

# 2022-23 Student Code of Conduct: Grades K-12

A Guide for Students, Families and Staff



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# ACPS Student Code of Conduct - School Year 2022-23

## General Information

### About ACPS

#### Our Mission

Ensure success by inspiring students and addressing barriers to learning.

#### Our Vision

Empowering all students to thrive in a diverse and ever-changing world.

#### Our Core Values

In all we do, the ACPS learning community strives to live these core values. We are...

- **Welcoming:** We take active steps to ensure all stakeholders feel welcomed in schools. We embrace everyone who comes through our doors and respect our differences because we believe our diversity is our greatest strength.
- **Empowering:** We inspire each student and staff member to thrive to their best abilities.
- **Equity-Focused:** We actively work to remove barriers to educational access.
- **Innovative:** We take initiative to solve problems in the classroom and across the system.
- **Results-Driven:** We set ambitious goals to learn, grow and achieve at high levels.

#### Goals

##### Systemic Alignment

ACPS will build a culture of continuous improvement and design equitable systems for school and instructional improvement.

##### Instructional Excellence

ACPS will ensure that all students have access to and engagement with high-quality instruction.

##### Student Accessibility and Support

ACPS will ensure students have equitable access to and engagement with programs and supports that reduce barriers to learning.

##### Strategic Resource Allocation

ACPS will strategically provide differentiated resources and supports to schools and departments.

##### Family and Community Engagement

ACPS will ensure that all families and community members feel welcomed, respected, and valued.

#### Our Students

Student enrollment: 15,588 (as of September 30, 2020)

Student Demographics (as of September 30, 2020)

- Asian: 5.6%
- Black: 26%
- Hispanic: 37.9%
- White: 26.9%
- Native Hawaiian/Pacific Islander: <1%
- Native American: <1%
- Multi-racial: 3.4%
- Countries of birth: 110
- Native languages: 121

## Number of Schools

- 1 Pre-K
- 12 Elementary
- 2 K-8
- 2 Middle
- 1 High School (4 campuses)
- **18 Total**

## Letter to ACPS Families

Welcome to the 2022-23 school year! We are looking forward to an amazing opportunity to prepare our students to become competent citizens in our ever-changing world. As we work together to cultivate all aspects of each individual student, we acknowledge the importance of developing positive behaviors in each student. One of our goals as a school division is to implement a Social Emotional Academic Learning (SEAL) program each day. SEAL is the process through which children and adults understand and manage emotions and acquire positive relationship and decision-making skills (CASEL, 2017). Our SEAL program is designed to assist each student to develop positive behaviors that promote learning, support mental health with trauma informed practices, build strong school communities that are restorative, and deliver fair and equitable treatment across all student populations.

To build strong relationships that foster understanding and inclusion, we must value the rich culture and diverse experiences each student brings to the classroom. We have included in this Student Code of Conduct handbook information that focuses on explicit teaching and re-teaching of positive behaviors and includes prevention strategies. Those prevention strategies build upon a tiered system of support that is developmentally and culturally responsive. We are also committed to restorative practices in our school communities that support finding alternatives to suspension. We want our students in school learning in safe, inclusive and supportive environments.

We understand that behavior is one way our students communicate their needs with us. Our goal is to respond to those needs in the most appropriate ways that will keep our students in school and assist them with thriving academically and behaviorally. In this Student Code of Conduct handbook, we have outlined tiered interventions that assist students with acquiring social skills and that support student who exhibit behavioral challenges. We have outlined procedures for reporting bullying behaviors, and unwanted conduct that could result in specific disciplinary actions along with interventions that are provided to encourage positive behavior change.



Please read this Student Code of Conduct carefully. It is important for parents to talk with your child(ren) about this information so that we are communicating and setting consistent expectations for positive behavior and strong attendance leading to positive academic outcomes. After reading and discussing this information, please be sure you and your child sign the ACPS Signature Form, provided in the Back to School Forms at the start of the school year.

We appreciate the support of our families in helping our students become their very best. We look forward to working collaboratively with you to ensure safe and orderly learning environments for everyone. We wish you and your family a safe and successful school year!

## Profile of a Virginia Graduate





## Parent/Guardian Request for Signature

By signing and returning the **ACPS Signature Form** in the ACPS Back to School Forms packet, parent(s)/guardian(s) shall not be deemed to waive, but do expressly reserve, their rights protected by the Constitution or laws of the United States and/or the Commonwealth of Virginia, and shall have the right to express disagreement with the school division's policies and or decisions. This booklet, required by the law, contains the following:

- Responsible Computer System Use Policy for Students
- Compulsory School Attendance Information
- Standards of Student Conduct
- Equity and Excellence Policy

- Honor Code

Parents/guardians have a duty to assist ACPS schools in enforcing the standards of student conduct and compulsory school attendance. Parents/guardians have a responsibility to understand the Code of Conduct, promote proper student conduct, assist the school with the discipline of the student, and meet with school officials if requested to discuss matters related to discipline and school attendance. The law also requires that parent/guardians sign a statement showing that they know their responsibilities. Please sign the ACPS Signature Form in your child's Back-to-School Forms packet that states you have read and understood the Code of Conduct: <https://registration.powerschool.com/family/message?code=actionprivate>

## Important ACPS Contact Information

Office	Phone	Administrator
Office of English Learner Services	703-619-8022	Executive Director of EL Services
Family and Community Engagement Center (FACE)	703-619-8055	Executive Director of Community Partnerships & Engagement
Office of School Leadership	703-619-8020	Executive Director of School Leadership
Office of Specialized Instruction	703-619-8023	Executive Director of Specialized Instruction
Office of School Nutrition Services	703-619-8048	Director of School Nutrition
Department of Student Services and Equity	703-619-8036	Executive Director of Student Services
School Counseling Services	703-619-8157	Executive Director of Student Support Teams
School Psychology Services	703-619-8159	Director of School Psychology
School Social Work Services	703-619-8156	Director of School Social Work
Homeless Education Liaison/Homebound Services	703-619-8134	Homeless Liaison/Homebound Coordinator
Truancy Intervention and Support	703-619-8358	Truancy Outreach Specialist
Office of School Health Services	703-619-8162	Director of School Health Services
FACE Center's Bilingual Parent Information Lines, Monday-Friday 9 a.m. - 1 p.m.	<ul style="list-style-type: none"> <li>• For Spanish/English: 571-775-9719</li> <li>• For Amharic/English: 703-927-6866</li> <li>• For Arabic/English: 703-927-7095</li> </ul>	

## Expectations for Students, Parents/Guardians and Staff

The vision for ACPS is that every student will have an equitable opportunity to succeed. In order for every student to succeed, we must all work together to maintain a safe and orderly environment. We will nurture a supportive environment in each school by clearly identifying and explicitly teaching behavioral skills and providing students with multiple opportunities to practice the appropriate behaviors within our schools and community.

### Students:

Students have the right to expect an educational environment in which they can strive to achieve full intellectual potential.

Each student will:

- Attend school each day and be on time with materials ready to learn.
- Review information learned the previous day in class and ask questions when she/he doesn't understand.
- Work together with school staff to maximize student learning opportunities.

- Be kind, respectful and cooperative to prevent problems and solve problems in a peaceful and collaborative way when they occur.
- Help classmates and friends stay out of trouble by asking for help from adults.
- Tell a trusted adult at school or at home any information concerning threats or disruptions involving the safety of students, staff or the school environment.

### **When using ACPS Transportation:**

- Students will communicate clearly.
- Students will follow all safety procedures and guidelines by:
  - Being at their bus stop prior to pick up time
  - Getting on and off the bus in an orderly fashion
  - Crossing in front of the bus
  - Finding their seat quickly and remaining seated at all times
  - Keeping their body parts and all objects to ourselves and inside the bus
  - Being respectful to adults, students and themselves by following all directions and using appropriate language at all times.

### **Parents and Guardians**

Parents/guardians are our most important partners in helping to support our students in choosing to display the appropriate behaviors in the school and in the home setting.

Parents can help support students and schools by:

- Reviewing with students the expected behaviors that support a positive school environment.
- Maintaining regular communication with school staff and administration.
- Holding expectations that students will attend school each day on time and be ready to learn with their school materials.
- Consulting with school staff when concerns arise that affect students in the school.
- Reporting to a school staff member any information concerning threats or disruptions involving the safety of students, staff or the school environment.

### **Teachers and Staff Members**

Teachers and staff members are responsible for building strong learning communities within their classrooms. Teachers and staff can support positive school behaviors.

Each teacher/staff member should:

- Develop and promote a positive school climate that is conducive to learning.
- Establish, publish, teach and consistently reinforce expectations for classroom behavior.
- Focus on desired behaviors as opposed to directing attention to unwanted behaviors.
- Intervene to prevent and correct misbehavior in a positive manner.
- Consult with the school counselor or other Student Support Team (SST) members when repeated misbehavior occurs.
- Refer a student to the school administrator for support and intervention when the situation warrants such action.

## Administrators

Administrators have the responsibility and authority to teach and reinforce the school rules and this Student Code of Conduct. They should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

The school administrative team shall:

- Create an environment where positive behaviors are expected, taught and modeled.
- Support school staff to foster and maintain a positive school climate.
- Provide clear expectations to staff, students and families
- Notify the parents/guardians of any student who violates a School Board policy when the violation could result in the student's suspension, whether or not the school administration has imposed any disciplinary action.
- Notify the parent/guardian of any student involved in an incident required to be reported to the Superintendent and the Virginia Board of Education.

ACPS Transportation will partner with families and schools to ensure a conducive transportation system through:

1. Communication
2. Safety
3. Respect

**Communication:** We will communicate clear instructions for adhering to expectations for safety.

**Safety:** We will follow all safety procedures and guidelines.

**Respect:** We will be respectful to adults, students and ourselves by using exhibiting professionalism in our communication and actions.

## Knowing Your Rights and Exercising Responsibilities

All ACPS students have legal rights and individual liberties under the Constitution and laws of the United States, and the Commonwealth of Virginia. ACPS School Board policies and regulations support these rights. Students may exercise these rights as long as they do not interfere with the rights of others, or the school's ability to provide a safe learning environment and educational opportunities. With these rights come inherent responsibilities as a student. While this list is not exhaustive, it highlights many of the rights that are applicable within the educational/school setting.

For the Student Code of Conduct, educational/school setting or range includes when in school or on school property, on a school vehicle, while participating in or attending any school sponsored activity or trip; on the way to and from school; and off school property when the behavior or act results in being charged with a crime (see Va. Code - 16.1-305.1.)

School Board Policies noted below may not represent all applicable policies. Additionally, abuse of rights may be subject to intervention and/or disciplinary consequences outlined in the Student Code of Conduct.



# Student Conduct

## Attendance

Regular school attendance is not only an important part of your child's educational success, it is a mandate that is required by law per the Virginia Code 22.1-254. In an effort to support students in reaching their full potential and establish positive attendance habits, we encourage parents/guardians to ensure that their children are in school on time, every day. When parents help their children establish positive attendance habits starting in Kindergarten, these habits benefit children throughout their schooling as well as when they enter the workforce. Alexandria City Public Schools strictly adheres to the Commonwealth of Virginia's Compulsory Attendance Law, which requires school personnel to make reasonable efforts to contact a parent or guardian when any student is absent from school for a total of five school days or more within a given school year, when absences are without excuse and no indication has been received to verify such occurrences. When students have accrued an excessive amount of unexcused or unverified absences, the school social worker, along with the parent and other school support team members, must develop a plan to resolve the student's non-attendance. Virginia Code 22.1-262 suggests that failure to adhere to a school attendance support plan may result in very serious outcomes for students as well as parents/guardians.

Such outcomes may include, but are not limited to the following measures:

1. Referring a student to the Alexandria Court Services Unit Attendance Review Panel
2. Initiation of a complaint to the Alexandria Juvenile and Domestic Relations Court against a parent or guardian, pursuant to Virginia Code 22.1-262
3. Filing a CHINS (Child in Need of Supervision) Petition with the Juvenile and Domestic Relations Court as defined in Virginia Code § 16.1-228 and authorized by § 16.1-241.2
4. Participation in juvenile probationary supervision services
5. Loss of student's driver's license

Please note that any student who is absent from school without verification for 15 consecutive days will be officially withdrawn from school per the compulsory attendance expectations noted in the Virginia Code 22.1-254. The principal or stated designee will alert parents/guardians in writing at such time that a student is removed from school records. In an effort to prevent the above stated scenarios, it is imperative that parents/guardians provide verbal and/or written notification to school personnel each time their child will be absent from school.

Student absences may be excused, pending verification from the guardian and/or another designated professional. Examples of excused absences may include, but are not limited to, the following conditions defined in the Alexandria City Public Schools Attendance Policy Regulation (JEA-R):

1. Medical Illnesses (Physical or Mental). A principal may request that documentation from a physician be provided after the student has accrued 3 consecutive absences or 10 or more absences within a given school year.
2. Medical and dental examinations
3. Observance of a religious holiday
4. Student court hearings
5. Students who have been approved to participate in school sponsored activities (inside and outside of the school building)

6. Students who have been assigned In-School (ISS), Alternate Instructional Support (AIS) or Out-of-School Suspension (OSS)
7. Family emergencies (loss of a loved one, unexpected residence dislocation, critical injuries to family members, etc.). Parents/guardians are expected to plan extended travel and vacations days around ACPS scheduled breaks and approved holidays
8. ACPS transportation services related delays

Timeliness is also a core expectation of the ACPS student attendance policy. Tardiness to school is a critical factor that impacts the overall academic experience and success of students. Tardiness encompasses any variation of time that extends beyond the principal's documented start time for the school day or class period. Parents/guardians are expected to provide verbal and/or written notification to designated school personnel each time a child is late to school. Examples of excused tardies may include, but are not limited to, the following:

1. Medical Illnesses (Physical or Mental). A principal may request that documentation from a physician be provided after the student has accrued 10 or more tardies within a given school year
2. Medical and dental examinations
3. Student court hearings
4. Students who have been approved to participate in school sponsored activities (inside and outside of the school building)
5. Critical or isolated family emergencies (death of a loved one, unexpected residency dislocation, critical injuries to family members, etc.). Parents/guardians are expected to plan extended travel and vacations days around ACPS scheduled breaks and approved holidays
6. ACPS transportation services related delays
7. Weather related conditions
8. Tardies to class during the school day will be excused at the discretion of the principal or designee

When students have accrued an excessive number of unexcused or unverified tardies, the school social worker, along with the parent and other school support team members, must develop a plan to resolve the situation as soon as possible.

It is quite difficult for a student to fully engage in school when he or she misses an excessive amount of school days and instruction time. When students miss school, they miss the opportunity to be part of the school's community and often start to feel behind academically. Research shows that chronic absenteeism, which is missing school for ten percent of the school year for any reason, of any kind, can lead to poor academic achievement, feelings of isolation and disengagement, and can impact a student's decision to drop out of school altogether. Consistent school attendance, in conjunction with other positive behaviors, resources and venues of support will help to strengthen student's academic functioning as well as their social, cognitive and emotional development. Parents are encouraged to partner with school staff to improve school attendance. Working together to create solutions will give students the best chances of academic success.

## **Student Dress**

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with specific building dress regulations and of which students will be given prior notice.

# Student Rights

## I. Freedom of Expression, Speech, Beliefs or Opinions

Students have the responsibility to make sure that what they say, write, wear or express, either in person or on social media, does not stop others from learning, does not hurt anyone or their property, and does not violate the Student Code of Conduct or the law. See [Policy IIBEB-1 – Student Use of Social Media \(Appendix C\)](#)/ [IIBEA/GAB – Responsible Computer Use \(Appendix B\)](#), and [JP – Student Publications \(Appendix I\)](#). See your school’s student handbook regarding expectations for dress code.

## II. Freedom of the Press

Students have the right to create and/or share information from many different sources (with proper credit given to the source) Students have the responsibility not to make personal attacks or to publish untrue or offensive material. When writing or using online media such as texting, posting, snap chatting, tweeting, etc., students are responsible for evaluating the information for fairness, balanced views, and truthfulness. See [Policy IIBEB-1 – Student use of social media](#), [IIBEA/GAB – Responsible Computer Use](#), [JP – Student Publications](#), and [ACPS Honor Code \(Appendix D\)](#).

## III. Due Process (Fair Treatment)

School personnel must ensure that there is no use of force or threat to obtain information. ACPS students have the right to exercise due process rights whenever it is necessary. Students also have a responsibility to behave in a manner that does not disturb others or their property. A student’s behavior should follow the ACPS Student Code of Conduct and laws. In schools, every student must be treated fairly. Each student has the right to:

- Be told if his/her behavior is not permitted
- Have an opportunity to discuss what happened
- Not to speak, if he/she chooses.

If the police wish to speak with a student:

- A school official must be present (unless the parent/guardian is)
- The student can ask that his/her parent or guardian be called before they speak
- The police must tell the student that what he/she says may be used against them (if a suspect)

See [Policy KNAJ - Relations with Law Enforcement \(Appendix G\)](#), [JGD/JGE – Student Suspension/Expulsion \(Appendix F\)](#), and [JGDA – Disciplining Students with Disabilities \(Appendix J\)](#).

## IV. Freedom from Unreasonable Search and Seizure

Students are protected by the law from unreasonable search and seizure. However, this is not a guarantee against all searches and seizures. School officials do not need to obtain a warrant before searching a student who is under their authority; they only need reasonable suspicion. Law enforcement may need a search warrant when the search is not related to an incident that occurred within the school or an activity that will immediately threaten students, school property or school personnel. See [Policy JFG – Search and Seizure \(Appendix K\)](#) and [Policy KNAJ - Relations with law enforcement \(Appendix G\)](#).

## V. Personal Property

Students have a right to bring personal possessions to school. However, students have the responsibility to make sure that personal possessions brought to school are not prohibited by the ACPS Student Code of Conduct or law.

See [Policy JFG – Search and Seizure \(Appendix K\)](#) and [JHCD – Administration of Medications to Students \(Appendix L\)](#).

## VI. Privacy/Access to Educational Records

As a student, you have a right to privacy of your educational records, and for the information in your records to be accurate. Educational records include but are not limited to report cards, attendance records, discipline records, and tests. Until age 18, your parent or legal guardian has a right to access your records on your behalf, seek to have records changed that are inaccurate or misleading, and a right to consent to share information

from your educational record, except where required by law. Disclosure may be required in the following circumstances:

- When there is reasonable suspicion of harm or neglect.
- When the child presents a danger to him/herself or to others.
- When information is revealed that indicates danger to your child or another person.
- When disclosure is court-ordered or required by law (e.g. Family Educational Rights & Privacy Act [FERPA])

See [Policy JB/AC – Equal Educational Opportunities/Non-Discrimination and JO – Student Records \(Appendix H\)](#).

## VII. Free and Appropriate Education (FAPE)

ACPS offers a free and appropriate education (FAPE) to all school age students who live within Alexandria City. Education is provided regardless of a student's race, color, national origin, citizenship, sex, disability, age, religion, sexual orientation, marital status, or status as a parent, or pregnancy. Students have a responsibility and state requirement to attend school regularly, make a conscientious effort in classroom work, and to follow school rules and regulations. Students also have the responsibility to avoid actions or activities, individually or in groups, which interfere with the rights of any other student to exercise their right to receive a free and appropriate education.

See [Policy JB/AC– Equal Educational Opportunities/Non-Discrimination \(Appendix H\)](#).

## VIII. Freedom of Religion

Students have the right to practice the religion of their choice, or no religion at all, as long as the practices do not harm others. Students are encouraged to be aware of the diversity of beliefs and respectful of each other's religious and/or non-religious views.

See [Policy IGDA – Student Organizations \(Secondary Schools\) \(Appendix M\)](#) and [INDC – Religion in Schools \(Appendix N\)](#).

## IX. Petition

Students have a right to respectfully express disagreement with school personnel. Students also have a right to ask school or district administrators for adjustments or changes in policies, practices, or procedures. When students speak up, it should not stop others from learning, hurt anyone, destroy property, or violate the Student Code of Conduct or the law.

See [Policy INB – Teaching About Controversial Issues \(Appendix O\)](#), [IIBEB-1 – Student Use of Social Media \(Appendix C\)](#), [IIBEA/GAB – Responsible Computer Use \(Appendix B\)](#) and [JP – Student Publications \(Appendix I\)](#).

## Appendix D: Honor Code

ACPS, including its students, faculty, and leadership, is committed to honorable behavior in all aspects of the academic life of our learning community. We trust one another to act honorably in our dealings with one another while recognizing that our diversity requires that we reinforce expected behaviors in order to ensure that all of us have a common understanding of the personal honor upon which we rely. We pledge to discuss our interpretation of honor and the mutual respect that is intrinsic to a learning community.

One of the most important elements of the honor to which we are committed is the belief that cheating, plagiarism, and other examples of academic dishonesty are serious breaches of academic integrity. For that reason, we set out below our understanding of unacceptable behavior that we judge to be a violation of the honor to which we are pledged.

### I. Purpose of the Honor Code

- This Honor Code builds on the School Board's Policy IKB, which states that, the student is the center and heart of the learning process. Therefore, students are expected to assume responsibility for their own learning. They will work in partnership with the instructor and peers and contribute to classroom activities and discussions. They will complete all assignments according to instructor specifications, deadlines, and evaluation criteria. Additionally, they will revisit work in a timely manner when standards and expectations are not achieved. As part of this process, students will play an active role in monitoring their own progress..."
- We believe it is necessary to have in place standards and expectations to which students will be accountable throughout the learning process.
- In our efforts to align with ACPS School Board Policy concerning the Five "High Yield" College Competencies (Policy IKB and Regulation IKB-R), students will need to be instructed in how to identify issues of academic dishonesty (plagiarism, cheating) and how to avoid them.
- In creating a culture of college and career readiness, the ACPS community believes it is the responsibility of the faculty and leadership to prepare students to be ethical in the production of their work.
- Additionally, we believe students must develop a level of accountability that will be expected at ACPS schools, their place of future employment, and college. Our hope is to develop well rounded students who are prepared to succeed beyond the walls of ACPS. Failure to adhere to ethics in the production of student work can result in dismissal from employment and expulsion from college.

### II. Cheating and Plagiarism

The ACPS Code of Conduct states:

- Alexandria City Public School 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.
- Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned schoolwork or tests, nor provide a student the opportunity to do so.

### III. Plagiarism Defined

- To plagiarize is "(1) to steal and pass off (the ideas or words of another) as one's own; (2) use (a created production) without crediting the source; (3) to commit literary theft; to present as new and original an idea or product derived from an existing source." Source: Webster's Ninth New Collegiate Dictionary



- This includes the act of recycling or purchasing assignments or papers.
- If a student attempts to claim the work of another as his or her own he or she is in violation of this Honor Code.

#### IV. Cheating Defined

- To cheat is to give answers to others, copy assignments, imagery or tests from others, or look at the tests, coursework (homework and classwork), teacher materials, and similar assignments of others.

#### V. Teacher Expectations

- Teachers are expected to teach and reteach students on plagiarism, how to avoid it, the consequences of plagiarism, and the proper methods of attributing sources for assignments that require citations.
- The following link is to the Alexandria City High School Library website explaining how to avoid plagiarism:  
[www.acps.k12.va.us/plagiarism](http://www.acps.k12.va.us/plagiarism).

#### VI. Student Certification

- At the start of each course each year, students at all secondary schools will be requested to recertify their agreement to and understand of this Honor Code, including consequences for violation of the Code. Each school shall work out the mechanism to be used at that school to process the certification, whether orally or in writing.
- Nothing in the Honor Code shall prohibit required recertification of adherence to the standards laid out in this document before each major examination, paper submission, or other project. Decisions on whether such recertification shall be required at a school will be made by the academic community at the school with the concurrence of the school principal.

#### VII. Effective Date

This Honor Code shall be in effect from January 5, 2015.

#### VI. Honor Code Procedures

In such cases of plagiarism, copying/sharing assignments, cheating, the use of translation software without express permission from the instructor, and similar violations of this Honor Code, the following consequences will be instituted.

##### First Offense

Teacher WILL:

- Contact the parent/guardian & conference with student concerning the violation.
- Refer the matter to the appropriate Dean/Assistant Principal.
- Refer the matter to academic honor societies such as National Honor Society for consideration and discipline according to its governing principles, including possible expulsion from the organization.

Student WILL:

- Receive a zero on the assignment, with no chance at a makeup/retake or correction.
- Lose any opportunity for recognition of academic achievement such as “Honor Roll” for that marking period even if the student has a qualifying grade point average.

## Repeat Offenses

Teacher MAY:

- Require student to forfeit any chance at future extra credit for that marking period, but student is still allowed to revisit other assignments in compliance with Regulations Governing the Assessment and Evaluation Policy (IFA-R).
- Require student to forfeit the opportunity to be involved in any activity related to the assignment, i.e., Science Fair.
- Consider this matter in any applications or letters of recommendation written on behalf of the student.

In addition to the items listed in the “first offense” column, the following may result for repeat offenses:

- A student may be suspended from any athletic or extra-curricular school activities for a period of up to one week (5 school days). This includes practices, competitions, rehearsals, performances and other extra-curricular activities.
- A student may be required to relinquish any student government office.
- Further violations could result in a student being removed from the extra-curricular activity and/or student government offices altogether, including dances or formals/prom.
- Administration reserves the right to enact discipline beyond those listed if circumstances require it.

## Appeals

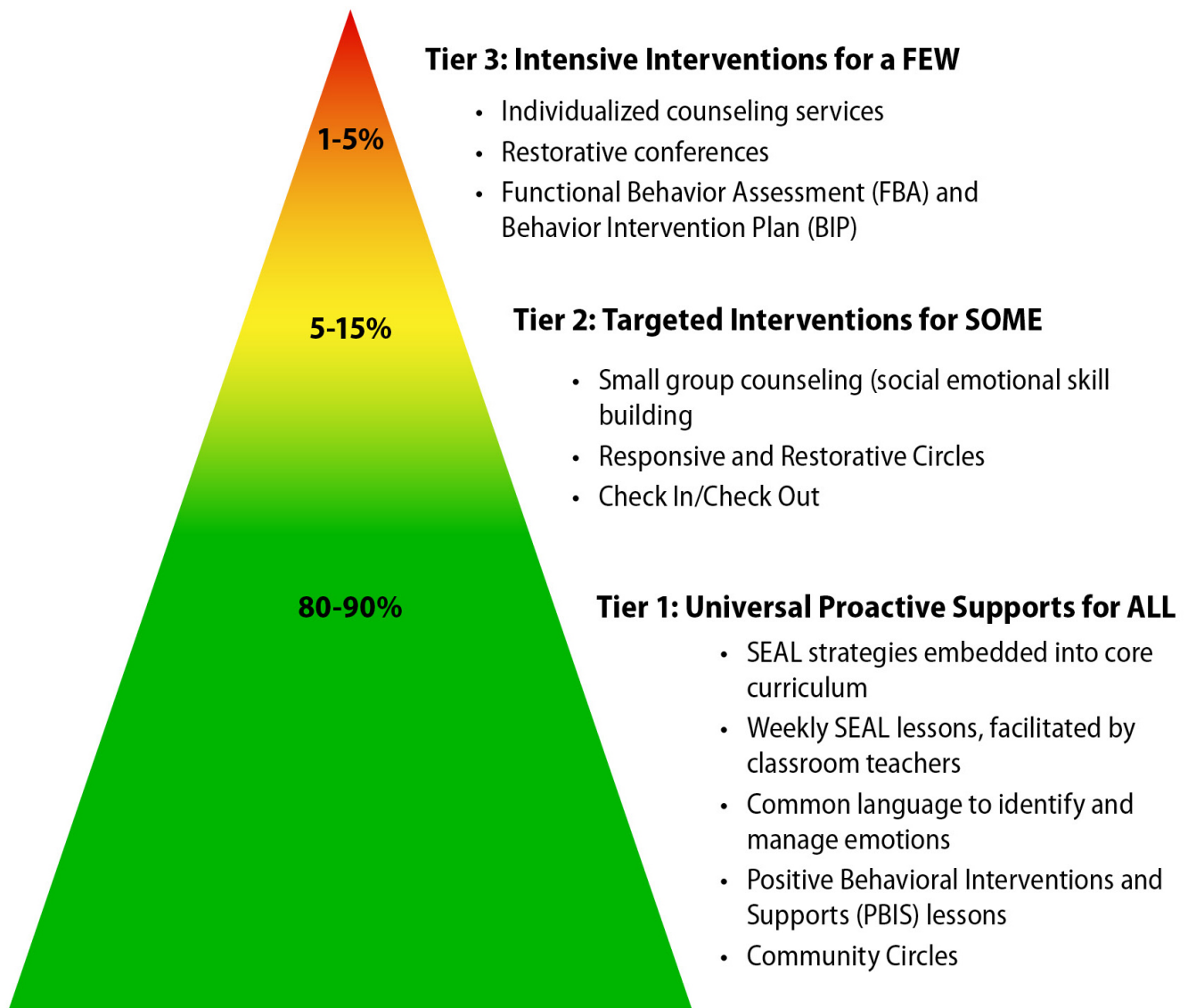
A student accused of an Honor Code violation has the right to appeal the punishment to the principal, who may hear the appeal or assign it to another administrator or a body established for the purpose of regulating and monitoring the Honor Code. The school-level appeals process shall be final.

# Interventions and Disciplinary Procedures

## Multi-Tiered System of Support Guidelines for Behavior

ACPS is committed to a Multi-Tiered System of Support (MTSS) that is needs-based and holistic. This system is aligned with early identification, data-based decision making, and implementation of evidence-based practices of appropriate intensity and duration. Students displaying the need for additional support in the areas of social, emotional, or behavioral development will be provided services and interventions that address their specific need.

Multi-Tiered System of Support:  
Social, Emotional, Academic Learning (SEAL) Approach



## Positive Behavioral Interventions and Supports (PBIS)

**Positive Behavioral Interventions and Supports (PBIS)** is a proactive approach to establish the behavioral supports and social culture needed for all students to achieve social, emotional, and academic success. It uses preventative strategies to define, teach and support appropriate student behavior in order to create a positive learning environment. Attention is focused on developing and maintaining school-wide, classroom, and individual systems of support to meet the social and emotional needs of all students and thereby improve academic and social outcomes.

The purpose of PBIS is to establish a climate in which appropriate behavior is the norm. The framework establishes a process to develop and apply function-based interventions for students that display repeated behavioral patterns of concern. It also engages staff in routine reflection and data-based decision making to guide school-wide and intervention planning decisions.

Schools that establish and implement PBIS are more likely to have teaching and learning environments that are more engaging, responsive, preventative, and productive which leads to maximized engagement and achievement for all students. PBIS also transfers to school buses.

## **A Systemic Approach to SEL**

Along with PBIS in support of our students and staff, ACPS has partnered with the Yale Center for Emotional Intelligence to adopt a division-wide approach to supporting students and staff with growing our emotional intelligence. RULER is a systemic approach to SEL and is utilized to infuse the principles of emotional intelligence into the culture of every school in the division. RULER is an acronym for the five skills of emotional intelligence that include: Recognizing, Understanding, Labeling, Expressing and Regulating. The development of these five RULER skills relies on four core tools: The Charter, Mood Meter, Meta-Moment, and Blueprint. These skills and tools are introduced to all stakeholders in the school community—school leaders, teachers, staff, students, and families and are designed to inform how leaders lead, teachers teach, students learn, and families support students.

## **Restorative Practices**

As a component of PBIS, schools may incorporate the use of restorative practices in the prevention and intervention process. Restorative practices focus on building a positive climate within the building and having students develop empathy and understanding of the consequences of their actions on others. Restorative practices hold to a principle that understanding every instance of wrongdoing, conflict or problem that arises is an opportunity for learning, and that despite these conflicts, relationships can be restored.

Restorative practices utilize community circles as a Tier 1 practice to build strong positive relationships among all students and staff. They also teach and model positive social skills such as sharing, listening, empathizing and problem solving, which help to create emotionally and physically safe learning environments that promote respect, trust and accountability. This social skills instruction is aligned with the schoolwide expectations promoted by PBIS and the student competencies put forth by the American School Counselor Association's (ASCA) National School Counseling Model.

Restorative circles are a Tier 2 support used to respond to wrongdoing, conflicts or problems by allowing those affected by the behavior to share their perspectives on how they were impacted and thoughts on how the situation can be “made right” so that the relationship(s) can be restored.

### ***Restorative Questions (To respond to challenging behavior)***

- What happened?
- What were you thinking of at the time?
- What have you thought about since?
- Who has been affected by what you have done? In what way?
- What do you think you need to do to make things right?

### ***Restorative Questions (To help those harmed by others actions)***

- What did you think when you realized what had happened?
- What impact has this incident had on you and others?
- What has been the hardest thing for you?

- What do you think needs to happen to make things right?

# SWITCHING THE DISCIPLINE MINDSET

APPROACHING DISCIPLINE WITH A **RESTORATIVE** MINDSET

<b>Punitive Discipline</b>	<b>Restorative Discipline</b>
<b>Fear</b> Teachers command respect through warnings and threats.	<b>Respect</b> Teachers gain respect by modeling it for their students.
<b>Rules</b> Teachers enforce rules to keep students quiet and working.	<b>Engagement</b> Classes are engaging so students <b>want</b> to work. Conversations is allowed.
<b>Control</b> Teachers tell students when they're doing something wrong.	<b>Support</b> Students reflect on their behavior and consider changes they can make.
<b>Public</b> Teachers use loud, strict voices to call out students who are misbehaving.	<b>Private</b> Teachers speak privately to students who need reminders in order to behave.
<b>Anger</b> Teachers seem angry and blame students when they misbehave.	<b>Understanding</b> Teachers use a gentle tone and show understanding when students misbehave.
<b>Punishment</b> Good behavior is based on fear of punishment.	<b>Reflection</b> Good behavior is based on an internal desire to do well.

Source:  
[www.teachingexperiment.com](http://www.teachingexperiment.com)



# **Behavioral Tiers of Support**

## **Tier 1**

The goal of PBIS, which includes the use of Restorative Practices and Responsive Classroom, at the Tier 1 level is the prevention of problem behavior and the promotion of positive behavior by establishing processes that should facilitate success for approximately 80 percent of students. An effective Tier 1 system should reduce the number of students who need more extensive resources at Tiers 2 and 3.

### ***Who Is the Focus for Tier 1 Supports?***

All students are the focus of Tier 1.

### ***What Are Tier 1 Behavioral Supports?***

- Small number of positively stated school-wide behavior expectations
- Behavioral expectations are clearly defined and routines are identified for all settings throughout the school and taught to all students in a systematic way
- System for recognizing students who display the expected behaviors
- List of clearly defined unacceptable behaviors and how they will be handled by staff

### ***Support/ Progress Monitoring Frequency***

- Expectations should be taught at the beginning of the year
- Pre-corrections should be given before each transition to a new setting
- Verbal and visual prompts should be used frequently in the beginning and fade as routines are established
- Quarterly “boosters” should be planned and delivered as formal reminders of expectations as well as “in the moment” reminders (as needed)

### ***Who Is the Interventionist?***

All adults, including teachers, administrators, support staff (e.g., paraprofessionals, cafeteria staff, custodians, office staff, etc.)

## **Tier 2**

Tier 2 Supplemental Supports are designed to provide additional or targeted interventions to support students are not responding positively to Tier 1 supports. Approximately 15-20 percent of students may need Tier 2 supports. Students receiving Tier 2 supports should continue to have full access to Tier 1 supports.

### ***Who Is the Focus for Tier 2 Supports?***

The focus of Tier 2 supports are students exhibiting problem behaviors who have not responded to Tier 1 efforts. Those may include students with:

- Three or more office referrals for non-violent/dangerous offenses within a quarter
- One or more referrals for violent/dangerous offenses,
- A transition from long-term suspension or an alternative program.

### ***What Are Tier 2 Behavioral Supports?***

- Behavior Contract; Behavior Support Plan

- Point sheet; behavior feedback sheet; self-monitoring checklist
- Check-in/check-out with selected adult
- Social skills instruction
- Group counseling (skill deficit groups such as anger management, conflict resolution, de-escalation, organization, etc.)
- Mentoring
- Attendance support plans

### ***Support/Progress Monitoring Frequency***

- Check-in/check-out system with adult based on need (daily-weekly)
- Daily point sheet
- Social skills group for students with skill deficits meet weekly at a minimum.

### ***Who Is the Interventionist?***

- Classroom teachers and other adults with whom the student works
- School counselor
- School psychologist
- School social worker
- Administrator

## **Tier 3**

Tier 3 should meet the behavioral needs of approximately 3 to 5 percent of students with the most intense and/or persistent problems. Tier 3 supports involve a process of functional behavioral assessment (FBA) that investigates why a behavior is occurring in more detail and development of a behavior intervention plan (BIP) that includes more intensive research-based interventions, more frequent and detailed progress monitoring, and more staff time and resources dedicated to problem solving for individual students. Tier 3 supports can be provided at different levels of intensity, depending on the student's level of need.

### ***Who Is the Focus for Tier 3 Supports?***

Students with intense needs who have not responded adequately to Tier 1 and Tier 2 efforts are the focus of Tier 3.

### ***What Are Tier 3 Behavioral Supports?***

- Intensified Tier 2 interventions
- Individual counseling by school counselor, social worker, or psychologist
- Intensified social skills instruction led by school counselor, social worker or psychologist
- Functional behavior assessment (FBA)/Behavior intervention plan (BIP)
- Consultation and coordination with outside agencies to ensure wraparound services and support
- Support/Progress monitoring frequency
- First meeting should be held after four weeks of implementation.
- Follow up meetings should be held at least every six to eight weeks after that time.
- Meetings should be held more frequently if needed.
- The case manager assigned to each student brings data as well as written draft recommendations for BIP revisions if data indicates a need for change.

### ***Who Is the Interventionist?***

- School counselor
- Social worker
- School psychologist
- Collaborating agency (DSS, Court, Mental Health, etc.)
- Special education: Individualized Education Program (IEP) team

## **Interventions and Consequence Levels**

### **Level I Infractions**

When these interventions are used successfully in the classroom, additional disciplinary action is not required

- Restorative Circle
- Teacher conference with the student
- Time out
- Reflection of the incident (verbal or written)
- Seat change
- Warning (verbal or visual)
- Redirection
- Review of appropriate behavior
- Loss of privilege
- Confiscation of item
- Phone call and or letter to parent/guardian
- Teacher conference with parent/guardian
- Parent, student, and teacher contract
- Counseling
- Mediation
- Conflict resolution
- Peer mediation
- Confiscation of personal devices
- Mentoring
- Review of Individual Career and Academic Plan (ICAP)
- Student apology (written or verbal)

### **Level II Infractions**

These interventions are used with the assistance of the school Student Support Team staff and may include administrative support

- Restorative Circle
- Behavioral contract
- Restricted activity
- Complete a community service task
- Refer to intervention assistance team (student support team)

- Refer to community-based services
- Loss of privilege
- 30-day suspension from activities
- Office referral
- Detention (before or after school)
- Behavior progress report
- Modification of IEP
- Class or schedule change
- Child study meeting
- Counseling
- Functional behavioral assessment (FBA)
- Behavior intervention plan (BIP)
- Alternate instructional arrangement (one period to less than ½ day)
- In-school suspension (½ a school day or more)
- Loss of parking privilege
- Reflective Essay
- Independent Study
- Substance Abuse Counseling

### Level III Infractions

These are addressed solely by administration at the school

- In-school suspension
- Suspension, 1-5 days
- Suspension, 6-10 days
- Referral to community agency
- Alternative program placement
- Restitution
- Restorative practice: harm repair circle
- Long-term suspension
- Expulsion
- Behavior intervention plan (BIP)
- Functional behavioral assessment (FBA)
- Disciplinary hearing
- Substance Abuse Counseling

**Note:** This list of Interventions is not intended to be exhaustive. School staff will seek to implement the intervention(s) that seem to most effectively support positive behavior for the specific student under the specific circumstances. When determining the level of response to a violation of the Code of Conduct, school staff will consider the age of the student, the student's intent, the severity of the circumstances, the level of disruption to the school environment (either during or after the violation), the repeated nature of the situation (if applicable), and any other mitigating or aggravating factors. School response will not necessarily begin at the lowest level indicated for a first offense.

# Student Behavior and Administrative Response (SBAR)

ACPS aligns with the Virginia Department of Education's *Model Guidance for Positive and Preventative Code of Student Conduct Policy and Alternatives to Suspension*. Becoming familiar with an understanding the various categories of student behaviors can assist administrators and staff with identifying tiered interventions and strategies for addressing unwanted behaviors from a preventative and restorative lens. Per the model guidance, there are three ways administrators can respond to student behavior to include behavioral interventions, disciplinary sanctions and instructional supports. School divisions are asked to acknowledge and understand the following about behavior:

1. Behavior is communication and we must understand the message students are communicating through behavior.
2. Behavior has a cultural context and what is acceptable or respectful in one culture may not be acceptable or respectful in other cultures.
3. Behavior is developmental and the decision-making skills of students is not fully developed.
4. Behavior is learned and we must teach the behaviors that we want to see students exhibit.

The following student behavior categories, as defined by the Virginia Department of Education, were designed to assist with recognizing the impact the behavior has on the school learning environment and to encourage responses that promote social-emotional learning competencies.

- **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.

- **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.

- **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.

- **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.

- **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.



# Student Behavior Categories

Behavior Category	Behavior Description	Possible Administrative Response (Administrative responses may vary by developmental level)	MTSS Response
<b>Category A</b>  Behaviors that impede academic progress (BAP)	<p>These behaviors impede the academic progress of students and can include but are not limited to the following:</p> <p><b>Elementary schools:</b></p> <ul style="list-style-type: none"> <li>Talking and excessive noise in the classroom</li> <li>Off-task; out of seat</li> <li>Possessing items that distract learning in the classroom</li> <li>Excessive noise in the hallway</li> <li>Interrupting other classes</li> <li>Cheating</li> <li>Unexcused tardiness to class or to school</li> </ul> <p><b>Middle and high schools:</b></p> <ul style="list-style-type: none"> <li>Interfering with learning in the classroom</li> <li>Interfering with learning outside the classroom</li> <li>Academic dishonesty</li> <li>Chronic failure to be prepared for class</li> <li>Unexcused tardiness to class or to school</li> </ul>	<p>Level 1:</p> <ul style="list-style-type: none"> <li>Classroom supports and interventions that promote positive behavior change</li> </ul> <p>Level 2:</p> <ul style="list-style-type: none"> <li>Corrective interventions aimed at positive behavior changes supported by the SST.</li> </ul> <p>Level 3:</p> <ul style="list-style-type: none"> <li>Alternatives to suspension and in-school suspension</li> <li>Suspension between one and three days</li> <li>Suspension between four and five days</li> </ul>	Tier I  Tier II  Tier III
<b>Category B</b>  Behaviors related to school operations (BSO)	<p>These behaviors interfere with the daily operations of the schools and can include, but are not limited to the following:</p> <p><b>Elementary, middle, and high schools:</b></p> <ul style="list-style-type: none"> <li>Altering an official document</li> <li>Bringing/allowing unauthorized persons on to school grounds</li> <li>Dishonesty/giving false information to staff</li> <li>Failure to report to assigned classes or disciplinary setting while on school grounds</li> <li>Gambling</li> <li>Horseplay</li> <li>Inappropriate student dress</li> <li>Misuse of communication devices</li> <li>Unauthorized use of school electronic equipment</li> <li>Inappropriate use of technology/internet policy</li> <li>Vandalism, graffiti, or damage to school or personal property</li> </ul>	<p>Level 1:</p> <ul style="list-style-type: none"> <li>Classroom supports and interventions that promote positive behavior changes</li> </ul> <p>Level 2:</p> <ul style="list-style-type: none"> <li>Corrective interventions aimed at positive behavior changes supported by the SST</li> </ul> <p>Level 3:</p> <ul style="list-style-type: none"> <li>Alternatives to suspension and in-school suspension</li> <li>Suspension between four and five days</li> <li>Suspension between six and 10 days</li> </ul>	Tier I  Tier II  Tier III
<b>Category C</b>  Relationship Behaviors (RB)	<p>These behaviors create a negative relationship between two or more people that does not result in physical harm and include, but are not limited to, the following:</p> <p><b>Elementary, middle and high schools:</b></p> <ul style="list-style-type: none"> <li>Bullying/cyberbullying</li> <li>Failure to respond to requests by staff</li> <li>Inappropriate physical contact that is sexual in nature</li> <li>Posting, distributing, displaying, or sharing material or literature, including electronically</li> <li>Saying or writing either directly or electronically sexually suggestive comments, propositions, or other remarks</li> </ul>	<p>Level 1:</p> <ul style="list-style-type: none"> <li>Classroom supports and interventions that promote positive behavior change</li> </ul> <p>Level 2:</p> <ul style="list-style-type: none"> <li>Corrective interventions aimed at positive behavior changes supported by the SST</li> </ul> <p>Level 3:</p>	Tier II  Tier III

	<ul style="list-style-type: none"> <li>• Sexual misconduct (other than Title IX Sexual Harassment)</li> <li>• Speaking to another in an uncivil, discourteous manner</li> <li>• Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight</li> <li>• Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs, or gestures)</li> <li>• Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, disability, or any other basis prohibited by law.</li> </ul>	<ul style="list-style-type: none"> <li>• Alternatives to suspension and in-school suspension</li> <li>• Suspension between four and five days</li> <li>• Suspension between six and 10 days</li> <li>• Suspension for more than 10 consecutive days, but less than 365 consecutive days (hearing required)</li> <li>• Recommendation for expulsion with hearing required</li> </ul>	
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## Resolving Concerns at School

Should you have concern regarding a disciplinary matter with your child, please contact the school directly to discuss the issue with the people who work with your child. Many issues can be resolved at the school level in collaboration with an administrator, classroom teacher or member of the student support team.

### 1. Parent Notification

- Student has a disciplinary infraction
- Teacher or member of the administration contacts the parent or guardian

### 2. Parent Response

- If questions exist, parent contacts the classroom teacher first, if that is the person who reached out to the parent
- If the matter is resolved, no need to proceed any further

### 3. Parent Response

- Parent discussed the matter with the teacher, but still has additional questions
- Contact the school administrator for clarification
- If the matter is resolved, no need to proceed any further

### 4. Parent Response

- Parent has spoken with the administrator, but still has additional questions
- Contact the Executive Director of School Leadership
- If the matter is resolved, no need to proceed any further

### 5. Parent Response

- Parent has discussed the matter with the Executive Director of School Leadership, but still has concerns

- Contact the Office of the Superintendent

## **Search and Seizure**

Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search.

As used in this section, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student. "Student belongings" include but are not limited to, backpacks, mobile phones or other electronic devices, purses, jackets, or other personal effects.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

### **Personal Searches**

A student's person (including outer clothing) and/or personal effects may be searched by a school official whenever the official has a reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials or has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation. All individual searches of students must be initiated based on reasonable suspicion, i.e., a moderate chance of finding evidence of wrongdoing.

In order to be permissible, the search must be:

1. Justified by reasonable suspicion at its inception and
2. Reasonably related in scope to the circumstances justifying the search.

An individual search is justified at its inception when a school official has a reasonable suspicion, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A school search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

Searches may be conducted of student lockers, desks, school computers and other technology, and automobiles when on school property.

## Consent Searches

If a student gives a school official consent for a search of his/her person, personal effects, and/or the interior of his/her vehicle, the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and a student must not perceive himself/herself at risk of punishment for refusing to grant permission for the search.

## Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the school principal shall be contacted immediately. The principal or designee shall make a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or designee shall be present throughout the interrogation.

Additional information can be found in Appendix K.

## Disciplinary Hearings

### ***What if I don't agree with the initial suspension?***

If you disagree with the initial suspension, then you would prepare a letter of appeal. Please follow the procedures outlined below. Appeals are not considered until receipt of a formal letter of appeal (outlined below). The student will begin serving the suspension until the appeal letter is received. In general, once a written appeal request has been received, the suspension will be placed on hold until the appeals process has ended. An exception to this applies if the student is determined by the principal to be a danger to himself or herself, to others, or deemed to be so destructive or disruptive that the education of other students cannot continue in a safe and orderly manner. If this is the case, the student shall not be allowed to attend school during the appeal process.

### ***Appeal Procedure for Short-Term Suspensions - One to Ten School Days***

The following procedures are required when a parent/guardian/ student appeals a short-term school suspension of one to 10 school days.

1. Submit a letter explaining your reasons for appealing the suspension to the school administrator who suspended the student. Deliver, email or mail the appeal letter to the school administration within 24 hours of the first notification of your child's suspension, which is most often a phone call from a school administrator, followed by a letter.
2. If your appeal is denied by the administrator who suspended the student, you may appeal in writing to the principal. The appeal letter must be mailed, emailed or delivered to the school within two school days of the day you receive your response from the administrator who suspended the student.
3. If your appeal is denied by the principal, you may appeal directly to the ACPS Lead Principal within three school days of the day you receive your response from the school principal. A written letter of appeal must be submitted to:

ACPS Lead Principal  
Department of Teaching, Learning and Leadership  
1340 Braddock Place  
Alexandria, VA 22314

4. If your appeal is denied by the ACPS Lead Principal, you may submit a final appeal to the Office of the Superintendent within five school days of the day you receive a response from the Executive Director of Student Services. A written letter of appeal must be submitted to:

Alexandria City Public Schools  
Executive Director of Student Services  
Department of Student Services and Equity  
1340 Braddock Place  
Alexandria, VA 22314

## **Suspension with Discipline Hearing Recommendation**

### ***Why?***

Each student has the right to expect an educational environment in which he or she can strive to achieve his/her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

Student disciplinary hearings are conducted when the school administrator believes a student has violated the ACPS Student Code of Conduct and additional consequences, to include long-term suspension (10 or more days) or expulsion should be considered.

### ***How does this happen?***

When a violation of the Student Code of Conduct occurs that is considered to be especially serious (i.e., weapon at school, drugs or alcohol, physical altercation), the principal will make a determination as to whether or not the violation warrants consideration for long-term suspension or expulsion. Prior to this determination, your child has the right to due process, which means they will:

1. Be informed of the rule violation and evidence,
2. Be provided with an opportunity to present his/her side of the situation, and
3. Be provided with an opportunity to appeal the decision.

Once this has occurred, and your child has been suspended with a recommendation for expulsion or a hearing, a representative from the Department of Student Services and Equity will contact you to schedule a hearing. Parents are encouraged to proactively contact the Department of Student Services and Equity at 703-619-8036 to establish a date and time for the hearing.

### ***Suspension days prior to the hearing***

Your student will be suspended from ACPS until the time of the hearing. During that time, he or she is not allowed on any ACPS campus or allowed to attend any ACPS events.

### ***Why a hearing?***

A hearing is used to determine the appropriate consequence of the significant violation.

### ***What happens at the hearing?***

During the hearing, which is facilitated by a Department of Student Services and Equity administrator, the number of steps that is followed to ensure that all pertinent information is presented. Below is a sample agenda of a hearing:

1. Introductions
2. Review of hearing structure
3. Administrative presentation of incident
4. Student presentation
5. Parent/guardian presentation
6. Additional statements
7. Summary
8. Closure/determination (note: determination may not occur at hearing)

As part of the disciplinary hearing review process, student records will be reviewed. Such records may include but are not limited to: academics, behavior, attendance/truancy, residency, career plans and assessments, and risk/threat assessments.

### ***Who attends the hearing?***

The principal and/or assistant principal, or dean of students from your child's school will attend the hearing. The hearing officer also has the discretion to invite additional school personnel. **It is important that both you and your child attend the hearing so that your child has an opportunity to provide his/her version of the incident.** You are allowed to have witnesses come and testify on your child's behalf. You are also allowed to have an attorney if you choose. In addition, the Department of Student Services and Equity administrator will facilitate the session and if needed, a translator or interpreter may also be present.

### ***What are possible outcomes from the hearing?***

The Department of Student Services and Equity administrator has a wide range of outcomes at his/her discretion, including, but not limited to:

- Alternative education program placement
- Alternate instructional support (AIS) center
- Counseling
- Court action
- Detention at school
- Expulsion from ACPS schools
- In-school suspension (ISS)
- Mediation/Restorative Practices
- Out-of-school suspension (OSS)
- Parent conference
- Restitution
- Return to school with or without probationary requirements
- Saturday suspension
- School/community service projects
- Suspension of student privileges

- Tasks assigned by administration

The Department of Student Services and Equity administrator also has the authority to suspend your child for up to one year and recommend expulsion to the Alexandria City School Board.

## Instructional Supports

Students are provided access to school work and given the opportunity to complete school work when they are suspended. In order to maintain pace with their peers, stay on track with on time graduation and lessen the likelihood of frustration with falling behind in coursework that could potentially lead to additional behavior concerns, each student is provided access to graded school work during and after a suspension.

## Further Questions

If you have any additional questions, please contact the Department of Student Services and Equity at 703-619-8036.

## Definitions of Disciplinary Terms

**Alcohol use, possession, sale or distribution:** Violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as alcohol. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.

**Altercation:** A confrontation, tussle, or verbal/physical aggression that does not result in injury.

**Alternative education programs:** Shall include, but not be limited to, night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

**Alternate instructional support (AIS) center:** A student may be removed from his or her regular schedule of classes based on disruptive behavior, when previous intervention (s) have not been successful, and assigned to a program of study under supervision of a qualified staff member for a fixed period of time, ranging from one class period to less than one-half of the school day.

**Arson/Fire:** Unlawfully and intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.

**Assault and Battery:** Voluntary fighting resulting in physical injury to another person shall be considered assault and battery. Physical assault includes any physical confrontation that may result in no injury, injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting and fighting. An actual offensive, forceful, violent and intentional touching or striking of a student against his/her will, intentionally causing bodily harm with the use of a firearm or other weapon. Includes mob assault.

**Battery:** The unlawful application of force to the person of another.

**Behavior intervention plan (BIP):** A plan that uses positive behavioral interventions and supports to address behaviors which interfere with the learning of students with disabilities or with the learning of others or that require disciplinary action.

**Behavior on school bus:** Students shall not behave in a disruptive manner or otherwise violate these standards of conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus.

**Bomb threats:** Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

**Breaking and entering (burglary):** Unlawfully entering or attempting to enter a building or other structure with the intent to commit a crime.

**Bullying:** Using repeated negative behaviors intended to frighten or cause harm. These may include, but are not limited to, verbal or written threats or physical harm, intimidation, taunting, name-calling, and insults and any combination of prohibited activities.

A student, either individually or as part of a group, shall not harass or bully others either in person or by use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes verbal conduct consisting of comments regarding the race, gender, religion, physical or mental abilities, sexual orientation, or other characteristics, towards another person and /or associates of the targeted person.

**Cyberbullying:** Using information and communication technologies, such as cell phone text messages and pictures and internet e-mail, social networking websites, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile, behavior intended to harm others.

**Change of placement:** For the purposes of discipline, means:

A removal of a student from the student's current educational placement for more than 10 consecutive days; or

The student is subjected to a series of removals that constitute a pattern because they accumulate to more than 10 school days in a school year.

**Cheating:** To give answers to others, copy assignments, imagery or tests from others, or look at the tests, coursework (homework and classwork), teacher materials and similar assignments of others.

**Defiance of the authority of school personnel:** Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by Board policies and regulations.

**Destruction of Property/Vandalism:** Willfully and/or maliciously destroying, damaging or defacing public or private property without the consent of the owner or the person having custody or control of it. This category includes graffiti. Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events.

**Destructive or explosive device:** (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 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; 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 shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device.

**Disorderly conduct/insubordination:** The unwillingness to submit to authority or refusal to respond to a reasonable request or any act that intentionally disrupts the orderly conduct of a school function.

**Disrespect:** Use of abusive language or behavior that is intimidating, hostile or dismissive in nature.

**Disruptive conduct/behavior:** Any act intended to be disruptive of any school activity, function or process of the school or is dangerous to the health or safety of students or others, or interrupts or obstructs the learning environment. May include persistently disruptive conduct. This definition includes conduct going to and returning from school, per Va. Code 22.1-78.

**Distribution or sale of illegal drugs or possession or distribution with intent to sell:** Students shall not manufacture, give, sell, distribute or possess with intent to give, sell or distribute marijuana, synthetic cannabinoids, or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

**Drug violation:** Violation of laws or ordinances prohibiting the manufacture, transportation, possession or consumption of marijuana, Schedule I & II drugs, and anabolic steroid use.

Suspicion of being under the influence of marijuana may be included if it results in disciplinary action.

Unlawfully using, cultivating, manufacturing, purchasing, possessing, transporting or importing any substances represented as drug lookalikes or inhalants is not permitted.

Unlawfully possessing or attempting to take possession of drugs prescribed for another.

Unlawfully possessing with the intent to distribute, sell or solicit any Schedule I or II drug, marijuana or anabolic steroid.

Unlawfully using or possessing with the intent to distribute, selling or soliciting any controlled drug or narcotic substance not specified in previous drug categories.

Having equipment (paraphernalia) for use in consuming illegal drugs in one's pocket, bag, car or locker.

Unlawful use, distribution, sale, solicitation, purchase, possession, transportation or importation of over-the-counter medication.

**Electronic device or cell phone misuse:** Misuse of technology or cellular device to transmit insulting, profane, racially or sexually offensive written language, or to make obscene remarks or gestures, or bully, extort or spread untruths about another student or staff member.

**Endangering the well-being of others:** Any behavior that places a student or staff member in a situation that may endanger their health, life or welfare.

**Exclusion:** A School Board's denial of school admission to a student who has been expelled or has been placed on long-term suspension of more than 30 calendar days by another school board or private school, either in Virginia or another state.

**Expulsion:** Any disciplinary action imposed by the School Board, as provided in School Board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

**Extortion:** Unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat or eventual physical injury or other harm to that person or person's property.

**False charges:** Students or school personnel who knowingly make false charges of harassment or provide otherwise false information or accusations shall be subject to disciplinary action.

**Felony charges:** Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/intervention activities.

**Fighting (both parties) with no injury or injury:** Mutual participation in a fight involving physical violence, where there are no or injuries. These may include, but not be limited to, the following: scrape on body (e.g., knee, elbow, hand) or bruising.

**Firearm:** Any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code sec. 18.2-308.1, or (1) any weapon, including a starter gun, pneumatic gun (paint ball, BB, air rifle), 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 or pressure; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; (4) any destructive device; or (5) any unloaded firearm in a closed container.

**Forgery:** Creating, altering or using a false document with the intent to defraud or injure someone.

**Functional behavioral assessment (FBA):** A process to determine the underlying cause or functions of a student's behavior that impede the learning of the student with a disability or the learning of the student's peers. A functional behavioral assessment may include a review of existing data or new testing data or evaluation as determined by the IEP team.

**Gambling:** Making, placing, or receiving any bet or wager of money or other thing of value dependent upon the result of the game, contest or any other event with an uncertain outcome.

**Gang related activity:** A student shall not engage in gang activities as defined in Policy JFCE, incorporated by reference. Street gang means any ongoing organization, association, or group of three or more persons, whether formal or informal, that has as one of its primary objectives or activities to commit one or more criminal or non-criminal gang activities. This includes articles of clothing that symbolize association, rituals or activities identified by groups of students.

**Harassment, intimidation:** Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating or hostile educational or work environment A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions in violation of Policy JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin, Disability, Sexual Orientation, and Religion. Includes stalking.

**Hazing:** To recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

The principal of any school at which hazing causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney. Hazing, as defined above, is a Class I misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed under this policy. In addition, any person receiving bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or infants. See Va. Code sec. 18.2-56.

**Hearings office:** Conducts discipline hearings and determines outcomes on behalf of the Superintendent; makes discipline recommendations to the School Board and represents the Superintendent at School Board hearings; maintains records and statistics related to expulsion, exclusion, and reassignment recommendations and outcomes; decides suspension appeals; provides resource assistance and training to school-based and central office administrators; and conducts employee grievance hearings on behalf of the Superintendent.

**Improper touching and/or sexual activity:** Improper physical contact against a student or staff that is offensive, undesirable and/or unwanted as determined by the victim.

**Inappropriate language:** Using inappropriate words or topics of conversation.

**Inciting or participating in a school disturbance:** behavior, use of force or violence that seriously jeopardizes public safety, peace or order; Includes false fire alarms and inciting a riot (three or more people acting together).

**In-school suspension (ISS):** A student may be removed from his or her regular schedule of classes for significant behavioral infractions and assigned to a program of study under the supervision of a qualified staff member for a fixed period of time, ranging from one-half a school day or more.

**Kidnapping:** Unlawfully seizing, transporting, and/or detaining a person against his/her will, or a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage-taking.

**Leaving an area/class or school grounds without permission:** Leaving class, school building or grounds, area or activity without the express permission of school staff when consent to leave is expected.

**Long-term suspension:** Any disciplinary action whereby a student is not permitted to attend school for more than 10 school days but less than 365 calendar days.

**Long-term removal:** The suspension of a student with a disability to an alternative setting for more than 10 consecutive school days in a school year; or, when the student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year.

**Manifestation determination review:** A process to review all relevant information and the relationship between the student's disability and the behavior subject to the disciplinary action.

**Other violations:** In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

**Pattern:** Separate incidents of removal which cumulate to more than 10 school days in a given school year and constitute a change of placement.

**Possession of beepers, cellular telephones, personal digital assistants (PDAs) or similar communications:** Students may possess a beeper, cellular telephones, personal digital assistant (PDA) or other communications devices on school property, including school buses, provided that the devices remain off and out of sight during the school day. If a student possesses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent/guardian.

**Possession or use of weapons or other dangerous articles:** Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. This regulation incorporates Policy JFCD.

**Profane, obscene or abusive language or gestures:** Language, gestures, or conduct that is vulgar, profane, obscene or racially charged that disrupts the teaching and learning environment.

**Removals:** Excluding the student from the student's current educational placement due to inappropriate behavior resulting in disciplinary action.

**Reports of conviction or adjudication of delinquency pursuant to sec. 16.1-305.1:** Any student for whom the Superintendent has received a report pursuant to Va. Code sec. 16.1- 305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code sec. 16.1-260 may be suspended or expelled.

**Retaliation:** Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited and will be punished.

**Robbery:** Taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.

**School property or range:** 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. This definition includes conduct going to and returning from school per Va. Code 22.1-78

**Sexual assault:** Attempted or actual sexual penetration against another person without consent.

**Sexual harassment:** Unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment.

**Short-term removal:** Suspending a student with a disability to an alternative setting for 10 school days or less in a school year. It also applies to removals when the cumulative amount is 10 school days, but not consecutive and does not constitute a pattern or change of placement.

**Stealing/Theft:** Intentionally taking the personal property of another person without consent under duress, threat or otherwise.

**Superintendent's designee:** a 1) trained hearing officer, or 2) professional employee in the administrative offices of the school division who reports directly to the Superintendent or designee and who is not a school-based instructional or administrative employee.

**Tardiness:** Late arrival to school or class.

**Technology use:** Students are required to abide by the rules for use of technology. Use of hardware, software, network or telecommunications in violation of these rules is prohibited. Students shall abide by the ACPS Responsible Computer System Use Policy IIBEA and Regulation.

**Threats or intimidation:** Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason. Unlawfully placing a staff member in fear of bodily harm through physical, verbal, written or electronic threats which immediately creates fear of harm without displaying a weapon or subjecting the person to actual physical attack.

**Trespassing:** Entering or remaining on a public school campus or School Board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion and unauthorized persons who enter or remain on a campus or School Board facility after being directed to leave.

**Use and/or possession of alcohol, tobacco, anabolic steroids and other drugs:** A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, lookalike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD.

A student shall not possess, procure or purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in this regulation or what is represented by or to the student to be any of the restricted substances listed in this regulation or what the student believes is any of the restricted substances in this regulation.

This regulation incorporates Policy JFCF.

Restricted substances include alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any volatile/ignitable inhalant materials, anabolic steroids and both prescription and nonprescription drugs if they are not taken according to the prescription or directions on the package and includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

In addition to any other consequences that may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the Superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

**Weapons and ammunition:** Possession of any type of ammunition. Ammunition means ammunition or cartridges, cases, primers, bullets, or propellant powder designed for use in any firearm. Any device that looks like a real gun or is a toy gun (i.e., water pistols). Category also includes look-alike weapons. Possessing or bringing to school or a school-sponsored event any substance used as a weapon. The substance would include mace, tear gas, or pepper spray. Possessing knife less than three inches, razor blades, box cutters, fireworks, firecrackers, or bringing stink bombs to school or a school event. Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or another charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person. Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge that exceeds the equivalency of five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person.

## **Suspension and Expulsion**

### **Suspension and Expulsion of Students**

The Virginia Standards of Accreditation (2000), Section 8 VAC 20-131-210.A., states that the principal "is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources." Section B.2. specifies that the principal shall "ensure that the school division's student code of conduct is enforced and seek to maintain a safe and secure school environment." Section 8 VAC 20-131-260.C.3., requires a school administration to ensure "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity."

#### **I. Suspensions and Expulsions of Students**

Students 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 of the school division in which the student is enrolled has received a report pursuant to Va. Code sec. 16.1-305.1 of an adjudication of delinquency or a conviction may be suspended or expelled from school attendance.

As authorized by Virginia Code § 22.1-277.2:1, any student charged or found guilty of an offense involving alcohol, drugs, or weapons; a crime that resulted in or could have resulted in injury to others; an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § 16.1-260 (See below); (iii) or to have committed a serious offense or repeated offenses in violation of school board policies may be required to attend an alternative educational assignment under Virginia Law.

Under subsection G of Virginia Code § 16.1-260, the court intake officer shall file a report with the division superintendent of the school division in which any student who is the subject of a petition alleging that such student who is a juvenile has committed an act, wherever committed, which would be a crime if committed by an adult, or that such student who is an adult has committed a crime and is alleged to be within the jurisdiction of the court. The report shall notify the division superintendent of the filing of the petition and the nature of the offense, if the violation involves:

1. A firearm offense pursuant to Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et seq.), 6.1 (§ 18.2-307.1 et seq.), or 7 (§ 18.2-308.1 et seq.) of Chapter 7 of Title 18.2;
2. Homicide, pursuant to Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2;
3. Felonious assault and bodily wounding, pursuant to Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2;

4. Criminal sexual assault, pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;
5. Manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances, pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;
6. Manufacture, sale or distribution of marijuana pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;
7. Arson and related crimes, pursuant to Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2;
8. Burglary and related offenses, pursuant to §§ 18.2-89 through 18.2-93;
9. Robbery pursuant to § 18.2-58;
10. Prohibited criminal street gang activity pursuant to § 18.2-46.2;
11. Recruitment of other juveniles for a criminal street gang activity pursuant to § 18.2-46.3; or
12. An act of violence by a mob pursuant to § 18.2-42.1.

The failure to provide information regarding the school in which the student who is the subject of the petition may be enrolled shall not be grounds for refusing to file a petition.

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. Parents/guardians may choose to appeal a suspension. Information is provided on the appeal process in this document.

## II. Short-Term Suspension

A student may be suspended for not more than 10 school days by either the school principal or appropriate administrator. The principal or appropriate administrator may suspend the student after giving the student and parent oral notice. Written notice of the suspension, and the behavior subject to the suspension will be provided within 24 hours. If during the course of the school's investigation of the matter, additional information is obtained, the letter may be amended and any disciplinary action is subject to change.

Upon suspension of any student, the principal or appropriate administrator responsible for such suspension shall report the suspension to the Executive Director of School Leadership.

Any oral or written notice to the parent/guardian of a student who is suspended from school attendance for not more than 10 days shall include notification of the length of the suspension.

## III. Long-Term Suspension

A student may be suspended from attendance for more than 10 days after written notice is provided to the student and parent/guardian of the proposed action and the reason therefore and of the right to a hearing before the School Board or the Superintendent or designee. The decision of Superintendent or designee may be appealed to the full School Board. Such appeals shall be decided by the School Board within 30 days.

Any such written notice should state the length of suspension and shall provide information concerning the availability of community-based educational, alternative education, or intervention programs. Such notice shall also state that the student is eligible to return to regular school attendance upon 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. 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/her suspension shall be borne by the parent/guardian.

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.

## IV. Expulsion

### A. Generally

Students may be expelled from attendance at school after written notice to the student and parent/guardian of the proposed action and reasons therefore and of the right to a hearing before the School Board.

The written notice given to the student and parent/guardian shall include notification of the length of the expulsion and shall provide information to the parent/guardian 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 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 part of the educational program offered by the school division that the student may attend during his/her expulsion shall be borne by the parent/guardian.

Nothing in this policy 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.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, 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 one calendar year from the date of his/her expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board shall establish, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule shall be designed to ensure that any initial petition for readmission will be reviewed by the School Board, or the Superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the Superintendent denies such petition, the student may petition the School Board for review of such denial.

### B. 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.

### **Firearms**

The School Board may expel from school attendance for a period of not less than one year any student whom such School Board has determined to have brought a firearm onto school property or to a school-sponsored activity prohibited by Va. Code sec. 18.2-308.1, or to have brought a firearm as defined in this policy or an air rifle or BB gun on school property or to a school-sponsored activity. A school administrator, pursuant to school board policy, 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 may, by regulation, authorize 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. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code sec. 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of the policy. The provisions of this policy do not apply to persons who possess such firearm or firearms as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law enforcement officer while engaged in his/her duties as such.

### **Drug Offenses**

The School Board may 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 sec. 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 may, by regulation, authorize the Superintendent or the Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

## **C. Procedure for School Board Hearing**

The procedure for the School Board hearing shall be as follows:

1. The School Board shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the School Board.
2. The School Board may ask for opening statements from the principal or his/her representative and the student or his/her parent/guardian (or their representative) and, at the discretion of the School Board, may allow closing statements.
3. The parties shall then present their evidence. Because the principal has the ultimate burden of proof, he/she shall present evidence first. Witnesses may be questioned by the School Board members and by the parties (or their representative). The School Board may, at its 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

provided, however, that the School Board may take the testimony of student witnesses outside the presence of the student, his/her parent/guardian and their representative if School Board determines, in its discretion, that such action is necessary to protect the student witness.

4. The parties shall produce such additional evidence as the School Board may deem necessary. The School Board shall be the judge of the relevancy and materiality of the evidence.
5. Exhibits offered by the parties may be received in evidence by the School Board and, when so received, shall be marked and made part of the record.
6. The School Board may, by majority vote, uphold, reject or alter the recommendations.
7. The School Board shall transmit its decision, including the reasons therefore, to the student, his/her parent/guardian(s), the principal and Superintendent.

#### D. Alternative Education Program

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

A principal (or his/her designee) may impose a short-term suspension, pursuant to Va. Code sec. 22.1- 277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code sec. 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 herein "charged" means that a petition or warrant has been filed or is pending against a student.

#### E. Reporting

A. Except as may otherwise be required by federal law; regulation, or jurisprudence, reports shall be made to the principal or his/her designee on all incidents involving:

1. The assault or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;
2. The assault and battery that results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in Va. Code sec. 18.2- 60.3, on a school bus, on school property or at a school-sponsored activity;

3. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
4. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
5. The illegal carrying of a firearm as defined in Va. Code 22.1-277.07 onto school property;
6. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code sec. 18.2-85 or explosive or incendiary devices, as defined in Va. Code sec. 18.2-433.1, or chemical bombs, as described in Va. Code sec. 18.2-87.1, on a school bus, on school property or a school-sponsored activity; or
7. Any threats or false threats to bomb, as described in Va. Code sec. 18.2-83, made against school personnel or involving school property or school buses.

B. The Superintendent and the principal or designee shall receive reports made by local law enforcement authorities on offense, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code sec. 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (7) of subsection VII. A of this policy, and whether the student is released to the custody of his/her parent/guardian or, if 18 years of age or more, is released on bond. A Superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of sec. 16.1-260 shall report such information to the principal of the school in which the juvenile is enrolled.

C. The principal or his/her designee submits a report of all incidents required or authorized to be reported pursuant to VII.A (1-7) of this policy to the Superintendent. The Superintendent shall annually report all such incidents to the Virginia Department of Education.

In submitting reports of such incidents, principals and the Superintendent shall accurately indicate any offenses, arrests or charges as recorded by law enforcement authorities and required to be reported by such authorities pursuant to subsection VII.B of this policy.

D. The principal or his/her designee shall also notify the parent/guardian of any student involved in an incident required or authorized by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students.

E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the Superintendent or designee. Prevention and intervention activities shall be identified in the local school division drug and alcohol violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV-Safe and Drug-Free Schools and Communities Act.).

F. Except as may otherwise be required by federal law regulation, or jurisprudence, a principal shall immediately report to the local law-enforcement agency any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parent/guardians of any student who is the specific object of such act. Further, the principal shall report that the incident has been reported to local law enforcement as required by law and that the parent/guardians may contact local law enforcement for further information, if they so desire.

For purposes of this section, a parent/guardian means any parent/guardian or other person having control or charge of a child.

## **F. Readmission of Suspended and/or Expelled Students**

Any student who has been suspended from an ACPS school is not eligible to attend any other school within ACPS until eligible to return to his/her regular school. Any student who has been expelled or suspended for more than 30 days from attendance at school by a School Board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in ACPS, in accordance with Policy JEC. In the case of a suspension of more than 30 days, the term of the exclusion may not exceed the duration of the suspension.

In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling School Board pursuant to Va. Code sec. 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school. No suspended student shall be admitted to the regular school program until such student and his/her parent/guardian have met with school officials to discuss improvement of the student's behavior, unless the school principal or his/her designee determines that re-admission, without parent/guardian conference, is appropriate for the student.

If the parent/guardian fails to comply with this policy or Policy JEC, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent/guardian for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, or Superintendent or designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

### **Regulation regarding Readmission of Expelled Students**

Students who are expelled from the Alexandria City Public Schools and who are not permitted during the expulsion to return to regular school attendance or to attend an alternative education program, may petition for readmission to be effective one year after the date of the expulsion. The process for the readmission of any expelled student is as follows:

A. In order to ensure that a student has an opportunity for timely readmission to school, a petition for readmission must be filed not earlier than nine months, and not later than 10 months from the date of the School Board's decision letter expelling the student. Failure to file a petition for readmission in a timely manner may result in a delayed decision on the petition. Petitions must be in writing and must be filed with the ACPS Department of Student Services and Equity. Any student age 18 or older must file a petition on his/her own behalf. If the student is under the age of 18, the parent(s)/guardian(s) may act on the student's behalf;

B. Within 21 days of the receipt of a written petition for readmission, the ACPS Department of Student Services and Equity will schedule a hearing. At the time of the hearing, the student and/or parent(s)/guardian(s) must come prepared to explain why the student should be readmitted to school, and how the school can be assured that the student's behavior has improved and that there will be no recurrences of inappropriate behavior. If any conditions for readmission had been imposed by the School

Board at the time of the student's expulsion, the hearing will review whether all of those conditions have been achieved. The Department of Student Services and Equity administrator will issue a written decision within seven days of the hearing. The parent(s)/guardian(s) and/or student will receive a copy of the decision.

C. Parent(s)/guardian(s) and/or the student may appeal the decision of the Department of Student Services and Equity administrator to the School Board within five days of receiving that decision. A copy of the administrator's decision, a copy of the expulsion decision, and any other materials that have been submitted concerning the expulsion, and petition for readmission will be provided to the Board. The Board may, but need not, hold a further hearing. The Board shall issue its decision within 21 days of convening to consider the appeal.

Where a petition for readmission is denied, a student (or if applicable, his/her parent(s)/guardian(s)), may reapply on an annual basis in accordance with the above schedule. Additional information can be found in Appendix F.

## **Discipline of Students with Disabilities**

### **Governing Principles**

There are five themes in the federal and state regulations that guide ACPS discipline requirements for students with disabilities:

1. All students deserve safe, well-disciplined schools and orderly learning environments grounded in the framework of positive behavioral interventions and supports;
2. Teachers and school administrators should have the tools they need to assist them in preventing misconduct and discipline problems and to address these problems, if they arise;
3. There must be a balanced approach to the issue of discipline of students with disabilities that reflects the need for orderly and safe schools and the need to protect the rights of students with disabilities to a free appropriate public education;
4. Appropriately developed Individualized Education Programs (IEPs) with well-developed behavior intervention strategies decrease school discipline problems; and
5. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates a code of student conduct.

In the event the student's behavior impedes the student's learning or that of others, the IEP team must consider the use of positive behavioral interventions, strategies and supports to address the behavior.

#### **The IEP team must consider either:**

- Developing goals and services specific to the student's behavioral needs; or
- Conducting a functional behavioral assessment (FBA) and determining the need for a behavioral intervention plan (BIP) to address the student's behavioral needs.

If the student engages in behavior that results in disciplinary action that leads to, or may lead to, short-term or long-term removal, the IEP team shall address the behavior violation. IEP team discussions and revisions must focus on efforts to address the student's behavioral problems in order to minimize and/or prevent the behavior from recurring. Appropriate supports and services that may be considered include:

- Conducting a functional behavioral assessment (FBA)
- Developing or revising a behavior intervention plan (BIP)
- Providing counseling
- Providing social skills training
- Providing adaptive behavior technique training (i.e., teaching of replacement skills designed not to have the behavior recur)
  - Providing conflict management skills
  - Providing peer mediation skills

## Short-Term Removal

Virginia regulations stress the importance of the IEP team addressing a student's behavioral challenges before an incident arises that leads to a disciplinary infraction. As such, the most appropriate course of action is to convene an IEP team and determine the need for conducting a functional behavioral assessment (if one has not been done), and developing or reviewing a behavioral intervention plan prior to a short-term removal or a series of short-term removals accruing. These proactive measures will document preventive steps for processing short-term removals. When an administrator deems it necessary to remove a student with a disability short term from the student's current educational setting to an alternative educational setting or through suspension, this may be done to the extent those alternatives are applied to a student without disabilities.

Administrators must be cautious in determining the length of time of removal for each infraction. It may be considered excessive to remove a student for close to or up to 10 school days when an infraction may not warrant such a time frame; this is especially true if such disciplinary action is not applied consistently or to students without disabilities. When a student has been suspended for 10 days or more in a school year for separate incidents of misconduct that constitute a pattern, this is considered a change in placement (see procedures for long-term removal). The school-based administrator, in collaboration with personnel in the Office of Special Education Services, determines when isolated, short-term removals for unrelated instances of misconduct are considered a pattern. If the infraction, albeit individual and distinct, shares similarities (common elements) then it could be relevant in determining if a pattern exists. In order to promote a truly collaborative approach to reviewing the issue of pattern, parents should be consulted in the process and informed of the decision immediately.

Documentation of the decision regarding pattern shall include a summary of information gathered through a review of disciplinary records, a review of the student's IEP which includes any behavior intervention plan developed, other educational records and input from any other relevant sources. Individuals consulted in making the decision should also be documented.

In reviewing if the student's behavior and separate incidents of misconduct to establish whether a pattern does or does not exist; the school-based administrator shall contact the ACPS procedural coordinator who will assist with the following:

- Analyzing factors related to the behaviors that resulted in suspension;
  - Where the incident occurred (environment)
  - Interactions with other people
  - Requirements of a task
  - Events that may have triggered these infractions;
  - The length of each removal
  - The similarity of the student's behavior in previous incidents that resulted in the series of removals

- The total amount of time the student is removed
- The proximity of the removals to one another.
- Reviewing IEP response to date (FBA, BIP, goals, services related to behavior)
- Assisting with documentation of decision that pattern does not exist; and establishing next steps.

## **Portions of the School Day**

Removal of a student for disciplinary purposes for portions of the school day shall be counted toward the cumulative amount of time removed. Any portion of a day less than half shall be considered a half day of removal; portions greater than half shall be considered a full school day of removal.

## **Long-Term Removal**

The purpose of long-term removal as a disciplinary measure is to ensure that schools are safe and conducive to learning for all students and to give school personnel and parent/guardians the opportunity to determine what is appropriate for the student. Long-term removals constitute a change of placement when there are more than 10 consecutive school days or cumulative school days which constitute a pattern. A change in placement requires relevant members of the IEP team to meet and conduct a Manifestation Determination Review (MDR).

The IEP team must determine appropriate services during the long-term removal. Should the school-based administration refer the student to the ACPS Department of Student Services and Equity administrator, and the removal constitutes a change of placement (more than 10 days), the Manifestation Determination Review must be conducted as soon as possible so as to inform the designee of the results. The results of the manifestation when available shall be provided to the ACPS Department of Student Services and Equity administrator prior to the scheduled meeting.

Additional information can be found in Appendix J.

## **Services During Long-Term Removal**

The IEP team shall meet prior to the 11th day of removal, or as soon as possible, to determine the services needed for a student who is facing a long-term suspension, so as to enable the student to:

- Continue to participate in the general educational curriculum, although in another setting
- Continue to receive supports and services described in the student's current IEP which will enable the student to progress toward meeting IEP goals
- Receive, as appropriate, an FBA, and behavioral intervention supports and services, which are designed to address the behavior violation so that it does not recur.

An IEP addendum shall be developed to document the proposed services during a long-term removal. The amount and type of instructional services to be provided in order to allow the student to continue to participate in the general education curriculum would depend on:

- The length of the removal
- The extent to which the student has been removed previously
- The student's educational needs and goals

In order to serve the student during a long-term removal, the IEP team shall consider alternative instructional techniques, such as alternate/highly supervised partial school attendance (e.g., two hours per week after school dismissal) or home-based instruction. School personnel must ensure that the student will have the opportunity to avoid falling behind and enable the student to progress in the general curriculum and on IEP goals and objectives. Additionally, students who are removed from school during state or division-wide testing must be provided arrangements for participation in all required assessments.

## **Manifestation Determination Review (MDR)**

An MDR meeting must be held within 10 school days of any decision to change the student's placement because of misconduct. This decision is made by relevant members of the IEP team. The purpose of the meeting is to determine if the conduct was:

Caused by or had a direct and substantial relationship to the student's disability; and/or,

The direct result of the school's failure to implement the student's IEP.

If either question is answered "yes," the behavior subject to disciplinary removal is determined to be a manifestation of the student's disability.

### ***Question #1:***

Was the conduct in question caused by the student's disability, or did the conduct in question have a direct and substantial relationship to the student's disability?

A comprehensive problem-solving review to identify why the misconduct occurred should guide IEP teams to successful manifestation determinations. In determining if the conduct in question was caused by or had a direct and substantial relationship to the student's disability, the IEP team shall consider the following factors:

- The student's educational program;
- Environmental factors;
- Home factors and the student's mental, physical and developmental challenges;
- The student's discipline history (total number of suspensions, the proximity of suspensions and the length of each suspension);
- The type of misconduct in relation to the student's discipline history (isolated instance vs. repeated; whether the student's behavior is substantially similar to behavior in previous and current incident);
- Other factors contributing to the misconduct such as unique circumstances, information from observers of the incident, etc.
- Documentation that the student code of conduct was provided to the family;
- Whether the behavior was dangerous, likely to result in injury or inflicted "serious bodily injury" on another person;
- The effectiveness of current behavioral strategies to prevent similar misbehavior and reinforce desirable behavior in the student's school (PBIS);
- The effectiveness of the student's BIP in relationship to the misconduct;
- In the absence of a BIP, the administration of an FBA;
- Whether more information is needed (FBA or other types of evaluation); or
- Most recent eligibility evaluation.



## **Question #2:**

Was the conduct in question a direct result of the school district's failure to implement the IEP?

The IEP team must determine the impact of the failure to implement the student's IEP on the misconduct. It means first determining what was not implemented and then determining its impact on the student's behavior. The IEP team may consider:

- How the area of the IEP not implemented relates to functional skills, social competency and behavior of the student and the misconduct observed.
- How the area of the IEP not implemented relates to service, goals, positive behavior supports or the BIP.

If the IEP team determines that the school failed to implement the student's IEP, school-based administration shall take immediate steps to remedy those deficiencies.

## **Behavior Is a Manifestation of Student's Disability**

If the team determines that the misconduct is a manifestation of the student's disability, the following shall occur:

- The IEP team shall return the student to the placement from which the student was removed unless the parent/guardian and the school division agree to a change in placement as part of the modification of the BIP or IEP.
- Conduct an FBA, unless the school division had conducted this assessment before the behavior that resulted in the change in placement occurred;
  - An FBA may include a review of existing data or new testing data or evaluation as determined by the IEP team.
  - If the IEP team determines that the FBA will include obtaining new testing data or evaluation, then the parent/guardian is entitled to an independent educational evaluation if the parent/guardian disagrees with the evaluation or a component of the evaluation obtained by ACPS.
- Implement a BIP for the student.
  - If a behavioral intervention plan already has been developed, review this plan, and modify it, as necessary, to address the behavior.

## **Behavior Is Not a Manifestation of Student's Disability**

If the IEP team determines that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities, except that services shall be provided as determined required by the IEP team.

## **Special Circumstances Involving Weapons, Drugs or Serious Bodily Injury**

Special circumstances may require a student with a disability to meet with the ACPS Department of Student Services and Equity administrator. The student with a disability may be placed by the designee in an interim alternative educational setting for 45 school days for situations involving the student at school, on school premises, or at school functions under the jurisdiction of the school division for the following special circumstances:

- **Weapons:** carrying or possessing a weapon

- **Drugs:** knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance
- **Serious Bodily Injury:** inflicting serious bodily injury upon another person.

In situations involving weapons, drugs and/or serious bodily injury, the Superintendent's designee may assign the student to an interim alternative educational setting for a maximum of 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability.

## Special Education Services on the Eleventh Day

Beginning on the 11th cumulative day in a school year that a student with a disability is removed from the student's current placement, and for any subsequent removals, educational services must be provided. Services for 11th day or subsequent short-term removals are determined by school personnel by assessing the student's progress and the impact of the interruption. School-based administration, in consultation with the student's general education and special education teachers, determines the necessary services, if any, for the student to continue to:

- Participate in the general education curriculum
- Progress toward meeting the goals set out in the student's IEP

## Bullying Prevention

### Bullying Prevention in ACPS

ACPS is strongly committed to creating a safe and positive school environment in which the academic performance and social emotional and physical well-being of all students is supported. The ACPS Department of Student Services and Equity provides programs and staff that promote healthy, caring, and responsible behaviors among students.

### What is Bullying?

Bullying, harassment and intimidation are not tolerated in ACPS. As per sec. 22.1-276.01 of the Code of Virginia, bullying is defined as unwanted, aggressive behavior that:

- Is intended to harm, intimidate or humiliate the targeted person,
- Involves a real or perceived imbalance of power or strength; and
- Is typically repeated over time or causes severe emotional trauma.

Bullying can take a variety of forms, such as:

- **Verbal bullying** which includes name calling, making threats, insults, intimidation, remarks regarding race, gender, religion, physical abilities, sexual orientation, physical characteristics or other forms of verbal abuse.
- **Physical bullying** which consists of hitting, kicking, tripping, spitting, pinching, pushing, or damaging someone's property.
- **Relational or social bullying** which is designed to hurt someone's reputation or relationships. It includes:
  - Spreading rumors
  - Embarrassing or humiliating someone publicly.
  - Excluding or encouraging others to exclude someone.

- **Cyberbullying** which is taunting or humiliation through the use of electronic technology such as cell phones, computers, tablets and communication tools including social media sites, text messages, chat and websites. It includes:
  - Mean text messages and emails
  - Rumors sent by email or posted on social networking sites
  - Posting embarrassing pictures, videos, websites or fake online profiles
- Bullying *does not include*
  - Ordinary teasing or horseplay,
  - Mutual arguments or peer conflict,
  - Isolated acts of meanness, aggression, social rejection or fights.

Bullying can have damaging effects on those targeted by the behaviors, those who witness the behavior and those who engage in the behavior. In some cases, the negative impact of bullying can be long term and has the potential to cause emotional trauma.

## Reporting Bullying

ACPS investigates all reports of bullying. Students or parents/guardians of students who have been bullied or witnessed bullying should immediately report such incidents to the school principal or assistant principal. When an incident occurs, the following steps are taken to address the matter:

1. A report is generated that outlines the incident and the parties involved.
2. A thorough investigation is conducted by the designated site administrator.
3. Parents of both the victim and perpetrator are notified of the incident.
4. Disciplinary action, if necessary, is taken and enforced by the site administrator.
5. All students involved to include the aggressor, the victim, and bystanders will be assessed to determine if counseling or other positive behavioral interventions are needed.

## Online reporting

Instances of bullying can be reported to ACPS via the Tip Line in the [ACPS Mobile App](#). Tips can be anonymous, however, providing as much information as possible will assist ACPS in investigating the instance of bullying.

Alexandria Safe Place is the city's 24-hour hotline to report bullying or crisis events. To access immediate help and support for young people (age 5-18), call 703-746-5400. Visit the City of Alexandria's website at [www.alexandriava.gov](http://www.alexandriava.gov) for more information.

Please refer to the following web page for additional resources on bullying and how to be an ally: [www.acps.k12.va.us/bullying](http://www.acps.k12.va.us/bullying).

See Policy GBA/JFHA – Sexual Harassment/Harassment Based On Race, National Origin, Disability, Religion, Age, Gender, Gender Identity, Gender Expression, and Sexual Orientation/Hostile Work Environment.

# Appendix

## Appendix A: Academic Excellence and Educational Equity, Policy IGBJ

### Policy IGBJ

Alexandria City Public Schools pledges to educate students in an atmosphere of excellence and educational equity that prepares them for citizenship and ensures they are challenged to stretch their talents and aspirations. Upon graduation, students may aspire to pursue college, a career, or independent living. Although educational equity does not mean that all students will have the same experiences or the same results, it does mean that the education provided by ACPS will respond to each student's individual challenges, interests, and abilities, and that each student will be provided with the tools needed to excel.

The School Board will provide leadership and resources that support constructive and life-affirming educational outcomes for our students. Through an individualized approach to monitoring students' interests and progress, ACPS will build on the strengths and gifts of each student.

ACPS believes each student will reach high levels of achievement when supported by a challenging curriculum, effective instruction, engaging relationships, and an environment that promotes his or her well-being academically, emotionally, physically, and socially.

ACPS commits to policies, regulations, and practices that incorporate and are consistent with the following principles:

- Developmentally responsive educational practices and inclusive learning environments empower students to perform at high levels. ACPS will maintain and employees will use differentiated teaching strategies, assessment and other tools that support students in their learning.
- Educational outcomes are not presumed by income, race, disability, gender, first language, or family background.
- Access to educational programs, services, and opportunities does not depend on eligibility criteria other than those prescribed by ACPS policies, or local, state, or federal law. ACPS employees are expected to be aware of such applicable ACPS policies and local, state, and federal laws.
- Home, school, and community all play a vital role in student success.
- Providing a challenging educational program to every student with an emphasis on acceleration of learning opportunities is the responsibility of each administrator, teacher, and staff member.
- By working together, administrators, teachers, and staff members model collaborative behavior to improve the quality of learning for all students. Each employee is responsible and accountable for the learning and achievement of all students and will help build a culture that reinforces this responsibility.
- Employees advocate for the success of each student through program recommendations and robust communication with students and their families regarding opportunities for learning.
- Positive educational outcomes are the responsibility of ACPS employees and our students in partnership with our families and community.
- A focus on the whole child will guide our work with students.

# **Appendix B: Responsible Computer System Use, Policy IIBEA/GAB**

## **Policy IIBEA/GAB**

The Alexandria City Public Schools (ACPS) and its employees are committed to using technology consistently, responsibly, and effectively for teaching and learning, communications, and productivity.

The School Board provides a computer system, including access to the Internet, to promote educational excellence by facilitating resource-sharing, innovation, and communication. The term “computer system” includes all ACPS-provided hardware, software, data, communications lines and computing devices, storage media, services, servers, printers, and access to the Internet and other internal and external networks.

All use of the ACPS computer network system must:

- Fully support the ACPS goals for integrating technology into teaching and learning, communications and productivity;
- Acknowledge an employee and student requirement to uphold the policy; be used for legitimate school business;
- Not jeopardize the safety and security of students, staff, facilities, and operations;
- Not cause degradation of service
- Not involve the use of unauthorized devices.

Access to the computer system should not be abused in the amount of time used, type of use, or content. Any individual who uses the ACPS computer system has no expectation of privacy regarding that use.

Individuals are responsible and accountable for material located on or accessed by their ACPS- issued equipment. ACPS expressly reserves the right to monitor all computer use activity. Any communication or material used on the computer system, including without limitation, electronic mail or other files, created, sent, or deleted from an ACPS computer user’s account, may be monitored and/or read by school officials.

ACPS permits incidental personal use of technology resources consistent with this policy. At ACPS this means:

- Incidental personal use of electronic accounts, Internet access, printers, and copiers is restricted to ACPS staff and students and does not include family members or others not affiliated with the division;
- Incidental use must not result in direct costs to ACPS or cause legal action against or cause embarrassment to ACPS
- Incidental use must not interfere with the normal performance of an employee’s work duties; and
- Incidental use of ACPS technology resources (including personal pictures, music, email messages, voice messages, and documents) should be nominal.

ACPS is not responsible for storing, protecting, supporting and/or restoring personal files. In accordance with Va. Code 22.1-70.2, ACPS teaches students to use best practices in internet safety.

The Superintendent shall establish administrative regulations containing the appropriate uses, ethics, and protocol for the computer system.

The regulations shall include:

- A prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing, or downloading illegal materials, as described below, via the internet [refer to Policy EGAAA at [www.acps.k12.va.us/policies-E](http://www.acps.k12.va.us/policies-E)];
- Provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to: (a) child pornography as set out in Va. Code sec. 18.2-374.1:1 or as defined in sec. 18 U.S.C. sec. 2256; (b) obscenity as defined by Va. Code sec. 18.2-372 or 18 U.S.C. sec. 1460; and (c) material that the school division deems to be harmful to juveniles as defined in Va. Code sec. 18.2-390, material that is harmful to minors as defined in 47 U.S.C. sec. 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- Provisions establishing that the technology protection measure is enforced during any use of ACPS's computers;
- Provisions establishing that online activities will be monitored;
- Provisions designed to protect the safety and security of students and employees when using electronic mail, chat rooms, and other forms of direct electronic communications;
- Provisions designed to prevent unauthorized online access by minors, including "hacking," "cyber bullying," and unlawful activities by minors online;
- Provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding students and employees; and
- The requirement that ACPS staff must use the ACPS electronic accounts when communicating with students.

The ACPS computer system is not a public forum.

Each employee, student, and parent/guardian of each student shall sign the Responsible Computer System Use agreement, IIBEA-2, before using the ACPS computer system. The failure of any employee or student to follow the terms of the Agreement, this policy, or accompanying regulation may result in the loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The Alexandria City School Board is not responsible for any information that may be lost, damaged, or unavailable when using the computer system or for any information retrieved via the Internet.

Furthermore, the School Board is not responsible for any unauthorized charges or fees resulting from access to the computer system.

The Superintendent shall submit to the Virginia Department of Education this policy and accompanying regulation biennially.

## **Appendix C: Student Use of Social Media, Policy IIBEB-1**

### **Policy IIBEB-1**

The Alexandria City Public Schools (ACPS) and its students are committed to using technology in a safe, consistent, responsible and effective manner for learning, communications and productivity.

ACPS recognizes and supports the use of approved online social media to enhance instruction and research, support the learning environment and improve communication. ACPS also strives to teach its students about the responsible and safe use of these technologies. ACPS students may use these tools and other communication technologies in fulfilling their responsibility for communicating appropriately and effectively with other students, staff members and the community.

For purposes of this policy, online social media is defined to include web logs (blogs), wikis, social media networks, online forums, virtual worlds and any other social media generally available to the public or consumers.

## **Educational and Appropriate Use of Social Media**

Online social media, outside of those pre-approved by the division, may not be used for educational or school-sponsored activities without the prior approval of a supervising staff member or sponsor. Furthermore, if approval is granted, the supervising staff member or sponsor must be provided with administrative access to the accounts.

ACPS recognizes the value and benefits of open sharing, diversity of opinion, and civil discourse. Therefore a student should remember to be respectful, responsible, accountable and careful when using social media.

Conduct that is prohibited in a face-to-face educational environment is also prohibited through electronic communication such as bullying, using unacceptable language or sharing inappropriate images. Online communication between students, staff members and volunteers must be clear and appropriate in content and tone.

## **Personal Use of Social Media**

All ACPS students are advised to serve as responsible representatives for our schools and the school division and to remember they are role models to other students in this community. Students should avoid posting any information or engaging in communications that violate local, state or federal laws or division policies or are otherwise disruptive to the educational environment of the school.

## **Failure to Comply with This Policy**

Failure to comply with this policy and its regulations may result in loss of computer system privileges, disciplinary action and/or appropriate legal action.

The superintendent shall develop regulations to support this policy.

## **Appendix D: Honor Code**

ACPS, including its students, faculty, and leadership, is committed to honorable behavior in all aspects of the academic life of our learning community. We trust one another to act honorably in our dealings with one another while recognizing that our diversity requires that we reinforce expected behaviors in order to ensure that all of us have a common understanding of the personal honor upon which we rely. We pledge to discuss our interpretation of honor and the mutual respect that is intrinsic to a learning community.

One of the most important elements of the honor to which we are committed is the belief that cheating, plagiarism, and other examples of academic dishonesty are serious breaches of academic integrity. For that reason, we set out below our understanding of unacceptable behavior that we judge to be a violation of the honor to which we are pledged.

### **I. Purpose of the Honor Code**

- This Honor Code builds on the School Board's Policy IKB, which states that, the student is the center and heart of the learning process. Therefore, students are expected to assume responsibility for their own learning. They will work in partnership with the instructor and peers and contribute to classroom activities and discussions. They will complete all

assignments according to instructor specifications, deadlines, and evaluation criteria. Additionally, they will revisit work in a timely manner when standards and expectations are not achieved. As part of this process, students will play an active role in monitoring their own progress...”

- We believe it is necessary to have in place standards and expectations to which students will be accountable throughout the learning process.
- In our efforts to align with ACPS School Board Policy concerning the Five “High Yield” College Competencies (Policy IKB and Regulation IKB-R), students will need to be instructed in how to identify issues of academic dishonesty (plagiarism, cheating) and how to avoid them.
- In creating a culture of college and career readiness, the ACPS community believes it is the responsibility of the faculty and leadership to prepare students to be ethical in the production of their work.
- Additionally, we believe students must develop a level of accountability that will be expected at ACPS schools, their place of future employment, and college. Our hope is to develop well rounded students who are prepared to succeed beyond the walls of ACPS. Failure to adhere to ethics in the production of student work can result in dismissal from employment and expulsion from college.

## II. Cheating and Plagiarism

The ACPS Code of Conduct states:

- Alexandria City Public School 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.
- Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned schoolwork or tests, nor provide a student the opportunity to do so.

## III. Plagiarism Defined

- To plagiarize is “(1) to steal and pass off (the ideas or words of another) as one’s own; (2) use (a created production) without crediting the source; (3) to commit literary theft; to present as new and original an idea or product derived from an existing source.” Source: Webster’s Ninth New Collegiate Dictionary
- This includes the act of recycling or purchasing assignments or papers.
- If a student attempts to claim the work of another as his or her own he or she is in violation of this Honor Code.

## IV. Cheating Defined

- To cheat is to give answers to others, copy assignments, imagery or tests from others, or look at the tests, coursework (homework and classwork), teacher materials, and similar assignments of others.

## V. Teacher Expectations

- Teachers are expected to teach and reteach students on plagiarism, how to avoid it, the consequences of plagiarism, and the proper methods of attributing sources for assignments that require citations.
- The following link is to the Alexandria City High School Library website explaining how to avoid plagiarism:  
[www.acps.k12.va.us/plagiarism](http://www.acps.k12.va.us/plagiarism).



## VI. Student Certification

- At the start of each course each year, students at all secondary schools will be requested to recertify their agreement to and understand of this Honor Code, including consequences for violation of the Code. Each school shall work out the mechanism to be used at that school to process the certification, whether orally or in writing.
- Nothing in the Honor Code shall prohibit required recertification of adherence to the standards laid out in this document before each major examination, paper submission, or other project. Decisions on whether such recertification shall be required at a school will be made by the academic community at the school with the concurrence of the school principal.

## VII. Effective Date

This Honor Code shall be in effect from January 5, 2015.

## VI. Honor Code Procedures

In such cases of plagiarism, copying/sharing assignments, cheating, the use of translation software without express permission from the instructor, and similar violations of this Honor Code, the following consequences will be instituted.

### First Offense

Teacher WILL:

- Contact the parent/guardian & conference with student concerning the violation.
- Refer the matter to the appropriate Dean/Assistant Principal.
- Refer the matter to academic honor societies such as National Honor Society for consideration and discipline according to its governing principles, including possible expulsion from the organization.

Student WILL:

- Receive a zero on the assignment, with no chance at a makeup/retake or correction.
- Lose any opportunity for recognition of academic achievement such as “Honor Roll” for that marking period even if the student has a qualifying grade point average.

### Repeat Offenses

Teacher MAY:

- Require student to forfeit any chance at future extra credit for that marking period, but student is still allowed to revisit other assignments in compliance with Regulations Governing the Assessment and Evaluation Policy (IFA-R).
- Require student to forfeit the opportunity to be involved in any activity related to the assignment, i.e., Science Fair.
- Consider this matter in any applications or letters of recommendation written on behalf of the student.

In addition to the items listed in the “first offense” column, the following may result for repeat offenses:

- A student may be suspended from any athletic or extra-curricular school activities for a period of up to one week (5 school days). This includes practices, competitions, rehearsals, performances and other extra-curricular activities.
- A student may be required to relinquish any student government office.

- Further violations could result in a student being removed from the extra-curricular activity and/or student government offices altogether, including dances or formals/prom.
- Administration reserves the right to enact discipline beyond those listed if circumstances require it.

## Appeals

A student accused of an Honor Code violation has the right to appeal the punishment to the principal, who may hear the appeal or assign it to another administrator or a body established for the purpose of regulating and monitoring the Honor Code. The school-level appeals process shall be final.

# Appendix E: Standards of Student Conduct, Policy JFC/JFC-R

## Policy JFC/JFC-R

The following are standards of student conduct established by the School Board for all students under its jurisdiction. Consequences shall be determined on the basis of the facts presented in each instance of misconduct in the reasonable discretion of the School Board, its designated committees, and other appropriate school officials.

## Neglect of Studies

A student shall not persistently and continuously neglect his/her school work and fail to take advantage of the educational opportunities offered by the schools.

## Student Dress

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with specific building dress regulations and of which students will be given prior notice.

## Unexcused Absence or Tardiness

Students shall not be absent from or report late to class or school without appropriate parent/guardian permission, school permission, or an otherwise valid excuse.

Whenever any student fails to report to school for a total of five (5) scheduled school days for the school year, and no indication has been received by school personnel that the student's parent/guardian is aware of and supports the student's absence, and a reasonable effort to notify the parent/guardian has failed, the school principal or the school social worker shall make a reasonable effort to ensure that direct contact is made with the parent/guardian, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent/guardian the consequences of continued non-attendance.

The school principal or principal's designee, the school social worker, the student, and the student's parent/guardian shall jointly develop a plan to resolve and improve student's non-attendance. If the student is absent an additional day after the plan is made and the school social worker has received no indication that the student's parent/guardian is aware of and supports the student's absence, the school social worker should schedule an Attendance Panel Conference with the student, his/her parent/guardian and school personnel. The conference may include other community service providers to assist in

resolving issues related to the student's non-attendance. Upon the next absence by such student, without indication that the parent/guardian is aware of and supports the student's absence, the school principal or the school social worker may notify the court and initiate either or both of the following:

1. Filing a petition with the Juvenile and Domestic Relations Court alleging that the student is a child in need of supervision (CHINS), or
2. Filing a warrant against the parent/guardian for educational neglect.

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may in accordance with Policy JED: Student Absences/Excuses/Dismissals notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

## **Disruptive Conduct**

Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function, or process of the school or is dangerous to the health or safety of students or others.

## **Profane, Obscene or Abusive Language**

Students shall not use language, a gesture, or engage in conduct that is vulgar, profane, obscene, or disrupts the teaching and learning environment.

## **Threats or Intimidation**

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.

## **Assault and Battery**

Students shall not use language, a gesture, or engage in conduct that is vulgar, profane, obscene, or disrupts the teaching and learning environment.

A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery.

Physical Assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting, and fighting.

Battery is the unlawful application of force to the person of another.

## **Bullying**

A student, either individually or as part of a group, shall not harass or bully others either in person or by use of any communication technology, including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal conduct consisting of comments regarding the race, gender, religion, physical abilities, sexual orientation, or characteristics or associates of the targeted person.

## **Gambling**

A student shall not play or participate in any game in which the outcome is uncertain and a matter of chance, or bet for money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.

## **Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs**

A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, lookalike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD: Administering Medicines to Students.

A student shall not possess, procure or purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in this regulation or what is represented by or to the student to be any of the restricted substances listed in this regulation or what the student believes is any of the restricted substances in this regulation.

This regulation incorporates Policy JFCF: Drugs in School.

Restricted substances include alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any volatile/ignitable inhalant materials, anabolic steroids and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package, and include anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

## **Distribution or Sale of Illegal Drugs or Possession or Distribution with Intent to Sell**

Students shall not manufacture, give, sell, distribute, or possess with intent to give, sell, or distribute marijuana or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

## **Vandalism**

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus, or at school-sponsored events.

## **Defiance of the Authority of School Personnel**

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by School Board policies and regulations.

## **Possession or Use of Weapons or Other Dangerous Articles**

Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. This regulation incorporates Policy JFCD: Weapons in School.

## **Theft**

A student shall not intentionally take the personal property of another person without consent by applying duress, threat, or otherwise.

## **Behavior on School Bus**

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus, or after being discharged from a school bus.

## **Cheating**

Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned school work or tests.

## **Trespass**

The student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

## **Gang Activity**

A student shall not engage in gang activities as defined in Policy JFCE: Gang Activity or Association, incorporated by reference.

## **Harassment**

A student shall not harass another student or any school employee, volunteer, student teacher, or any other person present in school facilities or at school functions in violation of Policy JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin, Disability, Religion, Gender, Gender Identity, Gender Expression, and Sexual Orientation.

## **Possession of beepers, Cellular Telephones, Other Electronic Devices, or Similar Communications Devices**

Students may possess beepers, cellular telephones, or other communications devices on school property, including school buses, provided that the devices remain off and out of sight during the instructional day unless such use occurs under the direction of an instructor. If a student possesses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent/guardian.

## **Technology Use**

Students are required to abide by the rules for the responsible use of technology. Use of hardware, software, network, or telecommunications in violation of these rules is prohibited.

Students shall abide by the ACPS Responsible Computer System Use Policy IIBEA and Regulation.

## **Reports of Conviction or Adjudication of Delinquency Pursuant to sec.16.1-305.1**

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

## **Laser Pointers**

Students shall not have in their possession laser pointers.

## **Bomb Threats**

Students shall not engage in any illegal conduct involving firebombs, explosive, or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

## **Felony Charges**

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/intervention activities.

## **Other Conduct**

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

## **Hazing**

Students shall not engage in hazing.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney. Hazing, as defined above, is a Class I misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed under this policy. In addition, any person receiving bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or infants. See Va. Code sec. 18.2-56.

## **Corrective Actions**

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. Each offense shall be considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of certain privileges
5. Parental conferences

6. Tasks or restrictions assigned by the principal or principal's designee
7. Detention after school or before school (Parents/guardians must be notified of any before- or after-school detention.)
8. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
9. In-school suspension
10. Out-of-school suspension
11. Referral to an alternative education program
12. Notification of legal authority where appropriate
13. Recommendation for expulsion
14. Evaluation for alcohol or substance abuse.
15. Participation in a drug, alcohol or violence intervention, prevention, or treatment program
16. Petition filed with the juvenile and domestic relations court to declare the student a child in need of supervision.

## **Appendix F: Student Suspension/Expulsion, Policy JGD-R/JGE-R**

### **Policy JGD-R/JGE-R**

#### **I. Grounds for Suspension and Expulsion**

The following **examples** of violations of the Student Code of Conduct and School Board policy may be grounds for suspension:

- Arson
- Threats or Intimidation
- Assault and Battery/Fighting
- Persistently Disruptive Conduct
- Profane or Abusive Language
- Gambling
- Use, possession, or Distribution of Alcohol or Other Drugs or Restricted Substances
- Vandalism
- Defiance of the Authority of School Personnel
- Weapon Possession
- Theft
- Violation of Bus Regulations
- Trespass
- Gang Activity
- Use or Possession of Tobacco
- Sexual Harassment

The following **examples** of violations of the Student Code of Conduct and School Board policy may be grounds for expulsion:

- Arson
- Threats or Intimidation
- Assault and Battery/Fighting

- Gambling
- Use, Possession, or Distribution of Alcohol or Other Drugs, or Restricted Substances Vandalism
- Defiance of the Authority of School Personnel
- Weapon Possession
- Theft
- Violation of Bus Regulations
- Gang Activity
- Sexual Harassment

## **II. Appeal of Suspension and Expulsions**

The decision of the Superintendent or his/her designee for a suspension for 10 days or less may not be appealed to the School Board pursuant to policy JGD/JGE. Appeals of suspensions of 10 days or fewer should be directed to the administrator who suspended the student. (See the Disciplinary Hearings Section).

Decisions made as the result of a disciplinary hearing may be appealed to the Chief of Student Services, Alternative Programs and Equity within five school days of the day that you were notified of the decision.

Students may be expelled from attendance at school after written notice to the student and his/her parent/guardian of the proposed action and reasons therefore and of the right to a hearing before the School Board. Regardless of whether the student exercises the right to a hearing, the School Board shall confirm or disapprove of the proposed expulsion.

## **III. Readmission of Expelled Students**

Students who are expelled from the Alexandria City Public Schools and who are not permitted during the expulsion to return to regular school attendance or to attend an alternative education program, may petition for readmission to be effective one year after the date of the expulsion. The process for the readmission of any expelled student is as follows:

- In order to ensure that a student has an opportunity for timely readmission to school, a petition for readmission must be filed not earlier than nine months, and not later than ten months from the date of the School Board's decision letter expelling the student. Failure to file a petition for readmission in a timely manner may result in a delayed decision on the petition. Petitions must be in writing and must be filed with the ACPS Office of Equity. Any student aged eighteen (18) or older must file a petition on his or her own behalf. If the student is under the age of eighteen (18), the parent(s)/guardian(s) may act on the student's behalf;
- Within twenty-one (21) days of the receipt of a written petition for readmission, the Office of Equity will schedule a hearing before the Director of Equity. At the time of the hearing, the student and/or parent(s)/guardian(s) must come prepared to explain why the student should be readmitted to school, and how the school can be assured that the student's behavior has improved and that there will be no recurrences of inappropriate behavior. If any conditions for readmission had been imposed by the School Board at the time of the student's expulsion, the hearing will review whether all of those conditions have been achieved. The Director of Equity will issue a written decision within seven days of the hearing. The parent(s)/guardian(s) and/or student will receive a copy of the decision.
- Parent(s)/guardian(s) and/or the student may appeal the decision of the Director of Equity to the School Board within five days of receiving that decision. A copy of the Director of Equity's decision, a copy of the expulsion decision, and any



other materials which have been submitted concerning the expulsion, and petition for readmission will be provided to the Board. The Board may, but need not, hold a further hearing. The Board shall issue its decision within 21 days of convening to consider the appeal.

- Where a petition for readmission is denied, a student (or if applicable, his/her parent(s)/guardian(s)), may reapply on an annual basis in accordance with the above schedule.

## **Appendix G: Relations with Law Enforcement Authorities, Policy KNAJ**

### **Policy KNAJ**

#### **Investigations by Law Enforcement Officers at School**

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the school principal shall be contacted immediately. The principal or his/her designee shall make a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or his/her designee shall be present throughout the interrogation.

#### **Service of Process at School**

Should there be a need to serve a student or school employee with any “legal process”, the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they shall be served at the principal’s office of the school at which the student is in attendance or the main office of the facility at which the employee is assigned. In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

#### **Development of Programs**

The Superintendent shall seek to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent shall obtain and use Sex Offender Registry Information in accordance with policy KN.

#### **Report to Law Enforcement Officials**

Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal shall immediately report to local law enforcement officials all incidents listed below that may constitute a criminal offense:

- Assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting or wounding of any person on a school bus, on school property, or at a school-sponsored activity; or
- Any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in sec. 1832-248.1:1 a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity; or
- Any threats against school personnel while on a school bus, on school property, or at school-sponsor activity, including the theft of or attempted theft of student prescription medications; or

- The illegal carrying of a firearm, as defined by Va. Code sec. 22.1-277.07, onto school property, any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code sec. 18.2-433.1, or chemical bombs, as described in Va. Code sec. 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or
- Any threats or false threats to bomb, as described in Va. Code sec. 18.2-83, made against school personnel involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity.

## **Appendix H: Equal Educational Opportunities/Non-Discrimination & Student Records/FERPA, Policies JB/AC & JO**

### **Equal Educational Opportunities/Non-Discrimination**

#### **Policies JB/AC**

Equal educational opportunities shall be available for all students, without regard to race, national origin, disability, religion, gender, gender identity, gender expression, sexual orientation or marital or parental status. Further, educational programs shall be designed to meet with varying needs of all students. The Alexandria City School Board does not discriminate on the basis of race, color, national origin, ancestry, sex, disability, age, religion, gender, gender identity, gender expression, sexual orientation, genetic information, marital status, status as a parent or pregnancy in its programs and activities. Please direct all inquiries regarding ACPS non-discrimination policies to the Department of Student Services and Equity, 1340 Braddock Place, Alexandria, Virginia 22314 or 703-619-8036.

### **Student Records/FERPA**

#### **Policy JO**

#### **Annual Notification**

The school division shall annually notify parent/guardians and eligible students of their rights under the Family Education Rights and Privacy Act (FERPA) including:

- The right to inspect and review the student's educational records and the procedure for exercising this right;
- The right to request amendment of the student's educational records that the parent/guardian believes to be inaccurate, misleading, or in violation of the student's privacy rights and the procedure for exercising this right;
- The right to consent to disclosure of personally identifiable information contained in the student's education records, exempt to the extent that FERPA authorizes disclosure without consent;
- The type of information designated as directory information and the right to opt out of release of directory information;
- That the school division releases records to other institutions that have requested the information and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- The right to opt out of releasing the student's name, address and phone number to military recruiters or institutions of higher education that request such information;
- A specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and

The right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

## **Appendix I: Student Publications, Policy JP**

### **Policy JP**

#### **Definition of Official School Publications**

Official school publications such as newspapers, yearbooks, and literary magazines may be pre-pared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. In all instances related to these publications, the School Board will be the publisher, the principal will be the editor, the faculty sponsor will be co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

#### **Responsibilities of Student Editors and Journalists**

Student editors and journalists shall be responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that:

- Is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
- Which advocates the commission of an unlawful act or the violation of a school policy or regulation;
- Which advertises or advocates illegal products or services; or
- Which advocates prejudice, hatred, violence, or harassment on the basis of race, color, religion, national origin, sexual orientation, gender, gender expression, ethnicity, political affiliation, ancestry, or disability.

#### **Responsibilities of Student Publications Faculty Co-Editor**

School publications faculty co-editors shall instruct students in the Code of Ethics of the American Society of Newspaper Editors and help students to understand and follow it. Faculty members shall instruct students in correct and appropriate journalistic techniques and consult with the principal, who is the editor, on material that may violate the law or the journalism Code of Ethics. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal (editor).

#### **Responsibilities of the School Principal (Editor)**

The school principal is responsible for approving all publications in accordance with School Board policy and his/her judgment and discretion.

## **Appendix J: Disciplining Students with Disabilities, Policy JGDA**

### **Policy JGDA**

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

## **I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern--Change in Placement**

For the purpose of removing students with disabilities from their current educational placements, a change in placement occurs when:

The removal is for more than 10 consecutive school days; or

A series of removals for 10 days or less cumulate to more than 10 days in a school year and constitute a pattern because of:

- The length of each removal
- The proximity of the removals,
- The total time the child is removed, and
- The child's behavior is substantially similar to the child's behavior in previous incidents.

If the disciplinary action will result in a change of placement for a student with a disability, then that student's parent/guardian must be sent notice that same day of the recommendation for discipline and be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must be followed.

## **II. Short-Term Suspension**

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove any student with a disability from his or her current educational setting for up to 10 school days cumulative in a year to the extent that such removal would be applied to children without a disability and for additional short-term suspensions provided no pattern exists.

## **III. Functional Behavior Assessments and Behavior Intervention Plans**

If the school administration, the parent/guardian, and the relevant Individualized Education Program (IEP) team members determine that a manifestation exists, the IEP team must:

1. Conduct a Functional Behavior Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or
2. If the student already has a FBA and BIP in place, review/modify the BIP, as necessary, to address the behavior.

## **IV. Educational Services While Disciplined**

For the first 10 days of removal in a school year, ACPS is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, ACPS shall provide services to the student during the removal to the extent necessary for the student, considering his or her disability, to:

1. Progress in the general curriculum and
2. Appropriately advance toward achieving the goals set out in the student's IEP.

The determination of needed services is made by the IEP team for discipline that constitutes a change in placement. For discipline that is not a change in placement, the decision is made by school personnel in consultation with the student's special education teacher.

## **V. Manifestation Determination**

When a disciplinary action that results in a change of placement is being considered for a student with a disability, a manifestation determination review shall be conducted, if within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the relevant members of the IEP Team, including a representative of the Office of Specialized Instruction, the parent/guardian, and others as determined by the school division.

The IEP Team may determine that the behavior of the student was not a manifestation of such student's disability only if the IEP Team:

1. Considers all relevant information in the student's file, including the student's IEP, any teacher observations, any relevant information provided by the parent/guardian; and
2. Determines that:
  1. The conduct in question was not caused by, or had a direct and substantial relationship to, the student's disability; and
  2. The conduct in question was not the direct result of the school division's failure to implement the IEP.

If a manifestation is found, the student cannot be disciplined beyond any permissible short-term removal that may be available. The student's parent/guardian may request an expedited due process hearing if the parent/guardian disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent/guardian disagrees with any decision regarding the placement of the student while disciplined. The student will remain in the interim alternative education setting pending the decision of the hearing officer or the expiration of a 45-day removal.

## **VI. Disciplinary Action for Behavior that is Determined Not to be a Manifestation**

Once it is determined that the behavior was not a manifestation of the student's disability, the disciplinary procedures will be applied to the student with a disability in the same manner as applied to non-disabled students. Following a removal that constitutes a change in placement, the student must continue to receive the educational services necessary to appropriately progress in the general curriculum, although in another setting, and to progress toward meeting the goals set forth in the student's IEP. In addition, the special education and disciplinary records of the child must be made available to the person who makes the final decision regarding the discipline.

## **VII. Disciplinary Action and/or Alternative Placement for Behavior that is Determined to be a Manifestation**

A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may also be moved to a different location not constituting a change in placement, or may be removed to a different or more restrictive placement by following change in placement procedures. The IEP team shall conduct or review a FBA and/or BIP as provided in Section III.

## **VIII. Interim Alternative Educational Settings for Weapons and Drugs and Infliction of Serious Bodily Injury**

Students with disabilities 1) who carry or possess a weapon to or at school, on school premises, or to or at a school function, or 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance while at school, on school premises, or at a school function, or 3) who inflict serious bodily injury upon another person while at school, on school premises, or at a school function may be disciplined pursuant to Policy JFCD: Weapons in School and JFCF: Drugs in School or JGDB: Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an appropriate interim alternative education setting for up to 45 school days. This option is available without regard to whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

## **IX. Change of Placement Hearing**

In addition to the other options for removal, a hearing officer may order a change in placement for a student with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional 45 school day removals may be authorized by the hearing officer as necessary.

## **X. Placement During Appeals**

Students with disabilities are entitled to the due process rights available to a nondisabled student. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended, and any state procedures. During the course of any appeals, the student's placement shall be in accordance with the provisions of the Virginia Regulations Governing Students with Disabilities unless the parent/guardian and the school division agree otherwise.

## **XI. Students Not Identified as Disabled**

Students for whom the parent/guardian assert there is a disability but who have not yet been identified as disabled are subject to the same measures applicable to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. The school division will be deemed to have knowledge of the student's disability if:

1. The parent/guardian had previously expressed concern in writing (or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement) to school personnel that the student was in need of special education and related services; or
2. The parent/guardian requested an evaluation of the student for special education eligibility through formal evaluation procedures; or
3. The student's teacher or other school personnel has expressed specific concern about a pattern of behavior or performance to the Executive Director of Specialized Instruction or to other supervisory personnel of the school division.

The school division would not be found to have knowledge of a student's disability if:

1. The parent/guardian refused to allow an evaluation of the student or refused special education services, or
2. The student was evaluated and found not eligible for special education services.

If a request for evaluation is made during the period such student is subject to disciplinary action, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a student with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parent/guardian, then the student must be provided special education and related services in the least restrictive environment, even if in another setting, in compliance with the procedures for suspended and expelled students with disabilities. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities.

## **XII. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies**

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act and who are currently engaging in the illegal use of drugs or alcohol may be disciplined for violating the Division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

## **Appendix K: Search and Seizure, Policy JFG**

### **Policy JFG**

A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety, and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers, or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission, or process of the school, or any item described as unauthorized in school rules available beforehand to the student. "Student belongings" includes, but is not limited to, backpacks, mobile phones or other electronic devices, purses, jackets, or other personal effects.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

### **Personal Searches**

A student's person (including outer clothing) and/or personal effects may be searched by a school official whenever the official has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials or has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation. All individual searches of students must be initiated based on reasonable suspicion, i.e., a moderate chance of finding evidence of wrongdoing.

In order to be permissible, the search must be:

1. Justified by reasonable suspicion at its inception and
2. Reasonably related in scope to the circumstances justifying the search.

An individual search is justified at its inception when a school official has a reasonable suspicion, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A school search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

A personal search may include requiring a specific student or students to be scanned with a metal detector. General or random use of metal detectors is not covered by this policy.

A pat-down search of a student may only be conducted if a school administrator has a reasonable suspicion that evidence will be found that a law or school rule has been broken. If a pat-down search of a student's person is conducted, it will be conducted in private by a school official of the same sex as the student, and with an adult witness of the same sex as the student present.

## **Strip Searches**

Strip searches, including search of a student's undergarments, involve an extreme intrusion into the rights of a student and may only be conducted when an extremely serious situation exists requiring immediate action because of an imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary, the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent death or great bodily injury to a person or persons, and a law enforcement official is not available in sufficient time. If a strip search must be conducted by a school official, it must be by a school official of the same sex as the student, and with an adult witness of the same sex as the student, and the school official must have the prior approval of the Superintendent or Superintendent's designee, unless obtaining that approval would itself imminently threaten death or great bodily injury to a person or persons.

## **Searches of Lockers, Desks, and Other School-Provided Storage**

Student lockers, desks, and similar school-provided storage facilities are school property and re-main at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned lockers at all times. Periodic general inspections of lockers, desks, and similar school-provided storage facilities may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant or requirement of reasonable cause.

## **Automobile Searches**

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. Such patrols and inspections may be con-ducted without notice, without student consent, and without a search warrant or reasonable suspicion of wrongdoing. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation or that illegal or un-authorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile.



## **Searches of School Computers**

School computers, software, and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school and in accordance with Policy IIBEA Responsible Computer System Use. School officials may search school computers, software and internet access records at any time for any reason without notice, without student consent, and without a search warrant or requirement of reasonable suspicion.

## **Consent Searches**

If a student gives a school official consent for a search of his or her person, personal effects, and/or the interior of his or her vehicle, the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and a student must not perceive himself or herself at risk of punishment for refusing to grant permission for the search.

## **Seizure of Illegal Materials**

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

# **Appendix L: Administration of Medications to Students, Policy JHCD**

## **Policy JHCD**

The purpose of this policy is to provide consistent, safe procedures for medication administration in the schools and to enhance student health and stabilize medical conditions to support student academic achievement. Whenever possible, medication should be administered by parents or guardians. Under certain circumstances as outlined below and in JHCD-R, prescription medication and non-prescription medication may be taken during the school day.

For students with disabilities and those who have been afforded accommodations under Section 504 of the Rehabilitation Act of 1973 to provide them with access to a Free Appropriate Public Education (FAPE), all medications shall be administered in accordance with the student's Individualized Education Program (IEP) or 504 Plan.

## **Prescription Medication**

Employees of the Alexandria City Public Schools (ACPS) may give prescription medication to individual students with a written order or prescription from a "licensed prescriber" (physician, nurse practitioner, physician assistant, optometrist and dentist) and a signed Authorization to Administer Medication form "signed authorization" from a parent or guardian. Such medicine must be in the original container and be delivered to the school nurse or the principal's designee by the student's parent or guardian. ACPS personnel will follow all written orders of the licensed prescriber. Self-care and self-administration of prescription medications will be addressed on a case-by-case basis including care for diabetes, asthma and/or allergies.

## **Non-Prescription/Non-Controlled Medications**

ACPS school health personnel or trained ACPS staff may give non-prescription/non-controlled medications to students with a licensed prescriber's written order and signed authorization from a parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medication is to be given. Such medication must

be in the original container. Secondary students with a signed authorization form from a parent or guardian may carry one dosage of non-prescription/non-controlled medication at a time, such as Advil, Motrin, and Tylenol, if such medication is not stored in the clinic.

## **Epinephrine**

Pursuant to an order or standing protocol issued by the licensed prescriber within the course of professional practice, any school nurse, School Board employee, employee of a local governing body, or employee of a local health department who is authorized by a licensed prescriber and trained in the administration of epinephrine may possess epinephrine and may administer it to any student believed to be having an anaphylactic reaction.

## **Discipline**

Failure by students to comply with all the required elements of this policy and related regulations will result in discipline as outlined in the ACPS Student Code of Conduct.

## **Regulation**

Regulation JHCD-R established guidelines for the administration of medication to students. It includes provisions for the handling, storage, monitoring, documentation and disposal of medication.

# **Appendix M: Student Organizations, Policy IGDA**

## **Policy IGDA**

It is the policy of the school division to permit the organization and operation of student organizations in the secondary schools and to permit such organizations to meet on school premises during non-instructional time. The purpose of this policy is to establish criteria and procedures governing the operation of student organizations.

Curriculum-related student organizations must:

- Serve as an extension of the regular school curriculum;
- Enhance the participants' educational experience;
- Supplement the course materials within the educational program of the schools; and
- Bear a clear relationship to the regular curriculum.

The principal shall determine whether the organization meets the above criteria. The principal shall approve organizations that meet the above criteria and officially recognize them as school-sponsored student organizations.

## **Student-Initiated Organizations**

Secondary school students are also permitted to organize and conduct meetings of non-curriculum related student organizations to pursue activities outside of the school curriculum, subject to the provisions of this policy. Such organizations must be student initiated and directed, and school personnel, parents, and any other persons who are not students enrolled in the division are prohibited from directing, controlling, conducting, or regularly attending the meetings of such organizations except that the faculty supervisor, appointed by the principal, must attend all meetings. Non-curriculum-related student

organizations shall not be deemed to be school-sponsored or endorsed. The fact that such organizations are permitted to conduct meetings under this policy shall not constitute an expression of school division support for the purposes of such organizations or the content of any meetings thereof.

## **Membership**

Membership in all student organizations shall be open to and limited to all students currently enrolled in the sponsoring school on a voluntary basis. Student organizations may establish academic qualifications for membership where necessarily related to the purposes of the organization. Student organizations shall not deny a student membership on account of his or her race, color, national origin, or religion. An organization may only impose membership qualifications based on sex where based on competitive athletic skill or where the activity involved is a contact sport. However, membership shall not be denied solely on the basis of gender identity, gender expression, or sexual orientation.

## **Faculty Supervision**

The principal shall appoint one or more members of the school faculty to sponsor and supervise each curriculum-related student organization. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

Non-curriculum-related student organizations that are student-initiated shall not have a faculty sponsor. However, a member of the school's professional staff shall attend every meeting or activity of such organizations in a non-participatory capacity for purposes of general supervision. The organization shall be responsible for assuring the presence of a staff member for its meetings.

ACPS shall not compel any school employee to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee. School employees present at any meeting of a non-curriculum-related student organization which includes religious worship, prayer, or practice or is identified as having a religious purpose shall attend in a non-participatory capacity only.

## **Meetings of Student Organizations**

All student organizations shall have the right to meet on school premises during non-instructional time as designated by the school principal. ACPS shall not deny any student organization equal access to school facilities during designated meeting times on the basis of the religious, political, philosophical, or other content of the speech at the meetings of such organization. ACPS shall not extend any public funding or support to any non-curriculum-related student organization other than the opportunity to meet on school premises on an equal basis as other student organizations.

The principal of each school shall develop guidelines and rules concerning the procedure for scheduling meetings of student organizations and setting the times and facilities which are available for such meetings. Meeting times shall be limited to non-instructional time before or after regular classroom hours or during established activities periods. These guidelines and rules shall be made available to all students. Student organizations wishing to conduct meetings under this policy must make application to the principal for permission in accordance with division procedures.

## **Compliance with Law and Policy**

Student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety, or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action.

## **Appendix N: Religion in Schools, Policy INDC**

### **Policy INCD**

ACPS shall be neutral in matters of religion. This means that ACPS:

- Assumes no role or responsibility for the religious training of any student; and
- Does not become involved in the religious belief, disbelief, or doubt of any student.

This neutrality does not preclude or hinder ACPS in fulfilling its responsibility to educate students to be tolerant and respectful of religious diversity. ACPS also recognizes that one of its educational responsibilities is to advance the students' knowledge and appreciation of the role that religion has played in the social, cultural, and historical development of civilization.

Therefore, ACPS approaches religion from an objective, curriculum-related perspective, encouraging all students and staff members to be aware of the diversity of beliefs and respectful of each other's religious and/or non-religious views.

In that spirit of respect, students and staff members may be excused from participating in activities that are contrary to their religious beliefs.

## **Appendix O: Teaching About Controversial Issues, Policy INB**

### **Policy INB**

The School Board accepts training for effective citizenship as one of the major purposes of education and recognizes that the preparation for effective citizenship includes the study of issues on which differing positions may be held by individuals or groups.

In considering such issues, it shall be the purpose of the Alexandria City Public Schools to allow study of teacher-assigned issues. The student shall:

1. Have free access to all relevant information and materials in the school;
2. Conduct research in an atmosphere of freedom from bias and prejudice;
3. Form and express opinions on assigned issues.

The role of the teacher in the presentation of assigned issues is vitally important. All sides of the issue should be given the students in a dispassionate manner. The goal is for students to be taught to think clearly on all matters of importance, and to make decisions in the light of all the materials that have been presented or can be researched on the issues. Indoctrination is not the intent or purpose of the school division.

It is essential that when discussing controversial issues and expressing opinions, students be encouraged to provide evidence to support their perspectives, claims, and assertions. They should also be encouraged to consider multiple points of view

related to a controversial issue, problem, or decision – including why a specific issue may raise multiple opinions and perspectives. Such critical thinking skills as comparing and evaluating sources, including analysis and evaluation of potential evidence of bias or propaganda, are essential for dealing with controversial issues with-in a class context.

When appropriate, or when asked, the teacher may give his/her opinion but must be sure that the student recognizes the given opinion as the teacher's personal opinion.

Although the instructional program of the school division includes many facets of the political party system in the United States, the School Board does not approve as a part of the school pro-gram the involvement of students in activities that imply school endorsement of an individual political party or candidate.

## **Appendix P: Sexual Harassment/Harassment Based On Race, National Origin, Disability, Religion, Age, Gender, Gender Identity, Gender Expression, and Sexual Orientation/Hostile Work Environment, Policy GBA/JFHA**

Sexual Harassment/Harassment Based On Race, National Origin, Disability, Religion, Age, Gender, Gender Identity, Gender Expression, and Sexual Orientation/Hostile Work Environment

### **POLICY GBA/JFHA**

#### **I. Policy Statement**

##### **Discrimination in Violation of State or Federal Law**

The Alexandria City School Board is committed to maintaining a learning/working environment free from sexual harassment and harassment based on race, national origin, disability, religion, age, gender, gender identity, gender expression or sexual orientation. Therefore, the Alexandria City School Board prohibits sexual harassment and harassment based on race, national origin, disability, religion, age, gender, gender identity, gender expression or sexual orientation of any student or school personnel at school or any school sponsored activity.

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

In addition to the protected classes of all students and school personnel described above and in accordance with federal law, the School Board prohibits age discrimination in any aspect of employment. In addition, it is unlawful to harass school personnel because of his or her age. Harassment can include, for example, offensive or derogatory remarks about a person's age. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that aren't very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision. The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee.

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

## **Other Types of Bullying, Harassment and/or Intimidation**

Additionally, beyond those forms of harassment or discrimination prohibited by law, it is the goal of ACPS to provide a professional work/school environment free from all forms of bullying, harassment, and/or intimidation. The Alexandria City School Board is committed to a safe, healthy and professional work environment. The Board recognizes that in order to achieve high academic standards, it is essential that all students and personnel be provided a productive and positive educational environment.

Therefore, the School Board strictly prohibits behavior that is not conducive to a professional and respectful workplace environment. Employees and students shall not engage in hostile, humiliating or intimidating behavior, including abusive language or actions, bullying, coercion, intimidation, acts of discrimination or retaliation.

## **II. Definitions**

### **A. Sexual Harassment**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when: (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; or (2) submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or (3) that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e., the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute sexual harassment if it meets the immediately preceding definition include:

- Unwelcome sexual physical contact;
- Unwelcome ongoing or repeated sexual flirtation or propositions or remarks;
- Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions;
- Graphic comments about an individual's body;
- Sexual jokes, notes, stories, drawings, gestures, or pictures;
- Spreading sexual rumors;
- Touching an individual's body or clothes in a sexual way;
- Displaying sexual objects, pictures, cartoons or posters;
- Impeding or blocking movement in a sexually intimidating manner; or
- Sending sexually explicit or suggestive electronic messages.

## **B. Harassment Based on Race, National Origin, Disability, Religion, Gender, Gender Identity, Gender Expression or Sexual Orientation**

Harassment based on race, national origin, disability, religion, gender, gender identity, gender expression or sexual orientation consists of physical or verbal conduct relating to an individual's race, national origin, disability, religion, gender, gender identity, gender expression, or sexual orientation when the conduct:

1. Creates an intimidating, hostile or offensive working or educational environment; or
2. Substantially or unreasonably interferes with an individual's work or education; or
3. Otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability, religion, gender, gender identity, gender expression or sexual orientation if it meets the immediately preceding definition include:

- Graffiti containing racially offensive language;
- Name calling, jokes, or rumors;
- Physical acts of aggression against a person or his property because of that person's race, national origin, disability, religion, gender, gender identity, gender expression or sexual orientation, hostile acts which are based on another's race, national origin, religion, disability, gender, gender identity, gender expression or sexual orientation;
- Harassment based on nonconformity to gender stereotypes and/or gender identity and expression; and
- Written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability, religion, gender, gender identity, gender expression or sexual orientation.

## **C. Hostile, Humiliating or Intimidating Work Environment**

"Hostile, humiliating or intimidating work environment" means severe and pervasive conduct that permeates the work environment and interferes with an employee's ability to perform his or her job. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of a hostile work environment. The conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person. Offensive conduct that may create a hostile work environment includes, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee. It is important to note that the victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.

In addition, the law prohibits discrimination in any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, benefits, and any other term or condition of employment.

## **D. 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" shall include, but not be limited to verbal or electronic communication such as cyber-bullying, or a physical act or gesture based on any actual or perceived differentiating characteristics, age, or by association

with an individual or group who has or is perceived to have one or more of such characteristics. The “bully” can be the victim’s supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee. “Bullying” does not include ordinary teasing, horseplay, argument or peer conflict.

## **E. School Personnel**

“School personnel” means School Board members, school division employees, agents, volunteers, contractors, or other persons subject to the supervision and control of the school division.

## **III. Complaint Procedure**

Regulation GB-R/GBA-R/JFHA-R provides for the appointment of a Compliance Officer and Alternative Compliance Officer responsible for receiving, investigating, and acting upon complaints of discrimination, harassment, bullying, a hostile work environment or unethical conduct prohibited by this policy. Such regulations shall prescribe the procedures for the filing, investigation, and disposition of such complaints.

## **IV. Retaliation**

The school division prohibits retaliation against students, parents or school personnel who:

- Report discrimination, harassment, bullying, a hostile work environment or unethical conduct;
- Participate in any related proceeding; or
- Suggest improvements to division or school practices/procedures.

The Division shall take appropriate action in response to any such retaliation.

## **V. Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination, harassment, bullying, a hostile work environment or unethical conduct including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

## **VI. Prevention and Notice of Policy**

Training to prevent sexual harassment, harassment based on race, national origin, disability, religion, gender, gender identity, gender expression and sexual orientation, bullying, a hostile work environment and unethical conduct should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each school division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students and their parents/guardians, and employees shall be notified annually of the names and contact information of the compliance officers.

## **VII. False Charges**

Students or school personnel who knowingly make false charges of discrimination, harassment, bullying, a hostile work environment or unethical conduct shall be subject to disciplinary action as well as any civil or criminal legal proceedings.



## **Appendix Q: Alcohol and Other Drugs In Schools, Policy JFCF/JFCI**

### **POLICY JFCF/JFCI**

Illegal drug use and abuse are prohibited by the ACPS Student Code of Conduct in compliance with all applicable federal, state or local laws and ordinances. Any staff member shall report to the relevant principal or designee any student suspected of being under the influence of alcohol and other drugs (AOD) or in violation of the ACPS Student Code of Conduct related to substance abuse.

The School Board promotes substance abuse prevention programs to educate students and staff about the harmful effects of alcohol, illegal drugs and/or the misuse of legal drugs, and supports intervention programs for those who need help overcoming substance abuse. However, the primary responsibility for helping students who are involved with substance abuse lies with the students and their parents.

### **I. Generally**

Possession of alcohol, or any controlled substance, imitation controlled substance or marijuana, as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, is prohibited on school property or at a school-sponsored activity.

#### **A. Expulsion**

A student who is determined to have brought alcohol, a controlled substance, imitation controlled substance, marijuana, or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension / Expulsion. The Superintendent may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate. Any such disciplinary action shall be taken in accordance with Title 22.1, Chapter 14, Article 3 of the Code of Virginia.

#### **B. Required Reporting to Parents and Local Law Enforcement**

The Principal shall report a violation of this policy to parents and local law enforcement as required by Policy CLA Reporting Acts of Violence and Substance Abuse.

### **II. Students with Disabilities**

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a drug violation.

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when 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 a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school-day removal, “illegal drugs” and “controlled substance” are defined as follows:
  1. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).
  2. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.



## Alexandria City Public Schools

1340 Braddock Place • Alexandria, VA 22314 • 703-619-8000



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