

STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of Tazewell County. It is the responsibility of the Tazewell County School Board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members and parents are provided the opportunity to become familiar with this policy.

The superintendent issues Standards of Student Conduct and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. The Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is also sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review the School Board's Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or 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.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

The school principal may notify the parents of any student who violates a School Board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed

such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education.

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

If a parent fails to comply with the requirements of this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

Students are subject to corrective action for any misconduct that occurs:

- 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 acts lead to: (1) notification pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260, (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including marijuana and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats, including false threats, against school personnel or school property;
- use or possession of explosives (see Policy JFCD Weapons in School);
- possession of weapons or firearms (see Policy JFCD Weapons in School);
- extortion, blackmail or coercion;
- driving without a license on school property;
- homicide;
- burglary;
- sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation);
- malicious mischief;
- shooting;

- any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs;
- stabbing, cutting or wounding;
- unlawful interference with school authorities including threats;
- unlawful intimidation of school authorities; and
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

The superintendent issues regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

The School Board biennially reviews the model student conduct code developed by the Board of Education to incorporate into policy a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Adopted: April 7, 2015

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-308.1, 18.2-308.7, 22.1-78, 22.1-200.1, 22.1-253.13:7.C.3; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	IIBEA/GAB	Acceptable Computer System Use
	IIBEA-R/ GAB-R	Acceptable Computer System Use
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JN	Student Fees, Fines and Charges

STUDENTS

STATEMENT OF PURPOSE FOR STANDARDS OF STUDENT CONDUCT

The development, implementation, and enforcement of a Student Conduct Policy is intended to ensure that all students have fair access to an education. To that end, this policy sets forth those standards of behavior believed to be appropriate in the learning environment and informs all students, their parents, and the larger community of the consequences for violations of this policy.

The following are standards of student conduct established by the School Board for all students under its jurisdiction.

RESPONSIBILITIES OF PARENTS

- Monitor and require daily attendance.
- Assume responsibility for your child's behavior and teach compliance with school rules.
- Teach children skills to solve conflicts peacefully.
- Teach children to respect themselves and others.
- Know the school's rules and sanctions for violations of the rules and teach them to your child.
- Participate in policy development and implementation.
- Support the school's policy, curriculum, and programs.
- Maintain regular communication with the school.
- Bring to the attention of school officials any problem that may affect your child's behavior or academic success at school.
- Bring to the attention of school officials any information that could be used to prevent harm or bodily injury to students or staff or damage to school property.

Conduct Invoking Punitive ActionA. Generally

These student conduct rules are effective during the following times and in the following places:

1. On the school grounds during and immediately before or immediately after school hours;
2. On the school grounds at any other time when school is being used by a school group;
3. Off the school grounds at a school activity, function or event;
4. En route to and from school; and
5. At any other time that the result of the activities might impact upon the operation and administration of the school.

All conduct infractions cannot be described in the conduct policy. The school administrator has broad discretion to determine consequences for student misconduct at the school level. The range of consequences for student misconduct that can be assigned may include without limitation—student conference, parent conference, before or after school detention, in-school suspension (detention in school), Saturday school, and out-of-school suspension up to ten days. Each infraction will be dealt with on an individual basis within the conduct policy.

Students who continually disrupt the educational process and those who have multiple disciplinary infractions will be given more serious consequences as deemed appropriate by the administration.

Conduct Invoking Punitive ActionB. Offenses/Procedures/Disciplinary Options1. Minor Classroom Disturbances

Acts which cause disruption of learning opportunities, that include excessive talking, and not being prepared for classroom instruction.

1st Offense: Teacher will monitor classroom conduct using student conferences, parental conferences, and/or detention hall.

2nd Offense: One (1) to two (2) days in-school suspension.

3rd Offense: Offenses become significant.

2. Significant Classroom Disturbances

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. Acts which cause substantial disruption of learning opportunities and/or threaten the safety of other students that include multiple minor offenses, profanity, obscenity, vulgarity, and disrespect.

- 1st Offense: Three (3) days out-of-school suspension.
- 2nd Offense: Five (5) days out-of-school suspension.
- 3rd Offense: Ten (10) days out-of-school suspension.
- 4th Offense: Recommendation for removal or expulsion.

3. School Disturbances

Acts which cause substantial disruption of learning opportunities and/or threaten the safety of other students which include both bomb threats, false fire alarms, and threats of harm to person/facility.

Proper authorities contacted and a ten (10) day out-of-school suspension **followed by a long-term suspension of not less than 180 school days.**

4. Visual Display of Profanity, Obscenity, and Vulgarity

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 or which students will be given prior notice.

Display or possession of any article that conveys an obscene or objectionable message or advertises drugs, alcoholic beverages, or any other inappropriate items.

- 1st Offense: Immediate removal of objectionable article or change of clothing.
- 2nd Offense: Immediate removal of objectionable article or change of clothing and in-school suspension, parental notification.
- 3rd Offense: Immediate removal of objectionable article or change of clothing and three (3) days out- of-school suspension.

5. Improper Display of Affection

- 1st Offense: One (1) day in-school suspension, parental conference.
- 2nd Offense: Three (3) days in-school suspension.

6. Vandalism/Theft

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.

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

a. Minor Theft or Minor Vandalism of Public or Private Property

- 1st Offense: Restitution unless cost of the loss or damage is prohibitive and five (5) days out-of-school suspension.
- 2nd Offense: Restitution unless cost of the loss or damage is prohibitive and ten (10) days out-of-school suspension.
- 3rd Offense: Recommendation for expulsion.

b. Major Theft or Major Vandalism of Public or Private Property

- 1st Offense: Restitution unless cost of the loss or damage is prohibitive, ten (10) days out-of-school suspension, contact authorities if needed, and possible recommendation for expulsion.

7. Misbehavior on School Bus

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

The School Bus Discipline Policy:

- 1st Offense: Students will be warned and a notice sent to parents to be signed and returned to the school administrator.
- 2nd Offense: Bus riding privileges will be removed for a period of one day for grades K-4 and two days for grades 5-12.
- 3rd Offense: Bus riding privileges will be removed for a period of three days for grades K-4 and five days for grades 5-12. A conference with the building administrator, parents, bus driver and student(s) will be held.
- 4th Offense: Bus riding privileges will be removed for the rest of the school year.

8. Weapons and Dangerous Instruments

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.

- a. Possession or bringing a handgun, pistol, rifle, or shotgun to school or to a school event.
1st Offense: Confiscation of object, notification of parent(s), notification of authorities, automatic expulsion that may be modified upon an appeal to the Local Education Authority.
- b. Possession of any object that reasonably can be considered a weapon which includes any material, substance or implement designed or used to inflict injury or damage, or capable of being used in any threatening or coercive manner.
1st Offense: Confiscation of object, notification of parent(s), possible notification of authorities, immediate ten (10) days suspension of student, and possible recommendation for expulsion.

9. Substance Abuse (Drugs, Alcohol and/or Tobacco)

A student shall not possess, use, and/or distribute alcohol, tobacco, and/or tobacco products or electronic cigarettes, 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, look-alike 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 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 abusable glue, paint and similar 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 includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

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.

- a. Possession and/or use of Schedule I or Schedule II drugs, which does include marijuana.
1st Offense: Call police or juvenile authority for interview with the violator, notification of parent(s), mandatory expulsion which may be modified to suspension by the Local Education Authority under modification provision of the SDFSCA (Safe Drug-Free Schools and Community Act). Student may also be placed on probation and possibly recommended for rehabilitative resource such as, but not limited to, a health clinic for counseling, and a follow-up conference to be held at the end of the suspension/expulsion.
- b. Possession and/or Use of All Drugs, (not listed in 9a.), including drug paraphernalia, except Alcohol and Tobacco
1st Offense: Call police or juvenile authority for interview with the violator, notification of parent(s), immediate ten (10) days suspension of student, possible suspension of student for the remainder of the year and/or possible expulsion. Student may also be placed on probation and possibly recommended for rehabilitative resource such as, but not limited to, a health clinic for counseling, and a follow-up conference to be held at the end of the suspension/expulsion.
- c. Sale/Distribution of All Drugs except Alcohol, Tobacco, and Non-Controlled Over-the-Counter Drugs or Medications
1st Offense: Call police or juvenile authority for interview with the violator, notification of parent (s), mandatory expulsion which may be modified to suspension by the Local Education Authority under modification provision of the SDFSCA (Safe Drug-Free Schools and Community Act). Student may also be placed on probation and possibly recommended for rehabilitative resource such as, but not limited to, a health clinic for counseling, and a follow-up conference to be held at the end of the suspension/expulsion.
- d. Distribution, Possession and/or Use of Alcohol (Intoxication)
1st Offense: Call police or juvenile authority for an interview with the violator, notification of parent(s), ten (10) days suspension, and at the discretion of the superintendent, for any period up to and including suspension for the remainder of the school year.
- e. A Self-Avowed User
1st Offense: Provision of helpful resources, while maintaining confidentiality in keeping with student rights.

- f. Possession or Use of Tobacco in any form including electronic cigarettes
1st Offense: Three (3) days out-of-school suspension and call police or juvenile authority
2nd Offense: Five (5) days out-of-school suspension and call police or juvenile authority
3rd Offense: Ten (10) days out-of-school suspension and call police or juvenile authority

10. Violence

Threats of Intimidation

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

Assault and Battery

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 a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to, physical intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal conduct consisting of comments regarding race, gender, religion, physical abilities or characteristics or associates of the target person.

1st Offense: Warning and mandatory parent/guardian conference within 24 hours. Mandatory participation in bullying program using Virginia Department of Education resources with school guidance counselor.

2nd Offense: Minimum of five (5) days OSS up to a maximum of ten (10) days OSS with a mandatory parent conference before the student may return.

Subsequent Offenses: Recommendation to School Board for expulsion of not less than 180 days. The parent/guardian must request a hearing before the Board before the student may return to the regular school setting.

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 and Religion.

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 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed 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 18.2-56.

Gang Activity/Association

The School Board acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. A gang is defined as any group of two or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school activities
- creation of an atmosphere of fear and intimidation

Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand- shakes) showing membership or affiliation in a gang;
- using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing, and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy, and (d) inciting other students to act with physical violence;
- inappropriate congregating, bullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.
Students shall be subject to disciplinary action in accordance with Tazewell County Public School Policy and Regulation JFC for participating in gang activity.

Self Defense

Students are subject to disciplinary action for misconduct. Cases for which self-defense is claimed must meet the following criteria: (1) the claimant must not have provoked or behaved in a manner to cause the incident; (2) the claimant must have had reasonable fear of danger of harm; and (3) the claimant used no more force than needed for protection from the threatened harm. Such incidents should be reported immediately to school officials. When claims of self-defense have been established, the administrator shall: (1) allow the student to present his version of what occurred and (2) review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interaction among the students involved. Findings, from the review of circumstances and other relevant information should be considered in determining appropriate corrective disciplinary action. Claims of self-defense do not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity. Weapons are prohibited on school property and at school-sponsored events.

- a. Offenses of arguing, disagreement and threatening, but no fighting
1st Offense: Conference with student using conflict resolution strategies, notification of parent (s) and one (1) day in-school suspension.
2nd Offense: Three (3) days in-school suspension.
3rd Offense: Three (3) days out-of-school suspension.
4th Offense: Five (5) days out-of-school suspension.
 - b. Offenses of fighting, threatening and/or intimidation of another student or students, but not of extreme nature and students are cooperative.
1st Offense: Conference with student, using conflict resolution strategies, notification of parent (s), and three (3) days out-of-school suspension.
2nd Offense: Five (5) days out-of-school suspension.
3rd Offense: Ten (10) days out-of-school suspension and possible recommendation for expulsion.
 - c. Offenses included in 10b but of Extreme Nature
1st Offense: Notification of parent (s), authorities, superintendent, and immediate ten (10) days out-of-school suspension and possible recommendation for expulsion.
 - d. Incidents of assault and battery involving students to School Board employees
VERBAL—extreme cussing or verbal abuse.
PHYSICAL—grabbing, striking, hitting, kicking, or otherwise physically abusing.
Notification of parent (s) and superintendent, immediate ten (10) days out-of-school suspension and possible recommendation for expulsion.
 - e. Incidents of sexual harassment of either student to student or student to employee of the School Board. Immediately report incident to the Supervisor of Human Resources.
11. Gambling
A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.
1st Offense: Three (3) days in-school suspension.
2nd Offense: One (1) day out-of-school suspension.
Severe violation of gambling policy will result in suspension and possible expulsion, authorities will be notified.

12. Sale of, attempted sale of, or distribution of any object or substance not authorized by the administration.
(ex. Computer games, baseball cards, candy, etc.)
1st Offense: One (1) day in-school suspension.
2nd Offense: Two (2) days in-school suspension.
3rd Offense: Two (2) days out-of-school suspension.

13. This section of JFC-R.1 (number 13) applies to middle school students only.

Possession of Beepers, Cellular Telephones, Personal Digital Assistant (PDAs), or Similar Devices. Middle school students having a signed parental consent form on file in the administrative office may possess a beeper, cellular telephone, or PDA on school property, including school buses, provided the device remains in their personal vehicle or locker and is turned off during the instructional day, which is defined as 8:00 a.m. until 3:30 p.m. If a middle school student possesses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device will be confiscated from the student and returned only to the student's parent. Please complete JFC-R.1 Form A. (Elementary school students are prohibited from having any communication device on school property during the regular school day.)

1st Offense: Confiscation of communication device. Conference with parent, and relinquish device to parent. Three (3) day in school suspension.

2nd Offense: Confiscation and ten (10) days out of school suspension.

Beyond 2nd Offense: Confiscation and recommendation to the Division Superintendent for long-term suspension - - minimum 15 days.

- 13B. This section of JFC-R.1 (number 13B) applies to high school students only. (Effective 7/13/14 and amended 7/13/15)

Cell phones are authorized on school property and while in transit before and after school. Students are allowed to use cell phones in the morning before classes begin, at lunch, during breaks, between classes, and after dismissal from the final class. Ear buds may be incorporated in these devices during these times as well; however, they may not be used in the hallways. Cell phones may be deposited in lockers or may remain in the possession of students, but cell phone use will not be permitted during classes unless the supervising teacher has clearly planned for and incorporated the use of the device as an instructional provision.

Students may use cell phones during these pre-planned instructional activities, but are not allowed to access the phones for any other reason during class times. Under no circumstances may students access phones during restricted times or in restricted areas without specific permission of the instructor, nor will access be allowed beyond the tardy bell or before the release bells. Students may not use cell phones in restrooms or dressing areas. Students will not be permitted to bring cell phones into any testing environments nor will access be provided for charging cell phones.

All mobile phones shall be silenced while on campus or school property (buses).

During all periods of authorized use, taking photographs, audio recording, and video recording are forbidden unless authorized specifically by a staff member. Camera and video infractions carry a mandatory 5 days of ISS and immediate loss of cell phone privileges for the remainder of the school year.

The Tazewell County School System will assume no responsibility under any circumstances for the loss, theft, or damage of cell phones and / or peripheral materials.

Any violation of local, state, or federal statutes will be reported to the proper law enforcement agency or respective governmental department.

Please complete JFC-R.1 Form B.

If a student is caught violating the cell phone policy, the student is sent to the office with a discipline form. The disciplinary actions include:

1st offense – 1 day of ISS;

2nd offense – 3 days of ISS;

3rd offense – 3 days of OSS and mandatory loss of cell phone privileges for the remainder of the school year.

Any offense after loss of privilege – 10 days OSS and possible recommendation for expulsion

14. Possession of Laser Pointers, Musical Devices (CD players, electronic toys, etc.)
1st Offense: Conference with student, confiscation until parent (s) come to school and claim device.
2nd Offense: Confiscation and three (3) days in-school suspension.
3rd Offense: Confiscation and three (3) days out-of-school suspension.
15. Leaving School Without Permission/ Skipping Class
1st Offense: One (1) day Saturday School.
2nd Offense: Two (2) days Saturday School and referral to Attendance Officer.
16. Refusing or Disturbing In-School Suspension
1st Offense: An out-of-school suspension the same number of days as in-school suspension.
2nd Offense: An out-of-school suspension the same number of days as in-school suspension with student not assigned ISS again.
17. Refusing or Disturbing Saturday School
1st Offense: Two (2) days out-of-school suspension for each day of Saturday School.
2nd Offense: Three (3) days out-of-school suspension for each day of Saturday School and student will not be assigned Saturday School again.
18. Violation of Acceptable Use Policy
Students shall abide by the Tazewell School Division's Acceptable Computer Use Policy and Regulation.
1st Offense: Student/Teacher/Administrator conference.
2nd Offense: Suspension/revocation of Internet access for five (5) days and parental conference.
3rd Offense: Suspension/revocation of Internet access for ten (10) days. Severe violations of Acceptable Use Policy will result in revocation of access privilege, out-of-school suspension, and possible legal action.

C. 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.

1. Cheating

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

2. 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.

3. Reports of Conviction or Adjudication of Delinquency Pursuant to 16.1-305.1

Students convicted or adjudicated delinquent of an offense listed in the Code of Virginia, 1950 as amended, 16.1-305.1, may be suspended or expelled.

4. 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.

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; (2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to Va. Code 16.1-260.G.; (3) found to have committed a serious offense or repeated offenses in violation of school board policies; (4) suspended pursuant to Va. Code 22.1-277.05; or (5) expelled pursuant to Va. Code 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code 22.1-277, to attend such an alternative education program.

Conduct Invoking Punitive Action

Consideration for Disciplining Students With Disabilities

Removal of students with disabilities shall be in accordance with state and federal laws and regulations. See the Virginia Department of Education publication, Discipline of Students with Disabilities, Technical Assistance Resource Document.

Intentional Injury To Others

The safety of students in Tazewell County Public Schools is paramount for all educators, as well as for parents and communities. Incidents of crime, violence, and substance abuse on school property present an ongoing challenge to school officials.

The threat of violence and disruptive behavior in our schools seriously affect the quality of life for students, as well as their ability to reach their full academic potential. To ensure safe and orderly learning environments, administrative personnel have developed and will implement policies that are firm, fair, and applied consistently.

Approved by the School Board: June 9, 1986
Amended by the School Board: July 12, 1999
Amended by the School Board: June 12, 2000
Amended by the School Board: July 9, 2001
Amended by the School Board: July 12, 2004
Amended by the School Board: November 8, 2004
Amended by the School Board: June 13, 2005
Amended by the School Board: February 12, 2007
Amended by the School Board: March 13, 2007
Amended by the School Board: June 10, 2013
Amended by the School Board: July 14, 2014
Amended by the School Board: August 11, 2014
Amended by the School Board: March 9, 2015
Amended by the School Board: July 13, 2015

TAZEWELL COUNTY SCHOOL BOARD POLICY JFC-R.1
FORM A for MIDDLE SCHOOL STUDENTS

**Parental/Guardian Permission for a Middle School Student to Have the Privilege
to House Cellular Telephones, or Similar Devices on School Property**

By signing below, I give permission for _____ (Name of Middle School Student) to house a communication device on school property. My child and I have reviewed, understand, and agree with the regulations outlined below:

1. Possession of any portable communication device such as a beeper, cellular phone, or other portable communication device is allowed on school property during the regular school day between the hours of 8:00 a.m. until 3:30 p.m., as established by the Tazewell County School Board.
2. Middle school students are allowed to have communication devices under the following guidelines:
Middle School students have the privilege to bring communication devices into the school building if:
 - a) The parent or guardian has requested on the proper form for their child to have the privilege to house a communication device in his/her locker or personal vehicle during the regular school day.
 - b) The middle school student, under no circumstances, will use or display the communication device during the regular school day constituted as the hours between 8:00 a.m. until 3:30 p.m.
3. Portable Communication Devices on Regular Bus Runs
 - The use or display of portable communication devices on a Tazewell County School bus is prohibited. The devices may be transported but must be concealed by the middle school student in a backpack, pocketbook, etc.
4. Cars
 - Portable communication devices are permitted in personal vehicles on school property, but the use of these devices is prohibited during the established regular school hours.
5. After-School Activities
 - The Tazewell County School System will allow the use of portable communication devices after regular school hours (indicated above) and on school buses where extra-curricular activities are involved. Any evidence of illegal use will result in disciplinary action.
 - The Tazewell County School System will assume no responsibility under any circumstances for the loss, theft, or damage of the communication devices specified on this form.

_____ Date _____ Signature of Parent/Guardian

_____ Date _____ Signature of Middle School Student

Cell phone number (area code included): _____

* Elementary school students are prohibited from having any communication device on school property during the regular school day.

Disciplinary measures for violation of the regulations governing the use and housing of communication devices:

1st Offense: Confiscation of communication device and conference with parent. Device will be relinquished to parent. Three (3) day in school suspension.

2nd Offense: Confiscation and ten (10) days out of school suspension.

Beyond 2nd Offense: Confiscation and recommendation to the Division Superintendent for long-term suspension - - minimum 15 days.

**TAZEWELL COUNTY SCHOOL BOARD POLICY JFC-R.1
FORM B for HIGH SCHOOL STUDENTS**

**Parental/Guardian Permission for a High School Student to Have the Privilege
to House Cellular Telephones, or Similar Devices on School Property**

By signing below, I give permission for _____ (Name of Student) to house a communication device on school property. My child and I have reviewed, understand, and agree to abide by the regulations outlined below:

Cell phones are authorized on school property and while in transit before and after school. Students are allowed to use cell phones in the morning before classes begin, at lunch, during breaks, between classes, and after dismissal from the final class. Ear buds may be incorporated in these devices during these times as well; however, they may not be used in the hallways. Cell phones may be deposited in lockers or may remain in the possession of students, but cell phone use will not be permitted during classes unless the supervising teacher has clearly planned for and incorporated the use of the device as an instructional provision.

Students may use cell phones during these pre-planned instructional activities, but are not allowed to access the phones for any other reason during class times. Under no circumstances may students access phones during restricted times or in restricted areas without specific permission of the instructor, nor will access be allowed beyond the tardy bell or before the release bells. Students may not use cell phones in restrooms or dressing areas. Students will not be permitted to bring cell phones into any testing environments nor will access be provided for charging cell phones.

All mobile phones shall be silenced while on campus or school property (buses).

During all periods of authorized use, taking photographs, audio recording, and video recording are forbidden unless authorized specifically by a staff member. Camera and video infractions carry a mandatory 5 days of ISS and immediate loss of cell phone privileges for the remainder of the school year.

The Tazewell County School System will assume no responsibility under any circumstances for the loss, theft, or damage of cell phones and / or peripheral materials.

Any violation of local, state, or federal statutes will be reported to the proper law enforcement agency or respective governmental department.

If a student is caught violating the cell phone policy, the student is sent to the office with a discipline form. The disciplinary actions include:

1st offense – 1 day of ISS;

2nd offense – 3 days of ISS;

3rd offense – 3 days of OSS and mandatory loss of mobile phone privileges for the remainder of the school year.

Any offense after loss of privilege – 10 days OSS and possible recommendation for expulsion

Signature of Parent/Guardian

Date

Signature of Student

Date

Student cell phone number (area code included): _____

STUDENTS

Bullying/Harassment

The Tazewell County School Board prohibits acts of bullying or harassment. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying or harassment, like other disruptive or violent behaviors, is a continuous pattern of conduct that disrupts both a student's ability to learn and a school's ability to educate students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying or harassment is expected of all employees in order to provide positive examples for student behavior.

"Bullying or harassment" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (pda), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered bullying or harassment whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

“Bullying” is conduct that meets all of the following criteria:

- is directed at one or more students;
- substantially interferes with educational opportunities, benefits, or programs of one or more students;
- adversely affects the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress; and,
- is based on a student's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

“Harassment” is conduct that meets all of the following criteria:

- is directed at one or more students;
- substantially interferes with educational opportunities, benefits, or programs of one or more students;
- adversely affects the ability of a student to participate in or benefit from the school district's educational programs or activities because the conduct, as reasonably perceived by the student, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a student's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has, or is perceived to have, any of these characteristics.

The Tazewell County School Board expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Tazewell County School Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and

community members of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for division and community property on the part of students, staff, and community members.

The Tazewell County School Board believes that the best discipline is self-imposed, and that it is the responsibility of administrative staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to *prevent* discipline problems and encourage students' abilities to develop self-discipline. Since bystander support of bullying or harassment can support these behaviors, the district prohibits both active and passive support for acts of bullying or harassment. Employees should encourage students to support students who walk away from these acts when they see them; constructively attempt to stop them; or report them to the designated authority.

The Tazewell County School Board requires school administrators to develop and implement procedures that ensure *both* the appropriate consequences *and* remedial responses to a student or staff member who commits one or more acts of bullying or harassment. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for determining appropriate consequences and remedial measures for each act of bullying or harassment.

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Factors for Determining Remedial Measures

Personal

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

Environmental

- School culture
- School climate

- Student-staff relationships and staff behavior toward the student
- General staff management of classrooms or other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood culture
- Family situation

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or harassment may range from positive behavioral interventions up to, and including, suspension or expulsion. In the case of a student, or suspension or termination in the case of an employee, as set forth in the board of education's approved code of student conduct or employee handbook.

Consequences for a student who commits an act of bullying or harassment shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the board of education's approved code of student conduct. Remedial measures shall be designed to: *correct the problem behavior*; *prevent another occurrence* of the behavior; and *protect the victim* of the act. Effective discipline should employ a school-wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to administration
- In-school suspension during the school week or the weekend, for students
- Out-of-school suspension
- Legal action
- Expulsion or termination

Examples of Remedial Measures

Personal

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of an Intervention and peer mediation, etc.

- Behavioral assessment or evaluation, including, but not limited to, a referral to a Child Study Team, as appropriate
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school administrator
- Student counseling
- Parent conferences
- Student treatment
- Student therapy

Environmental - Classroom, School Building, or School District

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- School culture change
- School climate improvement
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and non-certificated employees
- Professional development plans for involved staff
- Disciplinary action for school staff who contributed to the problem
- Parent conferences
- Referral to Family counseling
- Involvement of parent-teacher organizations
- Involvement of community-based organizations
- Development of a general bullying response plan
- Peer support groups
- Law enforcement involvement (e.g., school resource officer, probation officer, etc.)

The Tazewell County School Board requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

The Tazewell County School Board requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three (3) school days after a report or complaint is made.

The Tazewell County School Board prohibits reprisal or retaliation against any person who reports an act of bullying or harassment. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Tazewell County School Board prohibits any person from falsely accusing another as a means of bullying or harassment. The consequences and appropriate remedial action for a *person* found to have falsely accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including, suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another as a means of bullying or harassment shall be disciplined in accordance with district policies, procedures and agreements.

The Tazewell County School Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying and harassment that occur on or off school property, at school-sponsored functions, or on a school bus. The division superintendent shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The school district shall incorporate information regarding the policy against bullying or harassment into each school employee training program and handbook.

Bullying of Students

Tazewell County Public Schools is committed to a school environment in which students are free from bullying. The school administrator shall take appropriate steps to prevent bullying and shall deal promptly and decisively with reported incidents of bullying. The purpose of this regulation is to provide guidelines to ensure appropriate preventative and corrective actions. Assistance with the identification of bullying behaviors is provided in Attachment I, Bullying Behavior Chart.

Understanding how emotionally painful bullying can be, Tazewell County Public School employees remain committed to preventing this type of harmful activity during the school day and at school activities. There are numerous initiatives and programs in place to create a culture that promotes respect for one another; specifically, the Olweus Program and Effective School Discipline.

I. Definition of Bullying

Bully/victim violence occurs whenever a student intentionally, repeatedly, and over time inflicts or threatens to inflict physical or emotional injury or discomfort on another's body, feelings, or possessions.

A person is being bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more persons. Bullying behaviors include actions which cause the physical, verbal or emotional abuse of others and shall not be tolerated. Taunts, threats, insults, gossip, humiliation, teasing, pushing, tripping, and hitting are all considered bullying behaviors. Violators are subject to corrective action up to and including suspension and expulsion.

II. Complaint Procedure

All students shall be informed of their right to protection against bullying behaviors and the right to file a complaint if they believe they have been the victim of bullying behavior. School administrators are responsible for investigating each complaint, determining if the complaint is legitimate in accordance with the above definition, and taking appropriate corrective action. Any student may initiate a complaint by talking to an administrator or completing a complaint form, (Attachment II), and returning this form to a school administrator. All school staff members shall be informed of a student's right to initiate a complaint and shall be able to advise students as to how such complaints are initiated. School administrators shall respond to complaints of bullying according to the following guidelines.

III. Guidelines for Responding to Bullying Complaint

A. Meet with the Complainant

1. Ascertain basic information (who, what, when, where).
2. Get a written statement from the student when possible.
3. Ask about witnesses or corroborating information/evidence.
4. Offer counseling services as appropriate.
5. Offer assurance of protection against retaliation.
6. Explain procedures for follow-up.
7. Inform parent/guardian of the alleged bullying within 24 hours of the incident.
8. Maintain confidentiality and protect the privacy of all parties to the extent possible.
9. Complete and file incident report with the Safe Schools Information Resource Designee within 48 hours of the incident.

B. Review Evidence and Interview Witness

C. Meet with the Alleged Bully

1. Explain bullying behavior and its seriousness.
2. Present the allegation.
3. Provide an opportunity for response/rebuttal.
4. Explain investigation and follow-up procedures.
5. Caution against retaliation.
6. Inform parent/guardian of the alleged bullying behavior within 24 hours of the incident.
7. Take appropriate corrective/disciplinary action.
8. Complete suspension/incident reports as necessary.

Staff shall be responsible for maintaining a written record of all meetings and conversations with students including notes of dates, times, places, witness names, and other information about interviews and incidents. Any departure from these guidelines must be justifiable based on unusual circumstances.

IV. Corrective Action

If a student is found guilty of bullying behavior, corrective action shall be taken in accordance with established disciplinary procedures. Corrective action may range from admonition to suspension or expulsion depending on the seriousness of the incident, prior incidents, and the need to protect the victim and other students from future bullying.

V. Protection Against Retaliation

Students shall feel free to report bullying incidents without fear of retaliation from the accused. Any attempt of retaliation shall be addressed by appropriate corrective actions up to and including expulsion.

VI. Appeal Procedure

Both parties have the right to appeal the decision of the school administration in any situation that involves bullying behavior. Appeals must be stated in writing by the parent/guardian or emancipated student and forwarded to the appropriate area associate superintendent. Parents/guardians and emancipated students have the right of further appeals to the Superintendent and the School Board in accordance with Policy 940, Public Concerns; Policy 731, Appeal of Student Matters; and Regulation 940.01-1, Child Advocacy.

VII. Notification

Students and parents shall be notified by the Code of Conduct that bullying behaviors shall not be tolerated. School administrators shall use announcements, newsletters, faculty meetings, or other appropriate means to inform all students and staff of the prohibition against bullying and the procedure for reporting complaints.

Except as may be prohibited by law, the principal shall also immediately report any act that may constitute a criminal offense to the parents of any minor student who is the victim of such act. The principal shall report that the incident has been reported to local law enforcement and that the parents may contact local law enforcement for further information, if they so desire.

VIII. Instruction

The inappropriateness of bullying shall be addressed through the Character Education program which is taught through the Social Studies and K-12 School Counseling Curriculum, as well as instruction in the Code of Conduct.

IX. Preventative Measures

- A. Bullying may be prevented if all school staff assist in an effort to:
 1. Communicate to students and staff:
 - a. What bullying behavior is (define).
 - b. That bullying shall not be tolerated.
 - c. What the consequences are.
 - d. How to report complaints.
 - e. How complaints are handled.
 - f. That parents shall be notified.
- B. Monitor behavior and enforce rules
 1. Act on complaints in a prompt, fair, and decisive manner
 2. Inform students of the following actions to take if bullied:
 - a. Let the bully know very clearly that such actions are not wanted.
 - b. Tell the bully very firmly to stop.

- c. Keep written notes of dates, times, places, witness names, and other information about actual incidents of bullying.
- d. Keep notes, letters, and other evidence of bullying.
- e. Talk with a counselor or administrator and, if appropriate, file a complaint.

Administrators and all school employees are responsible for the consistent application of this regulation within their respective areas of authority, and for assuring the confidentiality of students to the extent possible.

Supervisory and Administrative personnel are responsible for implementing and monitoring this regulation.

Legal References.

Title VII of the 1964 Civil Rights Act

Title IX of the Education Amendment of 1972

Code of Virginia: §22.1-208.01, §22.1-279.

STUDENTS

Cheating/Plagiarizing

A. Generally

Cheating and plagiarizing are unacceptable behaviors which have moral and legal implications. Cheating is violating established rules or codes of ethics.

Plagiarizing is falsely claiming authorship. Cheating and plagiarizing are serious offenses.

B. Guidelines

1. Teachers have the responsibility to:

- a. teach or review the correct use of sources when assigning work,
- b. structure conditions during testing to alleviate the possibility of cheating,
- c. specify the types of collaboration that are discouraged and those that are encouraged.

2. Students have the responsibility to:

- a. avoid situations which might contribute to cheating or plagiarizing,
- b. avoid unauthorized assistance,
- c. use sources in the prescribed manner,
- d. document borrowed materials by citing sources,
- e. avoid plagiarism by:
 1. using quotation marks for statements taken from others,
 2. acknowledging information and ideas borrowed from any source,
 3. consulting faculty about any questionable situations.

(continued)

STUDENTS

Cheating/Plagiarizing (continued)

C. Implications

Students who violate "the spirit or the letter of the law" as regards to cheating/plagiarizing must accept the responsibility for their actions and the accompanying penalties. Penalties include:

1. a failure on work presented which includes unauthorized assistance from other students, unauthorized use of sources, or failure to document by citing source,
 2. a failure on a major assignment which is totally or partly plagiarized,
 3. parent-student-administrator conference as a result of infractions involving either cheating or plagiarizing
-
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Regulatory Authority: (1992) Amendments to § 22.1-253.13.7 made no change in subsection D, subdivision 3. Virginia Board of Education regulation updated.

Code of Va., § 22.1-253.13.7. Standard 7. Policy Manual. -

"... D. Each local school board shall ensure that the policy manual include the following policies, which shall be developed giving consideration to the views of teachers, parents, and other concerned citizens....

3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights; and. .." (1992)

Virginia Board of Education Regulations, "Governing the Accreditation of Public Schools in Virginia" at § 8.15. (January, 1991)

STUDENTS

Student Disruptive Demonstrations

Disruptive demonstrations or protests are not appropriate methods for students to use in communicating their wishes pursuant to matters affecting policy, rules, and regulations dealing with the operation of the public schools.

Students participating, whether involved directly or indirectly, in the planning or execution of any disruptive demonstrations or protests may be disciplined according to policies and regulations of the school board, State Board of Education, or Virginia School Laws.

(continued)

STUDENTS

Demonstrations: Dispersal Statement

ADMINISTRATIVE PROCEDURE FOR DEALING WITH STUDENT DEMONSTRATIONS

Phase I

I am _____, _____
 (Name) (Title)

of _____ and am asking you to return
 (School or Office)

to your classes (or, if there are any non-students in the groups, to leave the premises). If you remain here you are violating the policies and regulations of the school board. Therefore, once again, I must ask you to return to your classes (or, for non-students, to leave the premises). Those who fail to respond to this request within the next five (5) minutes will be subject to suspension from school and/or prosecution for violating the laws of the State of Virginia, Section 18.2-415, Disorderly conduct in public places and/or Section 18.2-129, Failure to leave premises of school or institution of higher learning when directed to do so.

(Pause-5 minutes)

Phase II

I am _____, _____
 (Name) (Title)

of _____ . Five minutes ago I asked each of you
 (School or Office)

who are students in our school to return to your classes (and those who are not students to leave the premises). I indicated to you at that time that if you had not returned to your classes or vacated the premises by this time, you would be subject to suspension and/or arrest. Therefore, I am now indicating that each of you who are enrolled in our school are suspended from school; and you may not return to school until an individual appointment has been made and kept by you and your parent(s) or guardian. Your parent(s) or guardian will be contacted in the near future regarding the appointment date.

To avoid further difficulty and possible arrest, I am now asking each of you to leave the school property immediately. You will have five minutes to comply with this request. If you have not vacated the school property in five minutes, the police will be called and you will be forced to leave and you may be arrested. I must remind you that such an action will be recorded on your school record and will become a part of the police record as well. Neither of these will help you or your cause and will undoubtedly bring embarrassment to your family. Therefore, for the last time, I am reminding you that you have five minutes to leave the school property. Those failing to comply are in violation of the laws of the State of Virginia since you are remaining unlawfully upon this property. In addition, since I am asking you directly to leave, failure to comply is an insubordinate act. You have five minutes to leave the school property.

Student Dress Code

A. Generally

School personnel have the responsibility to protect the health and safety of students and to maintain proper and appropriate conditions that promote learning. Based on the belief that school is a place of business where students are learning both academic and social skills, the Tazewell County School Board requires that all students dress appropriately. In accordance with the purpose of this dress code, no student shall present himself or herself to school in a manner which is plainly offensive to others or is likely to cause disruption. As provided herein, the administration shall prohibit any clothing, jewelry, similar attachments, or accessories, which have a substantial and material disruptive effect on the school atmosphere or represents a clear safety concern for students and/or staff. School clothing should be appropriate as to time, place, and weather conditions. Any form of dress or appearance that disrupts or distracts from the purpose or orderliness of the school that is considered contrary to good hygiene or that threatens the safety of one's self or others, will not be permitted.

1. Students shall wear appropriate clothing and footwear and groom themselves for school in a manner that does not offend the common rules of decency, or reflect negatively on, or distract from any phase of the educational program. Appropriate dress is clothing that covers the body sufficiently so as not to attract excessive attention to one's self.
2. Messages on clothing, jewelry, and personal belongings that relate to drugs, alcohol, tobacco, sex, vulgarity, violence, or that represent gang activity or membership, or that advertise obscenities, or that reflect adversely upon persons because of their race, sex, color, creed, national origin, or ancestry will not be permitted.
3. Any article of clothing, footwear, jewelry, or other accessory that suggests, identifies, or otherwise promotes "gang" related and/or endorses/promotes subversive activities will not be permitted.
4. For health and safety purposes, appropriate footwear must be worn at all times. Going barefoot is not acceptable.

B. Specific Guidelines

The following guidelines are examples that are intended to be age appropriate for all students in kindergarten through grade 12. They include, but are not limited to:

(continued)

STUDENTS

Student Dress Code (continued)

1. Any item of clothing, jewelry, adornment, or etc. which may be distracting or may materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or which represents a potential danger to self or others will not be permitted. This decision will be at the discretion of the Administration.
2. Footwear must be worn at all times and should be appropriate for normal activities. Socks without other footwear are not considered appropriate. Tennis shoes are appropriate, but Heelys, or shoes with wheels in the soles, are inappropriate. Sport shoes with cleats are not acceptable for inside wear.
3. Specific school programs, such as industrial technology, laboratory activities, physical education, and interscholastic athletics, may require special hair care and clothing to ensure the health and safety of all students.
4. Hats, visors, bandannas, and sunglasses (unless required by a physician) may not be worn inside the building.
5. Shorts/dresses/skirts must be of appropriate length. Traditionally, the hem of shorts/dresses/skirts must hang below the extended fingertips when standing. Shorts/dresses/skirts should be no shorter than mid-thigh when standing. The following shorts are not acceptable: very short shorts, athletic type shorts with side slits, biker, jogging, swimwear, cut-offs, gym shorts (except in physical education classes and athletic practices).

Athletic and cheerleading uniforms not meeting the above criteria may not be worn during the instructional day.

6. Shirts or blouses should be of sufficient length so they may be tucked in the waistband. Pants/shorts/skirts shall be appropriately sized and worn at the natural waistline. Spandex, tights, or other skin tight clothing of any type, unless worn under an acceptable style of dress, are prohibited.
7. Clothing that exposes the midriff, navel, cleavage, or that is sexually provocative is prohibited.
8. No undergarments (including boxer shorts and sports bras) should be readily visible or be worn as outer garments.
9. Strapless tops, tops with "spaghetti" straps, traditional tank tops with narrow straps and cut-away underarms, tube tops, bare back or bare midriff style, mesh or "fish net" style apparel are not permitted. If sleeveless garments are worn, underwear may not be readily visible.

STUDENTS

Student Dress Code (continued)

10. Clothes with holes exposing underwear or private areas are not permitted.
11. T-shirts, articles of clothing, and badges or buttons that have writing, symbols or slogans encouraging the use of alcohol, drugs, sex, profanity, vulgarity, violence, promotion of racial prejudice, or subversive activities may not be worn.

Tattoos must be covered.
12. Clothing usually worn outdoors, such as heavy coats, raincoats, jackets, or gloves, should not be worn in the building under normal circumstances.
13. In schools where lockers are provided, backpacks will not be permitted in the classroom. Backpacks should be placed in lockers upon arrival at school and should not be retrieved until school is dismissed.
14. Accessories, typically referred to as "animal jewelry", such as heavy chains, dog collars, or spiked collars are not permitted.

Decisions regarding the appropriateness of clothing, footwear, hair, and accessories will be made by the building principal or designee. Initially, items deemed inappropriate will be called to the attention of the parent(s) for corrective action. Students may be required to call home for a change of clothing and/or will be assigned to In-School-Suspension (ISS) for the remainder of the day. Repeated violations of the dress code may result in suspension from school.

The Board believes the primary responsibility for appropriate dress, grooming, and overall appearance of students rests with the parents and with the student.

STUDENTS

SYMBOLIC EXPRESSION

All students have the responsibility to avoid using symbolic expression to cause disruption of the educational process.

The school board has the right to regulate symbolic expression to the degree necessary to maintain an orderly atmosphere in the schools.

1. No flags, banners, posters, flyers, or other printed material may be publicly displayed or distributed unless approved by the school board or its designated agents.
2. Gestures which convey a connotation of obscene or highly disrespectful acts or which infringe on the rights of others are forbidden.
3. Politically-oriented gestures which are given to call or begin an overt and immediate disruption of the educational process are forbidden.
4. All students have the right to refrain from saluting the flag, repeating the Pledge of Allegiance, singing the National Anthem, or standing during any of these activities. However, students do not have the right to prevent others from participating in these activities.

STUDENTS

Property Damage/TheftA. Property Damage

When any student shall have injured, destroyed or defaced any school property, the student or his/her parents or guardian shall be requested to pay the amount lost thereby in addition to whatever disciplinary action may be deemed necessary and advisable to the principal or his designee. The principal shall secure estimates to determine the cost of repairs or replacement so that property is restored to its previous condition and so inform the central office.

B. Theft

When a student is suspected of the stealing of any school or another person's property the incident shall be investigated by law enforcement agencies.

Regulatory Authority: (1983) Amended § 8.01-43 to increase recovery limit from \$200 to \$500.

Code of Va., § 8.01-43. Action against parent for damage to public property by minor.--"The Commonwealth, acting through the officers having charge of the public property involved, or the governing body of a county, city, town, or other political subdivision, or a school board may institute an action and recover from the parents or either of them of any minor living with such parents or either of them for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor. No more than \$500 may be recovered from such parents or either of them as a result of any incident or occurrence on which such action is based." (1983)

Code of Va., 18.2-138. Injuries to public buildings, etc. (1975)

Code of Va., § 22.1-276. Liability of pupils for destruction of property.--"Each pupil shall be required to reimburse the school board for any actual breakage or destruction of property owned by or under the control of the school board done by such pupil in pursuit of his studies." (1980).

Approved by Superintendent: June 9, 1986

STUDENTS

Hazing/Assault and BatteryA. Hazing

Students who haze or otherwise mistreat another student so as to cause bodily injury shall immediately be suspended from school under the provisions set forth in school board policy.

B. Assault and Battery

Fighting on school grounds or in school buildings is prohibited. Violators may be subject to prosecution as provided by State law.

Any student cussing or verbally abusing a teacher shall be reported to the school board office.

Any student grabbing, striking, hitting, kicking, or otherwise physically abusing a teacher or any other school personnel shall be suspended immediately pending school board action.

Regulatory Authority: (1975)

Code of Va., ~ 18.2-56. Hazing unlawful; civil and criminal liability; duty of school, etc., officials.--"It shall be unlawful to haze or otherwise mistreat so as to cause bodily injury, any student at any school, college or university...." (1975)

Code of Va., § 18.2-57. Assault and Battery.--"Any person who shall commit a simple assault or assault and battery shall be guilty of a Class I misdemeanor." (1975)

Approved by School Board: June 9, 1986

STUDENTS

Sexual Harassment of StudentsA. Generally

The school board prohibits any member of the school community from engaging in the sexual harassment of students. Employee violators will be subject to dismissal. Student violators will be subject to expulsion.

B. Examples of Sexual Harassment

These types of sexual harassment should be reported to guidance counselors:

1. Sexual comments, jokes, gestures or looks;
2. Touching, grabbing or pinching in a sexual way;
3. Intentionally brushing up against a person in a sexual way;
4. Flashing or mooning;
5. Spreading sexual rumors;
6. Pulling at clothing in a sexual way;
7. Showing, giving or leaving sexual pictures, photographs, illustrations, messages, or notes;
8. Writing sexual messages/graffiti on lavatory walls or in locker rooms;
9. Calling a person gay or lesbian;
10. Forcing a kiss;
11. Forcing something other than a kiss.

Regulatory Authority:

See legal references to school board policy JFC

Approved by School Board: March 14, 1994

STUDENTS

A. DisciplineRestriction of Students

Teachers and principals are permitted to restrict a student at recess or after school hours as a disciplinary measure, provided adequate provision is made for the supervision of the student at such times by a teacher or principal. If a student is retained after school hours, the parent or guardian shall be informed before the student is retained and provisions must be made to get the student home safely. Teachers shall not deny a student physical education period for disciplinary reasons.

Regulatory Authority:

Code of Va., § 22.1-280.

Approved by Superintendent: June 9, 1986

STUDENT-ATHLETE SUBSTANCE ABUSE POLICY

Definitions:

Student-Athlete – Any 8th-12th grade student established as an athlete at the junior varsity or varsity level. An established athlete is one who is on a Virginia High School League (VHSL) Master Eligibility List (MEL); which encompasses all students participating in VHSL endorsed academic and athletic activities. The student athlete retains this status until the next MEL for any VHSL-sanctioned activity is submitted to the VHSL.

Consequences for Violation of the Student-Athlete Substance Abuse Policy:

1. In the event that a substance-use violation occurs on school property, in a school vehicle, at any school-sponsored event, going to or from school, or while participating in school-sanctioned activities, then the Substance Use Policies JFCF, JFCH, JFC-R.1 shall be followed. In addition, the Tazewell County Public Schools Pledge Program shall be enforced.
2. If a substance-use violation occurs other than as provided in # 1 (above), then the Tazewell County Schools Pledge Program shall be enforced.

Tazewell County Schools Pledge Program

Refusal by the student-athlete or the parent/guardian(s) to participate in the Tazewell County Schools Pledge Program will preclude the student-athlete's participation in athletics at the school until the pledge is tenured.

First Violation: When the principal or his/her designee confirms a violation occurred, following an opportunity for the student to be heard, the following will take place.

1. The student-athlete shall be suspended from play for a period of time equivalent to, and not less than, 20 percent of the total number of VHSL contest limitations for each sport to be played during the regular season (any fraction of the calculation will be dropped). The penalty will be applied immediately and include the next contest(s) including playoffs, and/or to the next sport season in which the student athlete participates within 365 calendar days. During the suspension period, the student-athlete will be allowed to attend practices and contests; however, the student-athlete will not be permitted to dress in team uniform for contests. Additionally, in the event the season concludes while the student-athlete is suspended, the student-athlete may be allowed to participate in try-outs for the next sport's season only to the extent to determine placement on the team and only if the student-athlete has been retested, at the parent/guardian(s)' expense, and the test results are negative. After which time the student-athlete will be ineligible until all conditions of reinstatement have been completed.

2. The parent/guardian(s) will contact the Athletic Director at the student-athlete's school within five (5) school days of the suspension start-date to arrange Counseling and Preventive Services (CAPS). This counseling must be completed before the student-athlete may be reinstated.
3. The student-athlete and parent/guardian(s) must agree to have the student-athlete tested at the end of the suspension by the current company who provides Tazewell County Public Schools with our student-athlete drug-testing service or another drug-testing company approved by Tazewell County Public Schools administration that operates under SAMHSA (Substance Abuse and Mental Health Services Administration) certified laboratory guidelines. This may be done at the parent's expense, and the test results must be negative.
4. The student-athlete must also agree to regular testing for illegal drugs at the discretion of Tazewell County Public Schools administration for the remainder of the school year for any/all sports the student-athlete wishes to participate. This will be done at the school system's expense as part of the normal drug-testing schedule.
5. Once items one (1) through four (4) have been successfully completed, a letter of reinstatement from the superintendent or superintendent's designee must be granted stating the student is in good standing before he/she may continue participation with athletics.

Second Violation: When the principal or his/her designee confirms that a violation occurred, following an opportunity for the student to be heard, the following will take place.

1. The student-athlete shall be suspended from play for a period of time equivalent to, and not less than, 50 percent of the total number of VHSL contest limitations for each sport to be played during the regular season (any fraction of the calculation will be dropped). The penalty will be applied immediately and include the next contest(s) including playoffs, and/or to the next sport season in which the student athlete participates within 365 calendar days. During the suspension period, the student-athlete will be allowed to attend practices and contests; however, the student-athlete will not be permitted to dress in team uniform for contests. Additionally, in the event the season concludes while the student-athlete is suspended, the student-athlete may be allowed to participate in try-outs for the next sports season only to the extent to determine placement on the team and only if the student-athlete has been retested, at the parent/guardian(s) expense, and the test results must be negative. After which time the student-athlete will be ineligible until all conditions of reinstatement have been completed.

2. The parent/guardian(s) will contact the Athletic Director within 5 school days of the suspension start date to arrange Counseling and Preventive Services (CAPS). This counseling must be completed before the student-athlete may be reinstated.
3. The student-athlete and parent/guardian(s) must agree to have the student-athlete tested at the end of the suspension by the current company who provides Tazewell County Public Schools with our student-athlete drug-testing service or another drug-testing company approved by Tazewell County Public Schools administration that operates under SAMHSA (Substance Abuse and Mental Health Services Administration) certified laboratory guidelines. This will be done at the parent's expense, less extenuating circumstances and the test results must be negative.
4. The student-athlete must also agree to regular testing for illegal drugs at the discretion of Tazewell County Public Schools administration for the remainder of the school year for any/all sports in which the student-athlete wishes to participate. This will be done at the parent's expense, less extenuating circumstances, and the test results must be negative.
5. Once items one (1) through four (4) have been successfully completed, a letter of reinstatement from the superintendent or superintendent's designee must be granted stating the student is in good standing before he/she may continue participation with athletics.

Third Violation: When the principal or his/her designee confirms that a violation occurred, following an opportunity for the student to be heard, the following will take place.

A student-athlete who is found responsible for a third violation during their VHSL eligibility is ineligible to participate in all VHSL sanctioned events while enrolled in Tazewell County Public Schools.

Drug Testing of Student-Athletes

Purpose and Intent

In keeping with the mission of Tazewell County Public Schools, the role of the student-athlete drug testing policy and substance abuse programs is to protect student health, safety and welfare, and to strengthen partnerships among faculty, administrators, coaches, parents, and students in order to reduce drug related barriers and hazards to academic, athletic and personal development success.

Guidelines

Any 8th-12th grade student established as an athlete at the junior varsity or varsity level will be subject to random drug testing. An established athlete is one who is on a Virginia High School League (VHSL) Master Eligibility List (MEL). The student athlete retains this status until the next MEL for any VHSL-sanctioned activity is submitted to the VHSL.

Non-Compliance

If the student-athlete refuses to be tested or attempts to tamper with or assist others in tampering with the sample, the student-athlete will be dropped from the team, absent extenuating circumstances.

Drug Testing Procedures

This policy is not designed to be academically punitive, but to ensure the student's health while participating in athletics.

- A. Sample random selection with replacement will be used for the drug testing process.
- B. A Third Party Administrator (TPA) will be contracted to conduct all testing and will be responsible for the random selection with replacement and testing process.
- C. Testing will be performed monthly. At each site visited, ten percent of the total population of student – athletes participating in athletic events during that sport season will be tested. Middle school students participating in Junior Varsity athletics selected to test will be transported to their respective high school
- D. A copy of the Virginia High School League (VHSL) Master Eligibility List, identifying athletes for every sport, per sports season, will be used to determine who will be eligible for testing. For the purpose of confidentiality, student-athletes will be identified by a unique number as designated by the school.
- E. Drug testing will be performed by collecting a urine sample.
- F. Testing will take place at each school by the TPA.

- G. Students will remain under school supervision until an adequate sample can be provided. If a student has not provided a reliable sample by the end of the school day, then the student will be ineligible to participate in the remaining portion of that sport's season absent extenuating circumstances.
- H. The TPA will provide testing materials, testers and a Medical Review Officer (MRO).
- I. In the event of a positive test result, the MRO will make direct contact with the parent/guardian to resolve any extenuating circumstances, medical or other, that may have contributed to an inability to provide a sample, or a positive test result. Tazewell County Public Schools will not be involved in resolving positive testing results.
- J. After all testing and test results have been verified, the final report will be provided by the TPA to the Superintendent/Designee.
- K. The Superintendent/Designee will provide the results to each school's principal.

Positive Test Results

In the event the final report has identified any failures to provide a sample, or verified positive test results, the TPA will contact the Superintendent/Designee and then the Superintendent/Designee will notify the Principal. The Principal will contact the parent/guardian and a conference will be scheduled to present the test results to the parent/guardian.

For positive results, the Tazewell County Public Schools Pledge Program will be enforced, per School Board Policy JFC-R.9, Student-Athlete Substance Abuse Policy.

For positive results for the use of anabolic steroids, an athlete will also be ineligible to compete in interscholastic athletic competition for two years per the Virginia High School League (VHSL). A failure to provide a sample will be considered a positive test result unless there are extenuating medical circumstances that physically prevent a student from providing a sample.

Confidentiality

Confidentiality of test results must be maintained at all levels including the TPA, the School Board, the Superintendent, the Principal, the Athletic Director, and the coach. No penalties or restrictions will be placed on a student's participation in any other non-VHSL activities. Results will not be placed in the student's cumulative records.

Drugs Tested

The substances commonly tested for, but not limited to, are: controlled substances, imitation controlled substances, illegal drugs, alcohol and tobacco.

Approved by the School Board: February 9, 2015



Tazewell County Public Schools will provide a safe learning community committed to increasing student achievement by engaging stakeholders to maximize student success.

Tazewell County Public Schools Student-Athlete Pledge Program and Parent Agreement 2015-2016*

I, _____, have received a copy of the Tazewell County Public Schools’ Student Athlete Substance Abuse Policy (JFC-R.9) and Drug Testing of Student-Athletes Policy (JFC- R.9.1) and pledge to abstain from any drug, alcohol substance or tobacco product that would be in conflict with these policies. I understand if I choose to break this pledge I am responsible for the consequences of my actions as outlined in the Student-Athlete Substance Abuse Policy (JFC-R.9). If randomly chosen, I agree to be drug tested in accordance with Tazewell County Public Schools’ Drug Testing of Student-Athletes Policy (JFC-R.9.1).

 Student / Athlete Signature Date

I have read, understand, and support Tazewell County Public Schools’ Student Athlete Substance Abuse Policy (JFC-R.9) and Drug Testing of Student-Athletes Policy (JFC-R.9.1) as being necessary for the physical and mental well-being of my son / daughter as he/she pursues his/her career as a student-athlete in Tazewell County Public Schools. If randomly chosen, I give permission for my child to be drug tested in accordance with Tazewell County Public Schools’ Drug Testing of Student-Athletes Policy (JFC-R.9.1).

 Parent / Guardian Signature Date

 Parent / Guardian Signature Date

*The student and parent/guardian signatures validates agreement for any and all VHSL activities the athlete participates in during 2015-2016