul>	<ul style="list-style-type: none"> <li>• Behavior contract (developed with and signed by the student, parent/guardian, and school officials)</li> <li>• Check-In/Check-Out</li> <li>• In-school suspension with behavioral interventions, academic support, and/or restorative practices (one to three days)</li> <li>• Referral for community-based services</li> <li>• Referral to appropriate collaborative support services</li> <li>• Referral to Individualized Education Plan (IEP) Team and/or School Based Team</li> <li>• Removal from class (one class period)</li> <li>• Saturday school</li> <li>• Schedule change</li> <li>• Student Behavioral Assessment and/or Student Behavior Plan Development</li> </ul>

## Level 3 Responses to Student Behavior

Dependent upon the severity, chronic nature of the behavior and/or safety concerns, Level 3 behaviors may result in the student's short-term removal from school.

Elementary (Grades PK-5) Level 3 Responses	Secondary (Grades 6-12) Level 3 Responses
<ul style="list-style-type: none"> <li>• In-school suspension with behavioral interventions, academic support and/or restorative practices (three plus days, not to exceed five days)</li> <li>• Referral for community-based services</li> <li>• Referral to student support services</li> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> </ul>	<ul style="list-style-type: none"> <li>• In-school suspension with behavioral interventions, academic support and/or restorative practices (three plus days, not to exceed five days)</li> <li>• Referral to alternative education programs Referral for community-based services</li> <li>• Referral to student support services</li> </ul>

Elementary (Grades PK-5) Level 3 Responses (cont.)	Secondary (Grades 6-12) Level 3 Responses (cont.)
<ul style="list-style-type: none"> <li>• Short-term out-of-school suspension (one to three days) with re-entry plan meeting</li> <li>• Threat Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> <li>• Short-term out-of-school suspension (one-to three days) with re-entry plan meeting</li> <li>• Threat Assessment</li> </ul>

## Level 4 Responses to Student Behavior

Some Level 4 behaviors require a report to the superintendent or superintendent's designee as outlined in the *Code of Virginia* § 22.1-279.3:1. A referral to the superintendent or superintendent's designee does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the superintendent or designee may return students to the comprehensive setting with additional supports and/or responses to be implemented.

Elementary (Grades PK-5)	Secondary (Grades 6-12)
<ul style="list-style-type: none"> <li>• Recommendation for a long-term suspension</li> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> <li>• Short-term out-of-school suspension (one to three days for preschool to grade three students, four to ten days for grade four/five students)</li> <li>• Threat Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Recommendation for a long-term suspension</li> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> <li>• Short-term out-of-school suspension (four to ten days for secondary students)</li> <li>• Threat Assessment</li> </ul>

## Level 5 Responses to Student Behavior

Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. For preschool to grade three students, any suspension beyond three days must be referred to the superintendent.

Elementary (Grades PK-5)	Secondary (Grades 6-12)
<ul style="list-style-type: none"> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> <li>• Referral to Superintendent or designee <i>Examples of superintendent or designee Level 5 responses</i> <ul style="list-style-type: none"> <li>○ <i>Alternative placement</i></li> <li>○ <i>Expulsion</i></li> <li>○ <i>Long term suspension</i></li> </ul> </li> <li>• Required School-based Administrative Level 5 Responses</li> <li>• Required Threat Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Report to School Resource Officer as required by school board policy and Code of Virginia</li> <li>• Referral to Superintendent or designee <i>Examples of superintendent or designee Level 5 responses</i> <ul style="list-style-type: none"> <li>○ <i>Alternative placement</i></li> <li>○ <i>Expulsion</i></li> <li>○ <i>Long term suspension (11 to 45 days as defined in § 22.1-276.01)</i></li> </ul> </li> <li>• Required School-based Administrative Level 5 Behaviors Responses</li> <li>• Required Threat Assessment</li> </ul>

## Descriptions of Leveled Responses

**Alternative Education Program.** Students may be assigned to another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. 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.

**Alternative Placements of Students.** Under certain circumstances, the School Board may require a student to attend an alternative education program. In addition, the School Board may require a student 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/guardian, to participate in a treatment program.

**Behavior Progress Chart.** Charts that are used to promote positive behaviors and helps students to monitor progress towards behavior goals.

**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.

**Check-In/Check-Out.** A support program of daily coaching and monitoring of student behavior.

**Collaborative Support Service.** School- and division-based student services personnel.

**Community-Based Services.** External partners and local agencies that offer services designed to support students and families.

**Conference.** Includes, but not limited to, informal or formal meetings with the student and/or the parents/guardians regarding the student's conduct – virtual, by phone, or in-person.

**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/guardian, or handed over to law enforcement officials.

**Detention. After-school/Saturday school** - Required school attendance outside of regular school hours; **In-school** - Temporary removal from regular non-academic daily programming.

**Expulsion.** Any disciplinary action imposed by the 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 the expulsion.

**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.

**In-School Suspension.** Temporary removal from regular academic daily programming.

**Long-term suspension** means any disciplinary action whereby a student is not permitted to attend school for 11-364 calendar days.

**Mediation.** Using a third party for conflict resolution.

**Modification of student seating, assignment or schedule.** A temporary or permanent change.

**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.

**Restitution.** The replacement of, or payment for property taken, damaged or destroyed by a student will be required of the student and/or parent/guardian.

**Restorative Practice.** A strategy that seeks to repair relationships.

**Restricted Day.** A temporary behavior improvement plan with school-specific procedures designed to limit a student's interactions while monitoring his/her adherence to school expectations.

**School Based Team.** Team to explore the suspected present of a student disability.

**Short-term suspension** means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

**Student Assistance Team.** Team formed to generate ideas for interventions designed to address the root or cause of behavior.

**Student Behavior Plan.** A written plan to support and monitor student behavior.

**Student Behavioral Assessment.** A process to determine the underlying cause or functions of a child's behavior that impede the learning of the child

**Student Contract.** A written plan for student behavior expectations, interventions, academics, and/or supports.

**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.

# STUDENT BEHAVIOR AND RESPONSE CHARTS

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents/guardians, and counselors of students' social-emotional development and emphasize the importance of helping students achieve academically and develop social-emotional competencies. Some behaviors require reporting to law enforcement or a victim count. Those behaviors are noted in the column *Report to SRO* (school resource officer)/VC (victim count).

## Category A: Behaviors that impede the Academic Progress (BAP) of the student or other students

These behaviors impede academic progress of the student or of students. They are typically indicative of the student's lack of self-management or self-awareness. Sometimes, the student may need help in understanding how the behavior impacts others so training in social awareness may also be indicated.

### ELEMENTARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Behaviors that Impede the Academic Progress (BAP) of the student or of other students	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BAP1	Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)		X	X			
BAP2	Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)		X	X			
BAP3	Scholastic dishonesty (cheating, plagiarism)		X				
BAP4	Unexcused tardiness to class		X				
BAP5	Unexcused tardiness to school		X				
BAPOTH	Behavior that impedes academic progress (Other) May only be used with VDOE approval		X	X			

### SECONDARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Behaviors that Impede the Academic Progress (BAP) of the student or of other students	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BAP1	Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)		X	X			
BAP2	Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)		X	X			
BAP3	Scholastic dishonesty (cheating, plagiarism)		X				
BAP4	Unexcused tardiness to class		X				
BAP5	Unexcused tardiness to school		X				
BAPOTH	Behavior that impedes academic progress (Other) May only be used with VDOE approval		X	X			

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.

### **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.

### **Plagiarism**

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

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## **Category B: Behaviors Related to School Operations (BSO)**

These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social awareness skills.

### **ELEMENTARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS**

Code	Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
<b>BSO1</b>	Altering an official document or record		X	X			
<b>BSO2</b>	Giving false information, misrepresentation		X	X			
<b>BSO3</b>	Refusal to comply with requests of staff in a way that interferes with the operation of school		X	X	X		
<b>BSO4</b>	Failure to be in one's assigned place		X	X			
<b>BSO5</b>	Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday School)		X	X	X		
<b>BSO6</b>	Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building		X	X			
<b>BSO7</b>	Dress Code Violation		X				
<b>BSO8</b>	Gambling (games of chance for money or profit)		X	X			
<b>BSO9</b>	Possessing items that are inappropriate for school (examples include toys, literature, electronics)		X	X			
<b>BSO10</b>	Possession of stolen items	VC	X	X	X		
<b>BSO11*</b>	Unauthorized use of school electronic or other equipment		X	X	X		
<b>BSO12*</b>	Violation of the Acceptable Use of Technology/internet policy		X	X	X		
<b>BSO13*</b>	Violation of school board policy regarding the possession or use of portable communication devices		X	X	X		
<b>BSO14</b>	Vandalism, graffiti or other damage to school or personal property		X	X	X		
<b>BSOOTH</b>	Behavior that interferes with school operations (other) May only be used with VDOE approval		X	X	X		

## SECONDARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BSO1	Altering an official document or record		X	X			
BSO2	Giving false information, misrepresentation		X	X	X		
BSO3	Refusal to comply with requests of staff in a way that interferes with the operation of school		X	X	X		
BSO4	Failure to be in one's assigned place		X	X			
BSO5	Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday School)		X	X	X		
BSO6	Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building		X	X	X		
BSO7	Dress Code Violation		X				
BSO8	Gambling (games of chance for money or profit)		X	X			
BSO9	Possessing items that are inappropriate for school (examples include toys, literature, electronics)		X	X	X	X	
BSO10	Possession of stolen items	VC	X	X	X		
BSO11*	Unauthorized use of school electronic or other equipment		X	X	X		
BSO12*	Violation of the Acceptable Use of Technology/internet policy		X	X			
BSO13*	Violation of school board policy regarding the possession or use of portable communication devices		X	X			
BSO14	Vandalism, graffiti or other damage to school or personal property		X	X	X		
BSSOOTH	Behavior that interferes with school operations (other) May only be used with VDOE approval		X	X	X	X	

\*Refer to the Standards for Acceptable Student Use of Technology.

### Falsification

Students shall not forge the signature of anyone, including parents/guardians or staff members. Students shall not alter school documents. 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.

### Refusal to comply

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

See [Dress Code](#)

See [Technology - Acceptable Use Policy](#)

### Electronic Devices

Students are provided school-issued electronic devices to access instructional content. At all levels, the use of personal electronic devices (including but not limited to, cell phones, blue tooth devices, cameras, electronic games, e-readers) during the school day is prohibited.

Middle School students who bring cell phones to school for the purpose of communicating after school hours must keep them silenced and away (i.e. gym locker, book bag, purse, out of sight). High School students may use them only during lunch and transitions.

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. Parents/guardians and students who bring personal electronic devices onto school property do so at their own risk

### **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.

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## **Category C: Relationship Behaviors (RB)**

These behaviors create a negative relationship between two or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.

### **ELEMENTARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS**

Code	Relationship Behaviors (RB) create a negative relationship between 2 or more members of the school community (No physical harm is done)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
<b>RB1</b>	Bullying with no physical injury	VC	X	X	X		
<b>RB2</b>	Cyberbullying	VC	X	X	X		
<b>RB3</b>	Posting, distributing, displaying or sharing material or literature that is libelous, including using electronic means to post such material		X	X	X	X	
<b>RB4</b>	Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature		X	X	X	X	
<b>RB5</b>	Stealing money or property without physical force	VC	X	X	X		
<b>RB6</b>	Speaking to another in an uncivil, discourteous manner		X	X			
<b>RB7</b>	Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight		X	X	X		
<b>RB8</b>	Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)		X	X	X		



Code	Relationship Behaviors (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
RB9	Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability	VC	X	X	X		
RB10	Failure to respond to questions or request by staff		X	X	X		
RB11	Unwanted or inappropriate physical contact		X	X	X	X	
RBOTH	Relationship behaviors (other) May only be used with VDOE approval		X	X	X	X	

## SECONDARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Relationship Behaviors (RB) create a negative relationship between 2 or more members of the school community (No physical harm is done)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
RB1	Bullying with no physical injury	VC	X	X	X		
RB2	Cyberbullying	VC	X	X	X		
RB3	Posting, distributing, displaying or sharing material or literature that is libelous, including using electronic means to post such material		X	X	X	X	
RB4	Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature		X	X	X	X	
RB5	Stealing money or property without physical force	VC	X	X	X		
RB6	Speaking to another in an uncivil, discourteous manner		X	X			
RB7	Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight		X	X	X		
RB8	Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)		X	X	X	X	
RB9	Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability	VC	X	X	X	X	
RB10	Failure to respond to questions or request by staff		X	X	X		
RB11	Unwanted or inappropriate physical contact		X	X	X	X	
RBOTH	Relationship behaviors (other) May only be used with VDOE approval		X	X	X	X	

Bullying or harassment of any student is prohibited, regardless of where it originated, if it disrupts the educational environment.

### 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. The principal or designee shall notify the parent/guardian of any student involved in an alleged incident of bullying and of the status of any investigation.

### **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.

### **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 based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when: submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's education; or that conduct or communication substantially or unreasonably interferes with an individual's education, or creates an intimidating, hostile or offensive educational environment.

### **Stealing / Larceny**

Unlawful taking or carrying away of someone else's personal property with the intent to deprive the owner of it permanently. 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 school system will not be responsible for lost or stolen property. Students who bring valuables onto school property do so at their own risk.

### **Bystander**

Witness to bullying, cyberbullying, and fights without intervening or requesting adult assistance. They stand by, watch, or film, or share filmed events digitally.

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## **Category D. Behaviors that Present a Safety Concern (BSC)**

These behaviors create unsafe conditions for students, staff, and visitors to the school. The underlying reasons for this type of behavior may lie in any of the social-emotional competencies so the administrator should investigate the underlying motivation for the student's behavior. Training in social awareness and decision-making are usually indicated in any behavior that creates a safety concern.

### **ELEMENTARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS**

Code	Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school	Report to SRO/V C	Level 1	Level 2	Level 3	Level 4	Level 5
BSC1	Alcohol: Possessing or using alcohol	SRO			X	X	X
BSC2	Alcohol: Distributing alcohol to other students	SRO				X	X
BSC3	Drugs: Possessing drug paraphernalia	SRO	X	X	X	X	

Code	Category D: Behaviors of a Safety Concern (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BSC5	Tobacco: Possessing/Using/Distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment	SRO	X	x	X		
BSC6	Bullying* Behavior without physical injury that continues after intervention. Bullying that leads to physical injury should be classified as Assault and Battery.	VC		X	X	X	
BSC7	Cyberbullying* that continues after intervention. Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.	VC	X	X	X	X	
BSC8	Harassment*: Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment				X	X	X
BSC9	Bus: Distracting the bus driver		X	X	X		
BSC10	Bus: Endangering the safety of others on the bus		X	X	X		
BSC11	Fire alarm: Falsely activating a fire or other disaster alarm		X	X	X		
BSC12	Fire related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke		X	X	X		
BSC13	Engaging in reckless behavior that creates a risk of injury to self or others		X	X	X		
BSC14	Fighting - no injury			X	X	X	
BSC15	Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students			X	X	X	X
BSC16	Throwing an object that has the potential to cause a disturbance, injury, or property damage		X	X	X		
BSC17	Shoving, pushing striking a student with no visible injury		X	X	X		
BSC18	Exposing body parts, lewd or indecent public behavior	VC	X	X	X		
BSC19	Physical contact of a sexual nature – patting body parts, pinching, tugging clothing	VC	X	X	X	X	
BSC20/PD3	Physical sexual aggression and/or forcing another to engage in sexual activity; Sexual Assault	SRO/VC				X	X
BSC21	Stalking as described in the <i>Code of Virginia section 18.2 -60.3</i>	VC				X	X
BSC22	Stealing money or property using physical force (no weapon involved)	VC	X	X	X		
BSC23/PD7	Stealing money or property or attempting to steal money or property using weapons or dangerous instruments	SRO/VC				X	X
BSC24	Leaving school grounds without permission		X	X	X		
BSC25	Trespassing			X	X		
BSC26	Possessing dangerous instruments/substances that could be used to inflict harm upon another		X	X	X		

Code	Category D: Behaviors of a Safety Concern (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
<b>BSC27</b>	Weapons: Possessing any weapon (other than a firearm) as defined by § 18.2-308.1. Weapons shall include, but is not limited to, guns, firearms, blank guns, starter guns, pellet guns, air guns, toy guns, tear gas guns, chemical weapons, knives, metallic knuckles, blackjacks, explosive devices, joined rings, and other objects which may be used as weapons or imitation weapons.	SRO			X	X	X
<b>BSCOTH</b>	Behavior of a Safety Concern (other) May only be used with VDOE approval		X	X	X	X	X

## SECONDARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
<b>BSC1</b>	Alcohol: Possessing or using alcohol	SRO				X	X
<b>BSC2</b>	Alcohol: Distributing alcohol to other students	SRO				X	X
<b>BSC3</b>	Drugs: Possessing drug paraphernalia	SRO		X	X	X	
<b>BSC4</b>	Drugs: Violating school board non-prescription (Over the counter) medication policy or look-alike drug policy		X	X	X		
<b>BSC5</b>	Tobacco: Possessing/Using/Distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment	SRO		X	X	X	
<b>BSC6</b>	Bullying* Behavior without physical injury that continues after intervention. Bullying that leads to physical injury should be classified as Assault and Battery.	VC		X	X	X	
<b>BSC7</b>	Cyberbullying* that continues after intervention. Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.	VC		X	X	X	
<b>BSC8</b>	Harassment*: Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment				X	X	X
<b>BSC9</b>	Bus: Distracting the bus driver		X	X	X		
<b>BSC10</b>	Bus: Endangering the safety of others on the bus		X	X	X		
<b>BSC11</b>	Fire alarm: Falsely activating a fire or other disaster alarm		X	X	X		
<b>BSC12</b>	Fire related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke		X	X	X		
<b>BSC13</b>	Engaging in reckless behavior that creates a risk of injury to self or others		X	X	X		
<b>BSC14</b>	Fighting - no injury			X	X	X	
<b>BSC15</b>	Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students			X	X	X	X

Code	Category D: Behaviors of a Safety Concern (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BSC17	Shoving, pushing striking a student with no visible injury		X	X	X		
BSC18	Exposing body parts, lewd or indecent public behavior	VC	X	X	X	X	
BSC19	Physical contact of a sexual nature – patting body parts, pinching, tugging clothing	VC	X	X	X	X	
BSC20/PD3	Physical sexual aggression and/or forcing another to engage in sexual activity; Sexual Assault	SRO/VC				X	X
BSC21	Stalking as described in the <i>Code of Virginia section 18.2 -60.3</i>	VC				X	X
BSC22	Stealing money or property using physical force (no weapon involved)	VC			X	X	
BSC23/PD7	Stealing money or property or attempting to steal money or property using weapons or dangerous instruments	SRO/VC				X	X
BSC24	Leaving school grounds without permission		X	X			
BSC25	Trespassing			X	X		
BSC26	Possessing dangerous instruments/substances that could be used to inflict harm upon another				X	X	
BSC27	Weapons: Possessing any weapon (other than a firearm) as defined by § 18.2-308.1.	SRO			X	X	X
BSCOTH	Behavior of a safety concern (Other) May only be used with VDOE approval		X	X	X	X	X

### Possession, Use, Sale, or Distribution of 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, or
- related paraphernalia.

Students are required to maintain over-the-counter, non-prescription medications for personal use in the clinic. 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.

**“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 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 or similar product or device.

\* See Category C for definitions of **Bullying, Cyberbullying, Harassment, and Stealing/Larceny**

See Transportation

**Fire Alarm**

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).

**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.

**Stalking**

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.

**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.

**Other weapons**

Carrying, bringing, using or possessing 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 principal or the superintendent or superintendent's designee is prohibited, and grounds for disciplinary action. 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 nunchahka, nun chuck, nunchaku, shuriken, 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 or oriental dart,
- explosives, and destructive devices as defined in Va. Code § 22.1-277.07, or other dangerous articles and other dangerous articles.

## Category E. Behaviors that Endanger Self or Others (BESO)

These behaviors endanger the health, safety, or welfare of either the student or others in the school community. Behaviors that rise to this level of severity are often complex. While they are indicative of poor decision-making skills, students who exhibit these behaviors may also have developmental needs in the other social-emotional competencies.

### ELEMENTARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community.	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BESO1	Intending to cause physical injury to another person (Assault)	VC		X	X		
BESO2	Causing physical injury to another person (Assault and Battery)	SRO/VC			X	X	X
BESO3	Fighting: The use of physical violence between students or on another person where there is minor injury			X	X	X	
BESO4	Striking Staff: The use of force against a staff member when no injury is caused	VC	X	X	X	X	
BESO5	Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO			X	X	X
BESO6	Drugs: Being under the influence of controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO				X	X
BESO7	Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO				X	X
BESO8 / PD16	Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens or alcohol to another student(s)	SRO				X	X
BESO9	Fire: Attempting to set, aiding in setting, or setting a fire	SRO			X	X	X
BESO10*	Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in <u>§18.2-46.1</u>	SRO			X	X	X
BESO11*	Hazing as defined in <u>§18.2-56</u> and noted in <u>§ 22.1-279.6</u> .	VC			X	X	X
BESO12*	Threatening, intimidating, or instigating violence, injury or harm to a staff member or members	VC	X	X	X	X	
BESO13*	Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s)	VC	X	X	X	X	
BESO14 / PD11-15	Possession of a firearm or destructive device as defined in <u>§ 22.1-277.07</u> .	SRO/VC	X	X	X	X	X
BESO15*	Using any weapon to threaten or attempt to injure school personnel	SRO/VC	X	X	X	X	X
BESO16*	Using any weapon to threaten or attempt to injure student(s), or other(s)	SRO/VC	X	X	X	X	X
BESO17*	Bomb threat – Making a bomb threat	SRO/VC				X	X

Code	Category E: Behaviors that Endanger Self or Others (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BESO18	A crime in the community where the student was charged with an offense relating to the Commonwealth's laws, which is not covered by any other behavior code, but required to be disclosed to the superintendent.						
BESOOTH	Behaviors that endanger self or others (other) May only be used with VDOE approval		X	X	X	X	X

\*Threats: Verbal, Written, or Physical (Must complete threat assessments with each behavior)

## SECONDARY SCHOOLS LEVELED RESPONSES TO STUDENT BEHAVIORS

Code	Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community.	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BESO1	Intending to cause physical injury to another person	VC		X	X		
BESO2	Causing physical injury to another person	SRO/VC			X	X	X
BESO3	Fighting: The use of physical violence between students or on another person where there is minor injury				X	X	
BESO4	Striking Staff: The use of force against a staff member when no injury is caused	VC		X	X	X	X
BESO5	Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO			X	X	X
BESO6	Drugs: Being under the influence of controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO				X	X
BESO7	Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications	SRO				X	X
BESO8 / PD16	Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens or alcohol to another student(s)	SRO				X	X
BESO9	Fire: Attempting to set, aiding in setting, or setting a fire				X	X	X
BESO10*	Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in <u>§18.2-46.1</u>				X	X	X
BESO11*	Hazing as defined in <u>§18.2-56</u> and noted in <u>§ 22.1-279.6</u> .	VC				X	X
BESO12*	Threatening, intimidating, or instigating violence, injury or harm to a staff member or members	VC		X	X	X	X
BESO13*	Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s)	VC		X	X	X	X
BESO14 / PD11-15	Possession of a firearm or destructive device as defined in <u>§ 22.1-277.07</u> .	SRO				X	X
BESO15*	Using any weapon to threaten or attempt to injure school personnel	SRO/VC				X	X
BESO16*	Using any weapon to threaten or attempt to injure student(s), or other(s)	SRO/VC				X	X



Code	Category E: Behaviors that Endanger Self or Others (cont.)	Report to SRO/VC	Level 1	Level 2	Level 3	Level 4	Level 5
BESO17*	Bomb threat – Making a bomb threat	SRO/VC				X	X
BESO18	A crime in the community where the student was charged with an offense relating to the Commonwealth's laws, which is not covered by any other behavior code, but required to be disclosed to the superintendent.						
BESOOTH	Behaviors that endanger self or others (other) May only be used with VDOE approval		X	X	X	X	X

\*Threats: Verbal, Written, or Physical (Must complete threat assessments with each behavior)

### 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: marijuana, controlled substances, illegal drugs, synthetic hallucinogens, or unauthorized prescription medications.

### Possession or Use of Medication and Prescription Drugs

Students are required to maintain prescribed medications for personal use in the clinic. 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. The 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.

### 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)

### Firearms

Firearm" means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. "Firearm" does not include any pneumatic gun.

**Weapons** shall include, but is not limited to, guns, firearms, blank guns, starter guns, pellet guns, air guns, toy guns, tear gas guns, chemical weapons, knives, metallic knuckles, blackjacks, explosive devices, joined rings, and other objects which may be used as weapons or imitation weapons.

### Bomb Threat

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.

# ATTENDANCE

## **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. For exceptions, refer to PCPS School Board policy JEA (Compulsory Attendance) and policy LBD (Home Instruction).

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.

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

Schools are required to notify parents/guardians 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/guardian 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/guardian 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/guardian to explain to the parent/guardian 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 supervision (CHINS) or (ii) instituting proceedings against the parent/guardian. Therefore, the following procedure shall be followed at each school:

1. An attendance clerk at each school shall contact the parents/guardians 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/guardian the consequence of continued non-attendance. The principal or designee, the pupil, and the parent/guardian 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/guardians, the school principal or designee shall schedule a truancy conference with the parent/guardian, principal, and school personnel to be held no later than ten school days after the 10<sup>th</sup> absence.
4. The conference team will continue to monitor and intervene as necessary.
5. If a parent/guardian 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/guardian 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/guardian 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. These absences may be excused, unexcused, or a combination. 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/guardian 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.

PCPS reports school attendance as required by the Learnfare requirement of the Temporary Assistance for Needy Families (TANF) program.

**Afterschool Activities**

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

**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. Students receiving homebound instruction may not be present on school grounds except with prior approval of an administrator.

**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.

**Principal Attendance Plan**

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

**Truancy Conference**

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

# 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, administrators shall use discretion regarding appropriate dress. Students must comply with specific building dress regulations which shall be made available. Parents/guardians of students requiring accommodations for religious beliefs, disabilities, or other reasonable circumstances should contact the principal.

***Students are to follow these guidelines:***

Headgear, including hats, caps, head coverings, hoods, and bandanas may not be worn inside the building except for any religious head covering.

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 chest.

No part of undergarments should be showing or worn as outer garments.

Students may not wear shorts, dresses, skirts, or other similar clothing that is shorter than the students' thumb with their arms hanging naturally at their sides. Swimming trunks and cuts-off may not be worn.

Sleepwear is prohibited.

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.

Clothing, jewelry, accessories, or body art 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 includes written or graphic material which intimidates or threatens individuals based on their race, national origin, disability or religion, including language or images of Confederate flags, swastikas, KKK references, or any other images that might reasonably be considered intimidating to others (per policy JFHA). 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.

# Transportation





To ensure student safety, students are expected to adhere to 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 or school vehicles.

Students must ride the bus to which they are assigned.

Drivers shall ensure that student behavior meets safety regulations. 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.

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

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.

Expectation	Waiting for the Bus 	Entering and Exiting the Bus 	Riding the Bus 	Bus Evacuation 
Be Safe	Stay visible.	Walk without pushing. Wait for the bus driver's signal. Hold handrail.	Stay seated. Keep aisles clear. Keep self and objects inside the bus. Follow Driver directions. Follow Student Code of Conduct.	Follow Driver Directions. Exit quickly and safely.
Be Responsible	Be on time.	Be seated quickly and slide over.	Use a quiet voice. Keep bus clean. Help others when appropriate.	Help others when appropriate.
Be Respectful	Pick up after yourself.	Greet your driver.	Keep your hands and feet to yourself. Speak to others the way you would like to be spoken to. Keep language and topics appropriate. Pick up after yourself. Take care of the bus.	Exit quickly and safely.

# TECHNOLOGY – ACCEPTABLE USE

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 resources.

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. Staff should not be using platforms without having the student privacy information vetted even if it is free. 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. 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 shall periodically review and approve the division's revised Acceptable Use Policy and implementation plan. The superintendent and board ensure the policy complies with current federal telecommunication codes, state, and local laws relating to Internet safety.
- 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.
- The Instructional and Technology departments 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-2, 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/guardians 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/guardians. Parents/guardians 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/guardians 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.

The Division uses Clever as a single-sign-on experience to protect student privacy and data. It is the recommendation of PCPS that all staff and students use the Clever portal to access platforms rather than saving passwords to a browser.

### **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 provided through PCPS exceeds 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/guardians, 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.

# DEFINITIONS AND NOTES

**Administrative Homebound Instruction** may be provided by the school for students who are removed from school by the division for disciplinary or other reasons.

**Disciplinary Hearing Officer**

The Superintendent's designee who is authorized to conduct disciplinary hearings pursuant to this policy.

**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.

**Restraint and Seclusion**

Procedures for restraint and seclusion are governed by Policy JM – Restraint and Seclusion of Students.

**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.

Reasonable suspicion is satisfied when two conditions exist: (1) the search is justified at its inception, meaning that there are reasonable grounds for suspecting that the search will reveal evidence that the student has violated or is violating the law or school rules, and (2) the search is reasonably related in scope to the circumstances that justified the search, meaning that the measures used to conduct the search are reasonably related to the objectives of the search and that the search is not excessively intrusive in light of the student's age and sex and the nature of the offense.

**Sheriff's Office**

School Resource Officers (SROs) and other police officers in schools should not be responsible for school discipline. Certain student behaviors may require notification to law enforcement. PCPS and the Powhatan Sheriff's Office has a Memorandum of Understanding (MOU) guiding this partnership.

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.

# SUSPENSIONS AND EXPULSIONS: DEFINITIONS, PROCEDURES, NOTIFICATIONS, APPEALS

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

Under certain circumstances, defined in the Code of Virginia and PCPS School Board Policy JGD/JGE, the School Board may require a student to attend an alternative education program. In addition, the School Board may require a student 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/guardian, to participate in a treatment program. In this event, the following will occur:

- written notice to the student and the student's parent/guardian that the student will be required to attend an alternative education program/treatment program, and
- notice of the opportunity for the student or the student's parent/guardian to participate in a hearing to be conducted by the superintendent or the superintendent's designee regarding the placement.
- If the student or the student's parent/guardian does wish to participate in a hearing regarding the placement, the student or parent/guardian must notify the superintendent or the superintendent's designee within 5 days of receiving the written notice.

## **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.

## **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.

## **Procedure for Appealing In-School Suspension or Bus Suspension**

A school administrator's decision to suspend a student may be appealed by the student's parent/guardian. An appeal of an in-school or bus suspension shall not hold the suspension in abeyance. A student shall remain on 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.

## **Student Suspension/Expulsion (Policy JGD) Update when policy JGD is updated (May/June**

### **I. Definitions**

As used in this policy,

“Alternative education program” is another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. Homebased instruction and online classes are examples of alternative educational programs.

“Destructive device” means (1) any explosive, incendiary, or poison gas, bomb, grenade, 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 that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. “Destructive device” does 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, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

“Disciplinary Hearing” is a formal review of a suspension or expulsion by a school-based administrator, or the Disciplinary Hearing Officer. The procedure for any disciplinary hearing shall be as follows:

- The disciplinary hearing officer, the student and his parent/guardian(s) and school administrators may attend a disciplinary hearing.
- The disciplinary hearing officer may ask for opening statements from the principal or his/her representative and the student or his parent/guardian(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.
- 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.

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

The student or his/her parent/guardian(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.

“Disruptive behavior” means a violation of school board policies or the Standards of Student Conduct issued by the superintendent pursuant to Policy JFC Student Conduct that interrupts or obstructs the learning environment.

“Exclusion” means a Virginia school board’s denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

“Expulsion” means 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 the expulsion. However, no student in grades K-3 may be expelled unless:

1. The student has been adjudicated delinquent or convicted of one of the offenses listed in subsection G of § 16.1-260 of the Code of Virginia;
2. The offense involves possession of a firearm, destructive device, firearm muffler, firearm silencer, or pneumatic gun on school property or at a school-sponsored activity;
3. The offense involves possession of a controlled substance, imitation controlled substance, or marijuana on school property or at a school-sponsored activity;
4. The offense involves physical harm or credible threat of physical harm to others; or
5. The Superintendent or the Superintendent’s Designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

“Firearm” means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for 11 to 364 calendar days. However, a long term suspension may not exceed 45 school days unless:

1. The student has been adjudicated delinquent or convicted of one of the offenses listed in subsection G of § 16.1-260 of the Code of Virginia;



2. The offense involves possession of a firearm, destructive device, firearm muffler, firearm silencer, or pneumatic gun on school property or at a school-sponsored activity;
3. The offense involves possession of a controlled substance, imitation controlled substance, or marijuana on school property or at a school-sponsored activity;
4. The offense involves physical harm or credible threat of physical harm to others; or
5. The Superintendent or the Superintendent's Designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

"Pneumatic gun" means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

"School property" means any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

"Short-term suspension" means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days. However, for students in grades K-3, a suspension may not extend beyond three school days unless:

1. The student has been adjudicated delinquent or convicted of one of the offenses listed in subsection G of § 16.1-260 of the Code of Virginia;
2. The offense involves possession of a firearm, destructive device, firearm muffler, firearm silencer, or pneumatic gun on school property or at a school-sponsored activity;
3. The offense involves possession of a controlled substance, imitation controlled substance, or marijuana on school property or at a school-sponsored activity;
4. The offense involves physical harm or credible threat of physical harm to others; or
5. The Superintendent or the Superintendent's Designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

"Disciplinary Hearing Officer" means "superintendent's designee" who is authorized to review suspensions and conduct disciplinary hearings pursuant to this policy.

## **II. Suspensions and Expulsions of Students Generally**

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

The superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after the suspension.

### **III. Short-Term Suspension**

A student may be suspended out-of-school for violations of the Student Code of Conduct. A student who is suspended out-of-school will be permitted to access and complete graded work during and after the suspension. The principal or assistant principal may suspend a student out-of-school for 10 days or, in the case of a student in grades K-3 for 3 days or less.

#### **A. Procedures Governing Short-Term Suspension**

##### **1. Informal Hearing**

Except in an emergency situation requiring the student's immediate removal, no student shall be suspended from school prior to having an informal hearing before the assistant principal or principal.

- a. At such an informal hearing, the student shall be informed of the charges and given an opportunity to respond.
- b. If the student denies the charges, the assistant principal or principal shall give the student an explanation of the evidence supporting the charges and an opportunity to explain his/her version of the facts.
- c. If appropriate, the assistant principal or principal may conduct a further investigation into the matter before taking action.

In emergency situations where a student's presence may pose a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, the student may be suspended from school immediately without the informal hearing set forth above. In such cases, the student shall be given the informal hearing as soon as possible, but not later than (3) school days after the immediate suspension.

##### **2. Notice of Suspension**

Once a decision to suspend is made, the assistant principal or principal shall observe the procedures listed below:

- a. The assistant principal or principal will attempt to notify the parent/guardian(s) as soon as possible by telephone, and shall notify the parent/guardian(s) and student in writing or electronically, of the suspension and the reasons thereof. The written notice shall also state any conditions of the suspension, e.g., required parental conference, prohibition of coming onto school property, and the date that the student may return to school; shall indicate any recommendation or referral for a disciplinary hearing; and shall also inform the parent/guardian(s) in writing that the suspension decision may be subject to review by the Superintendent/designee. Except in an emergency, a student is not to be dismissed during the school day without prior notice to the parent/guardian(s).
- b. A copy of the written notice of a suspension shall be transmitted by the assistant principal or principal to the Superintendent's designee within two school days.

#### **B. Review of Short-Term Suspension**

If a student is suspended by the assistant principal, the student and/or parent/guardian(s) may request in writing within two (2) school days that the principal review the suspension, which review will be on the record. 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. If a student is suspended by the principal, or a reviewed suspension has been upheld by the principal, the student and/or parent/guardian(s) may request in writing within two (2) school days that the Disciplinary Hearing Officer review the suspension, which review will be on the record. The decision of the Disciplinary Hearing Officer will be final. The failure to request a review of the suspension in writing within the prescribed time will constitute a waiver of the right to a review of the short term suspension. The suspension shall remain in place during the review process.

#### **IV. Long-Term Suspension**

If a student is recommended for long-term suspension or if a student in grades K-3 is recommended for a suspension in excess of three school days, the following procedures shall be observed:

##### **A. Procedures Governing Long-Term Suspension**

1. The principal and/or assistant principal shall notify the student's parent/ guardian(s) and the student in writing of the recommendation for long-term suspension and the reasons thereof.
2. A copy of the written notice of the recommendation for long-term suspension shall be transmitted to the Disciplinary Hearing Officer within two (2) school days.
3. The Disciplinary Hearing Officer will conduct a hearing within ten (10) days of the recommendation, or in the case of a student Grades K-3, within three (3) school days of the recommendation, unless the student and his/her parent/guardian(s) agree to an extension of the hearing.
4. The Disciplinary Hearing Officer may uphold the recommendation and/or recommend various forms of other disciplinary action, including, but not limited to, disciplinary probation, community service work assignments, placement in alternative education programs, or referral to other public agencies. Violation of a disciplinary probation contract may be cause for long-term suspension.
5. If the Disciplinary Hearing Officer long-term suspends the student, the principal, the student, and the student's parent(s) shall be advised in writing of the decision, including any conditions placed on the student and of the student's right to appeal the decision to the School Board.

##### **B. Notification of Long-Term Suspension**

1. The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs.
2. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension.
3. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

##### **C. Alternative Education Program**

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

##### **D. Appeal of Long-Term Suspension**

The appeal must be made in writing to the Superintendent within five (5) school days from the date of the decision or the right to appeal to the School Board will be waived. 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. Upon a timely appeal, the School Board will decide the appeal on the record within 30 days of the appeal. The suspension shall remain in place during the appeal process.

## **V. Expulsion**

Expulsion means 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 the expulsion.

### **A. Procedures Governing Expulsion**

If a student is recommended for expulsion, the following procedures shall be observed:

1. The principal shall notify the student's parent/guardian(s) and the student in writing of the recommendation for expulsion and the reasons thereof.
2. A copy of the written notice of the recommendation for expulsion shall be transmitted to the Disciplinary Hearing Officer within two (2) school days.
3. The student and his parent/guardian(s) may schedule a hearing with the disciplinary hearing officer. Should you desire such a hearing, you must so advise the DHO within (7) days after receipt of this notice.

The procedure for a recommendation for expulsion hearing before the DHO shall be as follows:

4. The disciplinary hearing officer will conduct a hearing in which school personnel and the student and his parent/guardian(s) will be able to present evidence and information.
5. After said hearing, the disciplinary hearing officer will provide written notification to the student and his parent/guardian(s) with a summary of the hearing. The DHO will uphold, reject, or alter the recommendation for expulsion. The DHO shall transmit his/her recommendation, including the reasons thereof to the student, his parent/guardian(s), the principal, and the superintendent.
  - a. If the recommendation of expulsion is upheld, the parents/guardian(s) and shall receive notification in writing as to the date, time and location for the School Board meeting at which their case will be heard. The student shall be suspended pending the outcome of the hearing before the school board.
  - b. If the recommendation for expulsion is altered, any suspension of longer than 10 days may be appealed to the school board.

The superintendent will review the transmission with the School Board who will determine a final disposition. The School Board confirms or disapproves of the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

1. A student will only be expelled upon vote of the School Board. The School Board may, by majority vote, uphold, reject or alter the recommendation.
2. The School Board shall transmit its decision to the student, his/her parent/guardian(s), the principal and the Superintendent. Information regarding the time in which a student may reapply shall be communicated to the parent/guardian.

3. 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/guardian(s) will present their reasons for appeal.
4. If appealed to the School Board, the appeal shall be decided by the School Board within thirty days.

**B. Notification of Expulsion**

The written notice given to the pupil and his parent/guardian shall include notification of the length of the expulsion and shall provide information to the parent/guardian 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 costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during the expulsion is borne by the parent/guardian of the student.

The written notice shall also advise the parent/guardian of such student that the student may petition the School Board for readmission to be effective 365 days from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

Nothing in this section shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

**C. Readmission**

A student who has been expelled from school by the School Board may file a petition for readmission with the Superintendent no less than 300 and no more than 320 calendar days after the effective date of the expulsion. The School Board will consider and act upon such petition prior to the expiration of 365 days from the effective date of the expulsion. If the petition is denied, subsequent petitions for readmission may be filed a year later unless a different time period is set by the School Board when ruling on the initial petition for readmission.

**D. Conduct Giving Rise to Expulsion**

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as “special circumstances” for purposes of expulsions discussed in the following subsections.

#### 1. Firearms, Destructive Devices and Pneumatic Guns

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator or the School Board may, however, 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 authorizes the superintendent or superintendent’s designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate.<sup>1</sup> Nothing in this section shall be construed to require a student’s expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this section do not apply to students who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted to use school premises.

#### 2. Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance or marijuana as defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board authorizes 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.<sup>i</sup> Nothing in this section shall be construed to require a student’s expulsion regardless of the facts of the particular situation.

- The School Board may, by majority vote, uphold, reject or alter the recommendations.
- The School Board transmits its decision, including the reasons therefor, to the student, the student’s parent/guardian(s), the principal and superintendent.

### VI. ALTERNATIVE EDUCATION PROGRAM

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The School Board may require any student who has been

- 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 pursuant to Va. Code § 16.1-260.G;
- 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 pursuant to Va. Code § 16.1-260.G;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C 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 conduct 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 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/guardian, to participate in a treatment program.

The School Board authorizes the superintendent or superintendent’s designee to require students to attend an alternative education program consistent with the provisions of the previous paragraph after (i) written notice to the student and the student’s parent/guardian that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student or the student’s parent/guardian to participate in a hearing to be conducted by the superintendent or the superintendent’s designee regarding such placement. If the student or parent/guardian wants to participate in a hearing regarding the placement, the student or parent/guardian must notify the superintendent or superintendent’s designee within 7 days of receiving the written notice of the student’s assignment to the alternative education program. The decision of the superintendent or superintendent’s designee regarding such alternative education placement is final unless altered by the Board upon written petition by the student or student’s parent/guardian for a review of the record by the School Board. Such petition must be received by the superintendent or superintendent’s designee within 7 days after receiving written notice of the decision after the hearing.

A principal or principal’s 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.

As used in this section, “charged” means that a petition or warrant has been filed or is pending against a pupil.

# STUDENTS WITH DISABILITIES

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 parent/guardian(s) 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 parent/guardian(s) of the recommended discipline and of the grounds for the discipline and provide the parent/guardian(s) 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 parent/guardian(s) 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 parent/guardian(s) 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/guardian(s) 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/guardian(s) shall be maintained. If the parent/guardian(s) 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/guardian 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 parent/guardian(s) 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/guardian 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 parent/guardian(s) 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 parent/guardian(s) that by signing the statement of receipt, parent/guardian(s) shall not deem/guardian 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/guardian shall have the right to express disagreement with a school's or a school division's policies or decisions. Each parent/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 section. Each school shall maintain records of such signed statements.
- D. The school principal may request the student's parent/guardian(s) to meet with the principal or his designee to review the school board's standards of student conduct and the parent/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 22.1-277 and the guidelines required by 22.1-278, the school principal may notify the parent/guardian(s) 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/guardian(s) to take actions to assist the school in improving the student's behavior; and (iii) that, if the student is suspended, the parent/guardian(s) 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/guardian(s) 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/guardian(s) conference, is appropriate for the student.
- G. Upon the failure of a parent/guardian 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/guardian 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/guardian 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/guardian'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/guardian(s) to so meet; or
  - 2. If the court finds that the parent/guardian 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/guardian 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/guardian 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/guardian. In addition, the court may order the parent/guardian 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 parent/guardian(s), 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 parent/guardian(s), 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 parent/guardian(s), 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/guardians 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 parent/guardian(s) for their signature and to my coach for review. If my grades are not satisfactory, my parent/guardian(s) 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 parent/guardian(s) 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

## Cardiac Arrest

- I have reviewed information provided by the school division on symptoms that may lead to sudden cardiac arrest.

### 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 9, 2022

Dear Parent/Guardian(s),

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/guardians 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,

Beth Teigen, Ph.D.  
Division Superintendent

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## 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*.
4. I understand and agree to abide by the **Powhatan County School Division Acceptable Use Policy**
5. **se Policy** (located in this guide for *Student Rights and Responsibilities*).

By signing this Statement of Receipt, I do not waive 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.

Print Student's Name	_____	Grade	_____
Student's Signature	_____	Date	_____
Parent/Guardian Signature	_____	Date	_____

I consent to the release of directory information for my child for educational purposes.

*Directory information is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. **Directory information may include information such as the student's name, photograph, date and place of birth, major field of study, grade level, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended (e.g. yearbook, honor roll listings, submissions to the newspaper, event programs).** Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems. Policy JO*

Student's Signature	_____	Date	_____
Parent/Guardian Signature	_____	Date	_____

**If you do not want Powhatan County Public Schools to disclose this or other directory information from your child's education record in accordance with Policy JO, you must notify the school division by September 24, 2022.** You may do so by addressing your written statement to Dr. Beth Teigen, Powhatan County Public Schools, 4290 Anderson Hwy, Powhatan, VA 23139.



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