City of Manassas Public Schools

Student Code of Conduct
2007-2008

Approved by School Board 6-20-06

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INTRODUCTION

The Student Code of Conduct has been written to assist all students and parents in the understanding of their school-related rights and responsibilities, as well as the expectations of the school. Please read and discuss the entire handbook at home so students will be aware of and follow the rules.

All requirements of this Student Code of Conduct apply on school property, on school buses, at bus stops, going to and from school or at any school activity. The proper discipline of students outlined in this code includes conduct going to and returning from school, and extends to all circumstances connected to school.

This Student Code of Conduct establishes the basic expectations of the community and the school relative to student behavior and supports the Character Education Program required for all Virginia students. It is the obligation of students to know and understand their responsibilities as members of the school community.

This Student Code of Conduct is not intended to be a comprehensive document covering all possible situations, but is written to provide a framework which makes it clear that students are expected to act responsibly and with respect for other human beings at all times. Building Administrators have the authority to assign disciplinary consequences for any behavior, and style of dress or personal presentation they deem disruptive to the learning environment of the school including those not specifically stated in this code of conduct. The building administrator (principal) has the authority to revoke a student's privilege of participation in extra-curricular activities. (Teachers may not deny recess as a form of discipline except in unusual circumstances). Some violations of the Conduct Code may also be violations of the law. Building administrators are obligated to report serious violations of the law to law enforcement authorities in accordance with Virginia State Code 22.1-279.3:1 (see page 33).

In some instances parents/guardians may have legal recourse against a student perpetrator and possibly the student's parents for injuries suffered. We encourage parents/guardians to seek information concerning possible legal action from administrators and school resource officers.

In addition to this document, each school has developed a local school handbook more specifically related to its age group and philosophy. You are asked to become familiar with the school handbook, as well. Please be aware that the policies in this Student Code of Conduct apply uniformly to all students in grades K - 12; however, building administrators may recommend alternative consequences for students in grades K - 6 based on the student's age and the circumstances of the incident for violation of any section of this conduct code. Unless otherwise specified in this code, building administrators are authorized to suspend a student from one to ten consecutive school days for a single incident and, if considered warranted, recommend long-term suspension or expulsion. The final decision rests with the Superintendent/designee.

Following these guidelines is essential to prevent conflicts, protect the rights of all students and ensure effective teaching and learning. Students and parents must work with school personnel to maintain these standards during school and at all school sponsored activities.

RESPONSIBILITIES

One goal of the City of Manassas Public Schools is to guide students as they become responsible members of the community. It is important that staff, students and parents work together to provide a safe and pleasant learning environment.

1. ATTENDANCE

Students are required to attend school until the age of 18, unless released through application of procedures in the Virginia Code and/or School Board Policy. While enrolled in school, students may not "skip" school or classes or leave school without permission. Students are to be on time for school and classes.

Students are required to attend all classes on their schedule each day. Students who choose not to attend school on a regular basis will be considered truant. This is a violation of Virginia law. If the student is under eighteen years of age, the attendance officer may file a complaint with the Juvenile and Domestic Relations court alleging the student is a child in need of supervision and/or initiate legal proceedings against the parent/guardian. All absences will be classified as unexcused until written documentation is provided. The following do not qualify as an excused tardy or absence:

- Woke up late
- Car problems
- Missed the bus
- Ride was late or did not show
- Parent or sibling running late
- Alarm clock failed
- Finishing an assignment or project
- Babysitting
- Providing transportation to someone else
- No electricity
- Family discussions
- Visiting a sick friend or relative in the hospital
- Worked late
- Family emergency, if no details are provided upon which to base a decision
- Other reasons deemed insufficient by a building administrator

See the school handbook for attendance procedures specific to individual schools.

After fifteen consecutive days of absence without approved Homebound Instruction, a student will be withdrawn from school, must be re-enrolled by a parent/guardian, and a referral may be made to the Juvenile and Domestic Relations court.

The School Board recognizes the right of students to be released from class to participate in religious activities and observances in accordance with School Board Policy. Absence from school for religious observances that are verified by the parent/guardian will be excused.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

See School Board Policy 7-21
Code of Virginia § 22.1-254

2. BOMB THREATS, FALSE FIRE ALARMS, ARSON

Students may not make threats or communicate false information regarding a threat to bomb, burn, destroy or damage a school building, school bus or other school division property. Students may not report false fire alarms involving school buildings, school buses or other school division property. Students may not make false "911" calls. Students may not incite, contribute to, or act in concert with another student in carrying out any of these activities.

Students may not commit arson or otherwise set a fire of any magnitude on school property.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct including up to ten consecutive days out-of-school suspension and a recommendation for expulsion.

A police referral and/or notification to the proper fire protection agency will be filed, as appropriate. Conviction under §18.2-83 (bomb threats, false information) or §18.2-84 (causing, encouraging, inciting) is a Class 5 felony (a Class 1 misdemeanor if under the age of 15). Any individual acting in concert with the offender may be charged under the conspiracy statute §18.2-22.

The School Board may seek restitution for the costs associated with the disruption of the instructional program or other school activities.

See School Board Policy 7-53
And Code of Virginia § 18.2-22, § 18.2-83, § 18.2-84

Under Virginia Code § 8.01-44 and § 22.1-280.4, the City of Manassas School Board will take action, including seeking reimbursement, against a student or the student's parent/guardian for any actual loss, breakage or destruction of or failure to return property owned by or under the control of the School Board, caused or committed by such student in pursuit of his studies.

3. BULLYING, HAZING

A student, either individually or as a part of a group, shall not bully or haze others.

Bullying is physically and/or verbally abusive behavior (force or coercion) toward another person or persons repeatedly for the purpose of intimidating, controlling, injuring, socially isolating, teasing, or humiliating that person or those persons. Prohibited bullying behavior includes, but is not limited to, physical intimidation, taunting, name-calling, insults, inappropriate comments regarding race, gender, religion, physical abilities, or characteristics of the targeted person.

Hazing is making someone do unnecessary or disagreeable things to become a part of a group or organization or recklessly or intentionally endangering the health and/or safety of someone or inflicting bodily harm for the purpose of admitting someone to a group, club, or organization, or for continued membership in a group, club, or organization, regardless of whether the person so endangered or injured participated voluntarily in the activity or not.

3. BULLYING, HAZING - continued

CONSEQUENCES

Up to a maximum of ten consecutive days out-of-school suspension and a recommendation for expulsion
Parent Conference Prior to Return to School
Placement on Disciplinary Probation
Possible placement in an alternative educational setting

NOTE: Building administrators will develop a plan to protect victims of bullying/hazing.

See Section 13 - Physical and Verbal Abuse of Students and Section 19 - Threats
School Board Policy 7-54
Virginia Code § 18.2-56

4. BUS VIOLATIONS

Riding the school bus is a privilege. Students who ride the school bus must abide by all of the state and school division rules and regulations to ensure the safety of all students, the driver and other vehicles. The school bus rules apply to conduct at the bus stop as well as on the school bus. Only authorized personnel are permitted to board the bus**.**

School bus rules are posted in the front of the bus and include:

- The driver will maintain the bus schedule -- no waiting for students.
- The driver has the authority to assign seats as necessary.
- Students must obey the driver's instructions.
- Students must be seated immediately and remain in the seat.
- Students must be courteous and respect property. Parents will be responsible for cost of repairs due to acts of vandalism, up to $2500.00.
- Students must stay inside the bus and keep the aisles clear.
- Students must keep head, hands, feet inside the bus.
- Students may not bring pets on the bus.
- Students may not touch bus equipment.
- Students must observe good conduct.

Examples of behaviors which are <u>not permitted</u> on the bus include, but are not limited to:

- Smoking
- Use of profanity
- Possession of matches or lighters
- Eating or Drinking
- Fighting
- Possession of glass containers
- Making excessively loud noises
- "Horse playing"

4. BUS VIOLATIONS - continued

Examples of behaviors which are not permitted on the bus include, but are not limited to:

- Throwing any items or leaving trash
- Possession of weapons or "look alike" weapons
- Sexual misconduct
- Use of personal and/or portable audio devices and other electronic devices unless specifically authorized.

Drivers are required to file a written referral of all bus violations to the building administrators. Violations of school bus transportation rules may result in the loss of the privilege of riding the school bus and building administrators have the authority to assign additional consequences to students for violations of this section of the Student Code of Conduct.

See School Board Policy 7-44
And Manassas City Public Schools Department of Transportation Rules
Virginia Code § 18.2-128

5. COMPUTER DATA AND EQUIPMENT

The City of Manassas Public Schools provides computer equipment, computer services and networks, including computer Internet access for students for educational purposes only. The school division employs a filtering technology designed to block access to sites that are inappropriate in the school setting. Students who wish to use computer equipment to access databases, on-line services, and/or the Internet at school must adhere to the Computer Use policies, regulations and rules of the school division and local school. Acceptable uses of the computers and networks are activities which support learning and include the following:

- use of the school division local access networks, wide access networks, stand-alone computers and software resources to support the learning program; access to Internet resources such as the Library of Congress, NASA, and information services;
- access to electronic mail to correspond with scientists, authors, other schools;
- collaborative work with other schools throughout the world
- avoid offensive or inflammatory speech

There are certain responsibilities associated with the privilege of computer use and Internet access. Users are expected to:

- employ appropriate language
- adhere to the rules of copyright
- respect the rights to privacy of other users
- refrain from participating in illegal activities
- respect the integrity of computing systems including hardware and software
- conduct themselves responsibly when participating in “virtual electronic field trips”
- inform teachers or administrators of any inappropriate conduct that restricts or inhibits any other user from accessing computer or Internet resources

5. COMPUTER DATA AND EQUIPMENT - continued

Students may not:

- Create or spread computer viruses
- Access or "hack" into confidential files or information
- Purchase services or products over the Internet
- Students may not access My Space.com, Friendster, Face Book or any other personal social web sites. Any other social web sites or applications cannot be accessed except under the supervision of the teacher. .

The City of Manassas Public Schools will not be held responsible for materials acquired inappropriately. Student users are required to follow all safety precautions while utilizing on-line services provided by the school division. Users will:

- Never give out personal identifying information (name, home address, telephone number, pictures, social security numbers, etc.)
- Not arrange face-to-face meetings or telephonic meetings with others through the Internet
- Not create, peruse, or respond to messages or bulletin items that are sexually suggestive, obscene, belligerent, threatening, or that are otherwise inappropriate in nature
- Inform teachers and administrators of any threatening or unwelcome communications
- Always adhere to the standards set by the attending professional educators and by their parents and guardians

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct which include the following:

- Up to ten consecutive days out-of-school suspension
- Restricted computer and/or Internet access, complete loss of computer and Internet privileges, and/or a recommendation for expulsion.
- The School Board may seek restitution for costs associated with improper use of hardware, software or other technology resources.

See School Board Policy 7-60
Virginia Code § 22.1-70.2

6. DISHONESTY

Students may not demonstrate dishonest behavior, such as, but not limited to:

Cheating - Students may not give or receive help on independently assigned work or tests
Stealing - Students may not take, or attempt to take, any item belonging to another person or the school
Lying - Students may not initiate, state, repeat or otherwise spread false information.
Forging - Students may not sign the names of a parent/guardian, school employee or anyone else or use documents which have been forged.

Academic Integrity: Integrity means being honest at all times. Students may not use material in violation of copyright or copy the work of others without proper citation.

6. DISHONESTY - Continued

Electronic Integrity: Integrity means being honest at all times. Students may not access or manipulate any unauthorized databases or on-line services, or use computer hardware without proper authorization. (See Section 5 Computer Data and Equipment)

Building administrators have the authority to assign consequences to students for violations of this section of Student Code of Conduct.

7. DISRUPTIVE BEHAVIOR

Students may not behave in a manner that keeps other students from learning or act in a manner that prevents or interferes with the orderly conduct of education or results in the disruption of the educational environment. School staff and building administrators have legal and formal authority over students. Students will not demonstrate defiance of adults through action, words, gestures, or written communications. Students do not have the right to refuse the legal direction of school staff or building administrators. School staff and building administrators dictate the daily activities and functioning of the school and students are expected to follow their directions. Failure to follow a teacher's direction/instruction is insubordination and a violation of this section of the conduct code. Students are required to demonstrate respect during the Pledge of Allegiance and Minute of Silence.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

See School Board Policy 7-44
Code of Virginia § 18.2-415 and § 22.1-253.13:7
And Code of Ordinances, City of Manassas, Virginia, § 21-12

8. DRESS

Students must attend school and school activities dressed in appropriate clothing and accessories that do not detract from or disrupt the educational environment or draw undue attention to the individual.

All students are expected to refrain from dressing in a manner that distracts other students from learning, interferes with order in the school, constitutes a threat to the health and safety of others or shows prejudice or disrespect toward other individuals or institutions. For reasons of health and safety, footwear must be worn at all times.

Dress, that is inappropriate in the school setting, includes, but is not limited to:

- Clothing, jewelry, buttons/badges or personal belongings that have inappropriate printed messages about drugs, alcohol, tobacco, sex, weapons, nudity or vulgarity.
- Items that make fun of race, religion, ethnic group or gender.
- Underwear, including boxer shorts, worn as an outer garment and/or not covered by outerwear.
- Chains, fish hooks, safety pins worn as jewelry, multi-finger rings, any type of studded bracelet or collar, nose/lip to ear chains, excessive dramatic make-up/face painting.

8. DRESS - Continued

Pants are to be worn at the waist and at no time should any undergarments (underwear, jogging pants, shorts or gym shorts) be exposed.

The midriff will be covered. Any article of clothing designed to reveal any portion of the midriff (male or female) is prohibited.

Shorts and skirts must extend to at least the fingertips with arms extended straight down the side of the body when standing. Slits in shorts and skirts that reveal the body above the fingertips when standing are prohibited.

Costumes or other clothing worn for special school activities must have the prior approval of the building administrator and activity sponsor.

Building administrators have the authority to determine what is appropriate dress. Any manner of dress or overall personal presentation that disrupts the learning environment will not be tolerated. Administrators will contact the parent/guardian of any student deemed to be dressed inappropriately. Administrators will take disciplinary action for dress that is deemed disruptive to the learning environment which may include: after school detention, in-school detention, Saturday school (if available), out-of-school suspension or recommendation for expulsion.

See School Board Policy 7-51

9. ELECTRONIC EQUIPMENT & COMMUNICATIONS DEVICES

The use of beepers, recorders, portable cellular phones, camera phones, and other such portable communication, messaging devices, or other electronic devices by students during school hours is prohibited unless authorized in writing by the building administrator or designee. (Examples: Including but not limited to ipods, Blackberry, Bluetooth devices, wireless internet email, instant messenger, picture and text transmission devices, PDA's, MP3 players, digital cameras, video games, scanners.)

Students are required to turn their cell phones and all other such devices off upon boarding a school bus, or for non-bus riders upon arrival to school. These devices are not to be visible or audible during the school day. If a communication device is visible or audible (goes off) or is used during school hours, it may be confiscated for return to the student's parent or guardian. All other electronic devices or other such technology used to disrupt the educational process, environment, and/or communications are prohibited. Laser pointers are prohibited at school at all times.

Taking photographs or videos of a person who is undressed, or from an angle that reveals the person's intimate parts or underwear is illegal, constitutes sexual misconduct and will be reported to law enforcement.

The use of any electronic equipment or communication device to photograph or in any way to transmit or receive data in an attempt to cheat or that is in any way considered dishonest by school staff is prohibited.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct. All such unauthorized devices will be confiscated and turned over to parent/guardian.

See School Board Policy 7-59

10. GAMBLING

Gambling, in any form including the sale of lottery tickets, is prohibited on school property, on school buses or at bus stops and at all school related activities. This does not preclude participation in school sanctioned and supervised activities conducted in accordance with School Board Policies.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct including up to ten consecutive days out-of-school suspension and a recommendation for expulsion.

See School Board Policy 2-30
School Board Policy 2-31
School Board Policy 2-32
School Board Regulation 2-20
School Board Regulation 7-58

11. GANGS

Gangs (groups, organizations, secret societies) that initiate, advocate or promote activities which threaten the safety or well-being of persons or property on school grounds or school sponsored events/activities are disruptive to the learning environment.

Promotion of gang presence, activity, membership and/or involvement by any means is prohibited. This includes but is not limited to the use of symbols, style of dress, tattoo, specific articles of clothing, colors, numbers, letters, abbreviations, jewelry, vandalism (tagging), graffiti, notes, posters, flyers and gestures. Possession of gang related material at school or school sponsored events and activities (openly displayed or concealed) is prohibited.

Any tattoo deemed to be gang related will be covered at all times while on school grounds and while attending any school sponsored events/activities.

Building administrators have the authority to assign consequences to students suspected of gang related activity at school or school sponsored events/activities based upon behavior, apparel or other attributes listed above that would lead a reasonable person to conclude that the student is involved in gang related activity or promotion.

All gang activity will be reported to law enforcement authorities.

Any type of dress, apparel, tattoo, behavior or manner of grooming displayed, reflected, or participated in by the student that would:

- Lead a reasonable person to believe that it is gang related and would disrupt or interfere with the school environment or activity and/or educational objectives;
- Present a safety hazard to self, students or staff and other employees;
- Create an atmosphere in which a student, staff member, or other persons' well-being is threatened;

11. GANGS - Continued

- Imply gang membership, affiliation or promotion by written communication, marks, drawing, painting, design, or emblem upon any school property, personal property or on one's person;

is prohibited.

Building administrators have the authority to assign consequences for violation of this section of the Conduct Code up to 10 consecutive days out-of-school suspension and a recommendation for expulsion. A Re-entry Conference with the Superintendent/designee is required in cases resulting in a 10-day out-of-school suspension concerning appropriate educational placement, terms of disciplinary probation, intervention and support. Students approved for re-entry may be subject to the following conditions:

- Placement on Disciplinary Probation.

- Placement in an alternative educational setting.

NOTE: All incidents of gang related violence or intimidation will result in ten consecutive days out-of-school suspension and a recommendation for expulsion.
See School Board Policy 7-57

12. INAPPROPRIATE LANGUAGE

Students may not use inappropriate, obscene or profane language at school, on school property, on school buses, at bus stops or at school related events

Swearing, cursing, and using obscene or profane language is not allowed in the school environment. Students are to refrain from use of all inappropriate language.

Building Administrators have the authority to make decisions about what is inappropriate language and assign consequences to students for violations of this section of the Student Code of Conduct.

See School Board Policy 7-48

13. INAPPROPRIATE SCHOOL CONDUCT

Students may not behave in a manner that is disrespectful to anyone at school or at a school activity. All students are required to obey school rules. All school personnel are authorized to enforce these rules when at school, on school grounds, on school buses, at bus stops, traveling to and from school, and at school-sponsored field trips or activities.

Any acts that are in violation of the student handbook, Student Code of Conduct, School Board Policy and/or the Code of Virginia, or are considered inappropriate in a school setting by the building administrator, **including those not specifically stated in these documents**, are prohibited. Extremely inappropriate behavior will result in serious disciplinary consequences and may constitute a violation of other sections of the Student Code of Conduct.

Building Administrators have the authority to make decisions about what is inappropriate school conduct and assign consequences, including up to a maximum of ten consecutive days out-of-school suspension and a recommendation for expulsion, to students for violations of this section of the Student Code of Conduct.

See School Board Policy 7-44
See Code of Virginia § 18.2-415

14. PHYSICAL AND VERBAL ABUSE OF STUDENTS

Students are not allowed to fight, push, shove, call each other names, threaten anyone or willfully inflict injury on another student. These rules apply inside the schools, anywhere on school grounds, on school buses and on any school-sponsored field trip or school activity and going to and returning from school.

Students are to settle disagreements with other students in a peaceful manner, using such resources as conflict mediation. Students are encouraged to seek adult assistance or intervention, if necessary.

Acts of physical and verbal abuse such as those described below are not allowed:

Assault - The willful use of physical violence or dangerous objects in an effort to cause injury.

Extortion - The use or threat of force to take money or property from another person.

Fighting - Mutual shoving, wrestling, or other aggressive actions, which could result in injury to either party, bystanders or school property.

Harassment – Annoying, bothering or tormenting another person.

Stalking - To repeatedly pursue with the intent to place another person in reasonable fear of death, assault or bodily injury. The reasonable fear may be for a sibling, parent or other relative or individual and not necessarily the victim (object) of the stalking.

Inappropriate communication – Relaying by word (verbal, written, e-mail, fax, etc.), gesture, action, or in any manner, ideas, messages or information which is not appropriate in a school setting.

Incitement or Instigation of Fighting - Actions, comments, or written messages intended to cause others to fight or which may result in a fight.

Intimidation - Forcing a person into or deterring a person from an action by inducing fear.

Mob Participation - Any collection or group of two or more students assembled with the intention of committing an act of violence or encouraging acts of violence constitutes a mob. Any student who is a part of a mob will be held responsible for any act of violence, or other unacceptable behavior, committed or encouraged by the group/mob.

Physical Abuse – Is hitting, pushing, holding, physically resisting the direction or restraint of teachers/staff, blocking the passage of, or throwing objects with the intent to cause disruption, but without willful effort to cause injury.

Threats - Conveying by gestures, notes or verbal comments the intent to cause bodily injury or to deprive the rights of an individual.

Verbal Abuse - Demonstrating disrespect or defiance through words.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct including up to a maximum of ten consecutive days out-of-school suspension and a recommendation for expulsion. Assault and any other incident listed above that may constitute a violation of the law will be reported to law enforcement authorities.

14. PHYSICAL AND VERBAL ABUSE OF STUDENTS – Continued

The school division may require the following prior to consideration for a return to school:

- A written Mental Health Evaluation report secured by the school division conducted by a licensed mental health professional or school psychologist for presentation to the Superintendent/designee addressing the student's suitability for return to school.

- A Re-entry Conference with the Superintendent/designee concerning appropriate educational placement, terms of disciplinary probation, intervention and support.

Students approved for return to school may be subject to the following conditions:

- A review by the Child Study Committee at the home school.

- Placement on Disciplinary Probation

- Placement in an alternative educational setting.

15. PHYSICAL AND VERBAL ABUSE OF ADULTS

School staff and building administrators have legal and formal authority over students. Students will not demonstrate disrespect for or defiance of adults through action, words, gestures, or written communications.

Students will not verbally abuse**,** threaten or physically assault school employees, volunteers or other adults present in the school. Students will not communicate an inappropriate message, idea, or information through word (verbal, written, e-mail, fax, etc.), gesture or action; harass; threaten; stalk or attempt to intimidate any adult in the school or associated with the school or school division.

These rules apply inside the schools, anywhere on school grounds, on other school board property, on school buses, and on any school sponsored field trip or school activity and going to and returning from school.

Under Virginia Code, any person, student or adult, who orally makes a threat (to kill or do bodily injury) against any school employee, while on a school bus, on school property or at a school-sponsored activity, can be charged with a Class 1 misdemeanor. Virginia Code also provides for a mandatory period of incarceration of two days when the object of the battery is a teacher and six months' mandatory incarceration if a gun is used. All threats to school personnel will be reported to law enforcement authorities.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct including up to a maximum of ten consecutive days out-of-school suspension and a recommendation for expulsion.

The school division may require the following prior to consideration for a return to school:

- A written Mental Health Evaluation report secured by the school division conducted by a licensed mental health professional or school psychologist for presentation to the Superintendent/designee addressing the student's suitability for return to school.

- A Re-entry Conference with the Superintendent/designee concerning appropriate educational placement, terms of disciplinary probation, intervention and support.

15. PHYSICAL AND VERBAL ABUSE OF ADULTS

Students approved for return to school may be subject to the following conditions:

- A review by the Child Study Committee at the home school.
- Placement on Disciplinary Probation
- Placement in an alternative educational setting.

See - Threats
School Board Policy 7-54
And Code of Virginia § 18.2-60

16. PUBLIC DISPLAYS OF AFFECTION

School is not the place for public displays of affection. Students are to refrain from the activity at school and at school functions. Kissing and prolonged embracing are not appropriate in the school environment. Public displays of affection may result in parent contact and/or disciplinary action.

Building administrators will determine what constitutes Public Displays of Affection and have the authority to assign disciplinary consequences.

17. REPEATED SCHOOL VIOLATIONS

Building administrators have the authority to assign consequences including up to ten consecutive days out-of-school suspension and a recommendation for expulsion to students who continue to break school rules.

See School Board Policy 7-44

18. SALES/DISTRIBUTIONS BY STUDENTS

The unauthorized sale or distribution (free or otherwise) of any item by students at school, on the school bus, at a school event or on school property is prohibited.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

19. SEXUAL HARASSMENT/SEXUAL OFFENSES

The School Board and school administration are committed to providing a school environment which is free of sexually harassing actions or conditions that diminish self-esteem and inhibit performance.

Sexual harassment is unwelcome or unwanted verbal, non-verbal or physical behavior that makes someone feel uncomfortable or unsafe. The complaint procedure as outlined in School Board Regulation 7-73 is: the student files a written complaint to the principal who notifies parents/guardians of both parties, investigates the complaint, files a report to the Superintendent/designee and notifies all parties of the outcome. All parties have the right of appeal of the principal's decision. In addition, the principal will notify the Department of Social Services, if appropriate.

In some cases of sexual harassment, a sexual offense may also have taken place. Sexual offenses are violations of the criminal code of the Commonwealth of Virginia and will be reported to the police in addition to being handled as a disciplinary matter.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct including up to a maximum of ten consecutive days out-of-school suspension and a recommendation for expulsion.

See School Board Policy 7-75

20. SEXUAL MISCONDUCT

Sexual misconduct is prohibited on school property, on school buses, at bus stops, at school sponsored events and activities, and at all other times and locations when students are subject to school discipline. "Sexual misconduct" means any action involving sex that is contrary to community standards in a public place. This includes all forms of sexual contact. Intentional sexual contact without the consent of the person being touched also constitutes sexual harassment and/or sexual assault. Sexual assault will be reported to law enforcement authorities. Taking photographs or video of a person who is undressed, or from an angle that reveals a person's intimate parts or underwear is illegal and a disciplinary violation under this section. Because students may not engage in sexual misconduct on school grounds, students may also be charged with trespassing if they violate this rule on school grounds or as visitors at another school. Sexual misconduct will result in out-of-school suspension and may result in a recommendation for expulsion.

Building administrators will review all allegations of sexual misconduct and consult with members of the school professional staff in order to determine if an incident constitutes sexual misconduct, the appropriate length of out-of-school suspension, and whether or not an incident of sexual misconduct warrants a recommendation that a student or students be expelled. Building administrators have the authority to assign disciplinary consequences.

FIRST VIOLATION

Up to ten consecutive days out-of-school suspension
Parent notification
Report to law enforcement authorities as appropriate
Re-entry conference
Possible loss of privileges
Meeting with school psychologist regarding, but not limited to, one or more of the following topics: sexually transmitted diseases, teen pregnancy, self-esteem, self-control, and peer pressure. Parents may be included in these meetings.
Possible disciplinary probation
Possible alternative educational placement
Possible recommendation to the superintendent for consideration for long-term suspension or expulsion

20. SEXUAL MISCONDUCT - Continued

SUBSEQUENT VIOLATIONS
10 consecutive days out-of-school suspension.
Report to law enforcement authorities as appropriate
Recommendation to the superintendent for long-term suspension or expulsion

21. SUBSTANCE ABUSE

Under The Code of Virginia § 22.1-277.08, school boards *"shall expel from school attendance any student determined to have brought a controlled substance, imitation controlled substance, or marijuana onto school property or to a school-sponsored activity* The Superintendent may, at the direction of the school board, conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. If expulsion is recommended, the case shall be referred for a School Board hearing. Under this law, a school board may determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate.

Alcoholic beverages and other unlawful drugs and anabolic steroids are not permitted in school, on school buses, traveling to and from school, on school grounds or at school activities. See Section 21 for information regarding Tobacco Products.

Substance abuse violations include use, receipt, attempted receipt, purchase, attempted purchase, possession, distribution, attempted distribution, being under the influence, being present after having consumed illegal substances or alcohol and possession, construction and distribution of drug paraphernalia. Classification of a Volatile Chemical used as an inhalant and student intent to use, possess, or distribute a Volatile Chemical to be used as an inhalant, will be determined by the building administrator.

Building administrators have the authority to assign consequences to students suspected of being under the influence of alcohol or drugs based upon actions and behaviors of the student that would lead a reasonable person to conclude that the student is under the influence of an illegal substance.

CONSEQUENCES:

- Immediate ten consecutive days out-of-school suspension.
- Recommendation to the Superintendent for expulsion from school.
- Parent notification.
- Report to Law Enforcement Authorities.
- Participate in an independent professional substance abuse evaluation; provide a report of this evaluation to the school division, and comply with all recommendations of the evaluator.
- Required participation in a Substance Abuse Risk Assessment through the MCPS Student Assistance Program.
- Successful completion of the IMPACT program, a court-ordered program, or an alternative program approved by the Student Assistance Program Coordinator.
- Referral to the school-based New Horizons Program (high school and Alternative Education Center students only).
- If not expelled, placement on disciplinary probation for the remainder of the school year and possibly the following semester.

Students in violation of Substance Abuse Policy may be required to provide urine drug screen reports as a condition of continued enrollment. The costs of such screens are to be the responsibility of the parent/guardian.

21. SUBSTANCE ABUSE - Continued

OVER-THE-COUNTER MEDICATION AND PRESCRIPTION DRUGS

Authorized Medications

The School Board recognizes that certain medications are essential to the health and well-being of students. The School Board also recognizes that substance abuse can occur with abuse of certain medications; therefore, it has been determined that careful control of medications in the schools shall be maintained. Parents are advised to give medications at home and on a schedule other than during school hours, if possible. If it is necessary that a medication be given during school hours, the procedures set forth in Board Policy 7-82 which requires that all medications (over-the-counter and prescription) be stored in the health clinic and administered according to the completed Medication Consent Form, shall be followed. Consequently, students may not keep medications on their person, in lockers, or in purses, backpacks or pockets, except for authorized emergency medications for which a copy of the prescription must be on file in the school clinic.

Building administrators have the authority to assign consequences to students for violations under this section of the Student Code of Conduct for the misuse or abuse of prescription or over-the-counter medications.

Distribution or attempted distribution of over-the-counter, prescriptions drugs or any other substance which by representation would lead a reasonable person to believe that the substance is a controlled or illegal substance (a “look alike”) will constitute a violation of Substance Abuse Policy and may be referred to the School Board for an expulsion hearing. If a student is in possession of over-the-counter medication or medication for which he/she has a prescription and the student did not attempt to distribute the medication or represent the medication to others as an illegal substance, building administrators have the authority to find the student in violation of School Board Regulation 7-82 MEDICATION and take appropriate action to ensure that the student and parents/guardians understand the proper procedures for maintenance and administration of medication at school.

Code of VA § 4.1-309, § 18.2-247, § 18.2-248, § 18.2-250,
§ 18.2-255, § 18.2-255.2

See School Board Policy 7-82
Code of Virginia § 22.1-274.2

22. THREATS

Any person who knowingly communicates, in writing, including an electronically transmitted communication producing a visual or electronic message, a threat to kill or do bodily injury to a person regarding that person or any member of his family, and the threat places such person in reasonable apprehension of death or bodily injury to himself or his family member, is guilty of a Class 6 felony.

Any person who communicates a threat, in a writing, including an electronically transmitted communication producing a visual or electronic message, to kill or do bodily harm, (i) on the grounds or premises of any elementary, middle or secondary school property, (ii) at any elementary, middle or secondary school-sponsored event or (iii) on a school bus to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat in reasonable apprehension of death or bodily harm, is guilty of a Class 6 felony.

Any person who orally makes a threat to any employee of any elementary, middle or secondary school, while on a school bus, on school property or at a school-sponsored activity, to kill or do bodily injury to such person, is guilty of a Class 1 misdemeanor.

A prosecution pursuant to this section may be either in the county, city or town in which the communication was made or received. 18.2-60 Code of VA

Students may not make threats against individuals, groups, or the school community as a whole. All threats by students will be investigated and assessed by a building administrator. The administrator will determine if the threat is substantive or transient.

A substantive threat is defined as any communication that conveys intent to kill or do bodily harm to any person and which creates a reasonable apprehension that the threat will be carried out and is deemed to be realistic and credible by a school administrator. The communication may be by gesture, in writing (including e-mail and fax, etc.), or by spoken words, and remains a threat whether or not the person who receives the communication is the intended target.

A transient threat includes rhetorical remarks, brief expressions of anger and frustration or situations easily resolved through consultation, mediation or brief counseling.

The following procedures are in effect for all threats deemed substantive by a school administrator.

INITIAL ACTION

- Parent notification.
- Ten consecutive days out-of-school suspension and referral to the Superintendent/designee with a possible School Board Hearing to consider expulsion from school.
- Report to Law Enforcement Authorities.

MENTAL HEALTH EVALUATION

Prior to consideration for return to school, the school division may require a written evaluation, secured by the school division for presentation to the Superintendent/designee. The evaluation must be conducted by a licensed mental health professional or school psychologist addressing the student's mental health issues and suitability for return to school.

RE-ENTRY CONFERENCE

Prior to return to school, a re-entry conference will be held with the Superintendent/designee concerning appropriate educational placement, terms of disciplinary probation, intervention and support.

22. THREATS - Continued

CONDITIONS UPON RETURN TO SCHOOL

- Placement on Disciplinary Probation.
- A review by the Child Study Committee at the home school.

The following procedures are in effect for all threats deemed transient by a school administrator.

- Parent notification
- Building administrators have the authority to assign consequences to students for violations of this section up to three consecutive days out-of-school suspension
- If suspended, upon return to school student must meet with a school counselor, psychologist or social worker to review the incident and develop a plan for appropriate behavior in the future.

School Board Policy 7-54
Code of Virginia § 18.2-60

23. TOBACCO PRODUCTS

The possession and/or use of tobacco products and smoking materials in the City of Manassas Public Schools is prohibited inside the school, anywhere on school grounds, on school buses, and on any school sponsored field trip or school activity.

Possession or Use of Tobacco Products

First Violation

- One day out-of-school suspension
- Required attendance at after school tobacco education class. Failure to attend on scheduled day will result in an additional one day out-of-school suspension.

Subsequent Violations

- Five consecutive days out-of-school suspension
- Revocation of certain school related privileges may occur as determined by the building administrator
- Report to Law Enforcement

***Note**: Any law enforcement officer may issue a summons for a violation of § 18.2-371.2 Possession of Tobacco Products by Minors.*

See School Board Policy 7-55
And Code of Virginia § 18.2-371.2

24. TRANSPORTATION

Students who choose a means of transportation other than a school bus must abide by the following regulations:

Motor Vehicles

Driving to school is a privilege. Only students in grades 9-12 may be granted the privilege to drive motor vehicles to school, and this privilege may be revoked. High school students must abide by the regulations of the Commonwealth of Virginia, the City of Manassas and the school for the safe operation and legal parking of vehicles. Students are not to park in Virginia Railway Express (VRE) parking lots. All illegally parked student vehicles will be reported to law enforcement.

Walkers

Students whose parents permit them to walk to school, or who live within the walking zone, are required to arrive at school on time and are to use routes which do not present hazardous situations for them. Walking down the railroad tracks is not safe and is "off limits". Student walkers are not to abuse property rights of residents or cut through other school campuses on route to or from school.

Bicycle Riders

Students may ride bicycles if the school permits. All bicycles must be properly secured in accordance with school rules. Riders must observe all rules of their school that relate to bicycles. Students are encouraged to wear helmets while riding bicycles. Students fourteen (14) years of age or younger must comply with the City of Manassas Ordinance which requires bicyclists to wear helmets.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

See Code of Ordinances, City of Manassas, Virginia, No. 0-96-11, and § 17-347

25. TRESPASSING

No one, including students, may be on school property or in the school building after school hours or on a non-school day unless that person is on official school business, is participating in a supervised school activity, is a spectator or participant at an activity open to the public or has been given permission by the school administration to be there.

Certain facilities are open to the public after school hours and on non-school days. Students and others are permitted access to these areas during non-school hours and days without specific authorization. Users are requested to use good judgment in demonstrating appropriate behavior and respecting school property.

25. TRESPASSING - Continued

Students are considered to be trespassing under the following conditions:

1. Any student who has been suspended from school who appears on Manassas City School property during the time of the suspension without permission from the building administrator.

2. Students who loiter at school after the close of the school day or on a non-school day without specific reason or supervision.

3. Students who are requested to leave by an administrator and fail to do so immediately.

4. Students who are expelled from the City of Manassas Public Schools.

5. Students who are not enrolled in the City of Manassas Public Schools.

Students need to be aware that any person found in a Manassas City School or on school property without approval from the school administration is considered to be a trespasser and is subject to arrest.

In addition to the trespassing violations listed above, students may not be unsupervised or in unauthorized areas of the school/school property during the school day, when attending a school function or during non-school time.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

See School Board Policy 2-15 and 7-50
And Code of Virginia § 18.2-128

26. WEAPONS/DANGEROUS OBJECTS

Students may not possess, display, brandish or otherwise use weapons or dangerous objects at school, at school bus stops, on school buses, on school property, at school activities or while traveling to and from school. Students may not possess objects that look like real weapons ("look alikes"). This section of the Student Code of Conduct also applies to being an accessory to a violation of School Board Policy 7-56 WEAPONS/DANGEROUS OBJECTS.

Gun-Free Schools Act of 1994

In compliance with the "Gun-Free Schools Act of 1994", a school board shall expel from school attendance for a period of not less than one year (365 calendar days) any student whom such school board has determined, in accordance with the procedures set forth in § 22.1-277 and § 22.1-277.07 (VA Code), to have brought a firearm onto school property or to a school-sponsored activity as prohibited by § 18.2-308.1 (VA Code), or to have brought a firearm as defined in subsection D on school property, a school bus or to a school-sponsored activity.

Note: *At the direction of the School Board, the Superintendent/designee shall conduct a preliminary review of violations of the Gun Free Schools Act to determine whether a disciplinary action other than expulsion is appropriate. Under the Gun-Free Schools Act, a school board may determine, based on the facts of the particular case that special circumstances exist and another disciplinary action or term of expulsion is appropriate.*

26. WEAPONS/DANGEROUS OBJECTS - Continued

Subsection D defines a firearm as:

stun weapon	taser	pistol	revolver**	razor
dirk knife*	bowie knife*	switchblade*	ballistic knife*	BB gun
slingshot	spring stick	metal knucks	blackjack	air rifle
nun chahka	fighting chain	throwing star	oriental dart	machete
starter gun***	firearm muffler	silencer	any destructive device	

* *or any knife having a metal blade of three inches or longer*
** *other weapons designed to propel a missile*
*** *or other weapons which may be converted to expel a projectile*

Possession of Weapons –Building administrators may apply this section of the conduct code to weapons other than those defined under the Gun-Free School Act, such as, but not limited to: fire bombs, brass knuckles, swords, certain types of knives and explosives or any object used in a threatening manner or to cause harm (see Brandishing). No disciplinary action shall be imposed against students for possession of a bona fide eating utensil or personal grooming device, unless such utensil or device is brandished or employed as a weapon or otherwise to effect or to threaten an act of violence or intimidation against another or against property. Building administrators may confiscate for return to the parent/guardian any object deemed to be a threat to the health or safety of persons in the school.

First Violation

- Immediate ten consecutive days out-of-school suspension
- Referral to the Superintendent/designee with a possible recommendation for expulsion
- Report to Law Enforcement Authorities
- Mental health evaluation:
  Prior to consideration for return to school, a written evaluation, secured by the school division for presentation to the Superintendent/designee, must be conducted by a licensed mental health professional or school psychologist, addressing the student's mental health issues and suitability for re-entry in a public school setting.
- Re-entry Conference: If deemed suitable to return to school, the student and parent/guardian must participate in a Re-entry Conference with the Superintendent/designee concerning appropriate educational placement, terms of disciplinary probation, intervention and support.

Second Violation

- Immediate ten consecutive days out-of-school suspension
- Report to Law Enforcement Authorities
- Referral to the Superintendent/designee with a recommendation for expulsion

DANGEROUS OBJECTS/"LOOK ALIKES"

Dangerous objects may include, but are not limited to:

chains	knives	smoke bombs	ammunition
darts	stink bombs	matches/lighters	
firecrackers	fireworks	incapacitating sprays	

26. WEAPONS/DANGEROUS OBJECTS - Continued

Possession of Dangerous Objects and/or "Look Alike" Weapons

First Violation
Up to five consecutive days out-of-school suspension
Required parent conference

Second Violation
Up to ten consecutive days out-of-school suspension
Referral to the Superintendent/designee with a possible recommendation for expulsion

BRANDISHING

Brandish (Creating Fear by Using a Weapon, a "Look Alike" or any Object in a Threatening Manner or to Cause Harm)

All Violations
Immediate ten consecutive days out-of-school suspension
Referral to the Superintendent/designee with a recommendation for expulsion
Report to Law Enforcement Authorities.

NOTE: Any student who aids, contributes, assists, instigates or in any way intentionally participates in a violation of School Board Policy 7-56 WEAPONS/DANGEROUS OBJECTS is an accessory to the violation and is subject to discipline under this section of the Student Code of Conduct.

TOY WEAPONS

Possession of a Toy Weapon

Toy weapons are not permitted on school property without written authorization from a building administrator. Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct. Building administrators will report all violations of this section of the conduct code to law enforcement authorities.

See School Board Policy 7-56
Code of Virginia: § 18.2-308, § 18.2-308.1, § 18.2-282, § 18.2-87.1, § 22.1-277
And Improving America's School Act of 1994/Part F: Gun-Free Schools Act

27. VANDALISM

Vandalism is the willful damage and/or destruction of property. Students may not destroy or damage personal or school property (for example: buildings, books, school buses, private automobiles, and the school grounds).
Vandalism is a violation of the law. Virginia Code allows for the school or school division to recover up to $2,500 from parents/guardians for acts of vandalism committed by their children.

Building administrators have the authority to assign consequences to students for violations of this section of the Student Code of Conduct.

See Code of Virginia § 8.01-43, § 8.01-44, § 18.2-138

NOTE: *Under Virginia Code § 8.01-44 and § 22.1-280.41, the City of Manassas School Board will take action, including seeking reimbursement, against a student or the student's parent/guardian for any actual loss, breakage or destruction of or failure to return property owned by or under the control of the school board, caused or committed by such student in pursuit of his studies.*

SUSPENSION PROCEDURES

A student may be suspended from any City of Manassas Public School for sufficient cause. Students are prohibited from attending classes, being present on school property or attending any school sponsored/ related activity during the time of the suspension. A day of suspension is a day that school is in session and the student is enrolled. Suspension from school attendance begins the next school day following the disposition of the violation and concludes as stipulated by the administration in accordance with school board policies. Suspension from all extra-curricular activities begins immediately upon disposition of the violation.

Building administrators are authorized to suspend a student for up to ten consecutive school days for a single incident and recommend to the Division Superintendent that a student be long-term suspended or expelled. **The School Division Superintendent is authorized to suspend a student for more than 10 days and less than 365 calendar days (long-term suspension).** Suspensions cannot be set for an indefinite period of time. Conduct viewed as sufficient cause for suspension shall include, but not be limited to, any one of the offenses listed in the Student Handbook/Conduct Code. Students will be allowed to make up any work missed during the period of suspension. It is the responsibility of both the student and the school administration to obtain the make-up work from the teacher. Out-of-school suspension can not result in Failure Due to Attendance (FA).

If a student with an identified disability is suspended, the procedures for suspension of a student with a disability shall be followed.

Students shall be informed of any charges as well as the evidence and shall be given the right to present their side of the event. The building administrator may require the presence of a third party during the questioning and a record shall be kept of the discussion. Building administrators will make every reasonable effort to notify parents/guardians of disciplinary action in a timely manner (as soon as is practical).

All out-of-school suspensions of 5 days or greater will result in an additional loss of the privilege to participate in extra-curricular activities; suspensions less than 5 days may result in additional loss of the privilege to participate in extra-curricular activities. This loss of privilege is in addition to the suspension and extends beyond the school day upon which the student is eligible to return to school. Duration of this loss of privilege will be determined by the school principal based upon the severity of the violation.
In addition to suspension, if a violation of the law has occurred, the student may be subject to criminal prosecution.

The building administrator may refer students who repeatedly violate the conduct code to a Disciplinary Review Committee. This committee will review the disciplinary and academic history of the student. The committee will meet with the student and the parents/guardians. The committee and the parents will develop an improvement plan for the student. This plan may include conditions for continued enrollment deemed necessary to maintain the safety, welfare, and educational environment of the school. Referral to the Disciplinary Review Committee is not mandatory and does not preclude a recommendation to the Superintendent for expulsion.

School Board Policy 7-25
Code of Virginia § 22.1-277, § 22.1-277.04, § 22.1-277.05

DISCIPLINARY APPEAL PROCEDURES *

A disciplinary appeal is a formal request for review of a disciplinary action taken. Such a review involves a determination of whether a policy has been violated or procedures not properly followed. At all levels of appeal, the hearing officer has the authority to overturn/rescind disciplinary action, modify disciplinary action, or impose more stringent disciplinary action to include a recommendation to the superintendent for expulsion from school. The request for appeal must be in writing and must state the basis of the appeal and detail any remedy/relief requested.

In cases where the suspension is determined to be necessary, the parent or guardian shall be informed of the right to appeal. A written notification stating the cause for suspension and the procedure for appeal shall be sent to the home of the student no later than the day following the suspension of the student.

Students are prohibited from attending classes, being present on school property or attending any school sponsored/school related activity during a suspension. Since out-of-school suspensions are reserved for serious offenses which have posed a disruption to the educational process, students who have been suspended may not attend school during the course of an appeal. No form of disciplinary action imposed by a building administrator will be delayed pending the outcome of the appeal process. Students who have been suspended with a pending School Board Expulsion Hearing may not be on any school property at any time or attend any school sponsored/school related activity of any kind regardless of physical location without the Superintendent's written authorization.

If the parent/guardian of a minor or an "age of majority" student chooses to appeal a school decision, the appeal procedure is as follows:

SCHOOL LEVEL HEARING (Level I)

- Appeal shall be in writing to the building administrator (principal) within three (3) school days of the decision.
- The building administrator/designee will meet with a parent/guardian within five (5) school days of receipt of an appeal and will notify the parent/guardian of the decision in writing within five (5) school days of the meeting date.
- If the principal made the decision being appealed and a meeting with the parent/guardian and student has taken place, the appellant may skip this step and go directly to Central Office.
- The decision of the building administrator/designee shall be final for all disciplinary action other than out-of-school suspension. The appeal process at Level II applies to out-of-school suspensions up to 10 days, which may be appealed to the Superintendent.

CENTRAL OFFICE HEARING (Level II)

- Appeal of the building administrator's decision to Superintendent/designee shall be in writing within three (3) school days of the notification of the building administrator's decision.
- Superintendent/designee will meet with a parent/guardian within five (5) school days of receipt of an appeal and will notify the parent/guardian of the decision in writing within five (5) school days of the meeting date.
- The decision of the Superintendent/designee shall be final for suspensions up to ten (10) days. The appeal process at Level III applies to out-of-school suspensions of more than ten days, which may be appealed to the School Board.

DISCIPLINARY APPEAL PROCEDURES - continued

SCHOOL BOARD HEARING (Level III)

Out of school suspension of more than ten days

- Appeal to the School Board, in writing within three (3) school days of the receipt of the Superintendent/designee's decision.

- The School Board shall consider the appeal at a regularly scheduled meeting or at a special meeting. Following the meeting, the Board shall issue its decision in writing within ten (10) school days.

*NOTE: For appeal procedures concerning issues other than discipline such as those having to do with instruction, activities, and administrative procedures contact your building administrator or the central administrative office of the school division. Reference School Board Policy and Regulation 7-4

EXCLUSION PROVISIONS

Alternative Education Placements for Students Charged with Certain Offenses

The Superintendent may require **any student who has been charged with an offense relating to Virginia's laws on weapons, alcohol, drugs or intentional injury to another person or has been found guilty or not innocent of a crime that resulted in or could have resulted in injury to others** to attend an alternative education program, including, but not limited to, night school, adult education, or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. The Superintendent may impose this requirement without regard to where the crime has occurred.

Written notice to the student and parent/guardian shall be provided if the student is to be required to attend an alternative education program and the student and parent/guardian shall be provided an opportunity to participate in a hearing to be conducted by the Superintendent/designee regarding such placement.

Any student for whom the school division has received a report pursuant to Section 16.1-305 of the Code of Virginia of adjudication of delinquency or a conviction may be suspended or expelled from school attendance in accordance with Section 22.1-277 and Section 22.1-277.2 of the Code of Virginia.

Students Long Term Suspended from Other School Divisions

Any student who has been suspended for more than 30 days by another school board or a private school in Virginia or another state may be excluded from attendance by a local school board in Virginia regardless of the offense for which the disciplinary action was imposed, upon finding that the student presents a danger to the other students or staff of the school division. The Division Superintendent/designee is responsible for seeing that the Virginia Code governing admission of long-term suspended students is followed, including notice and hearing procedures.

In case of a suspension of more than thirty days, the terms of exclusion may not exceed the duration of that suspension.

Students who have been suspended pending a School Board Expulsion Hearing may not be on any school property at any time or attend any school sponsored/school related activity of any kind regardless of physical location. Students who have been expelled or long-term suspended may not be on any school property at any time for any reason and may not attend or participate in any school sponsored/sanctioned activity of any kind at any time without the Superintendent's written authorization.

School Board Policy 7-26 and Code of Virginia § 22.1-277.2

EXPULSION PROCEDURES

A student may be expelled from attendance at any City of Manassas Public School for sufficient cause.

In addition to sections in the code that specify a recommendation for expulsion the following could also result in a School Board Hearing for expulsion:

1. The accumulation of more than 15 days out-of-school suspension for disruption of the learning environment.
2. Violation of Disciplinary Probation.
3. Perpetrating repeated physical assault on other students or any assault that results in injury.
4. Assault of a staff member.
5. Substantive threats to staff members.

If a student with an identified disability is recommended for expulsion, the procedures for expulsion of students with a disability shall be followed.

When a student's conduct requires a recommendation for expulsion (made by the building administrator to the Superintendent) the building administrator shall notify the parent/guardian of this recommendation in writing.* The building administrator will inform the parent/guardian that if the superintendent accepts the recommendation for expulsion the initial out-of-school suspension may be extended by the Superintendent pending a School Board Hearing, and they will be notified by the superintendent

The building administrator's recommendation for expulsion shall be sent in writing to the Superintendent/designee. This recommendation shall include facts supporting the request for expulsion.

As soon as the Superintendent approves the building administrator's recommendation for expulsion, and at least five (5) school days before the hearing is to take place before the School Board, the Superintendent shall notify the parent or guardian of the following by certified mail:

1. the initial out-of-school suspension is extended to the date of the School Board Hearing;
2. the reason(s) for the expulsion recommendation;
3. the time and place of the hearing, and
4. the right of the student to be represented by parent, guardian or another responsible adult.
5. the student may not be on any school property at any time or attend any school sponsored/school related activity of any kind regardless of physical location pending the School Board Hearing without the Superintendent's written authorization.

* Note: In the case of an emancipated student, only the student shall be informed and formally notified as outlined above.

A parent or guardian may waive the hearing by notifying the School Board in writing that they do not desire to be heard and the hearing will proceed without parent representation. The case will be decided by the School Board. The failure of the student, parent/guardian or representative to appear for the hearing after being notified will not prevent the consideration of the evidence and the final resolution of the case, and such failure to appear will be considered a waiver of any right to a hearing.

Students who have been expelled may not be on any school property at any time for any reason and may not attend or participate in any school sponsored/school related activity of any kind at any time without the Superintendent's written authorization.

School Board Policy 7-26 and Code of Virginia § 22.1-277

READMISSION OF EXPELLED STUDENTS

Expelled students from Manassas City Public Schools or any other school division may petition the school board, through the Superintendent, for readmission to the school division to be effective one calendar year from the date of expulsion. Evidence must be provided that the student has fulfilled the terms or conditions of readmission prescribed at the time of the expulsion.

School Board Policy 7-26

ADMISSION OF STUDENTS FROM OTHER SCHOOL DIVISIONS

Parental Notification of Student's School Status

Prior to admission to any public school of the Commonwealth, a school board shall require that the parent/guardian sign a sworn statement indicating whether the student is on a long-term suspension or has been expelled from school attendance at a private school or in a public school division of the Commonwealth or in another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. Any person making a materially false statement or affirmation shall be guilty upon conviction of a Class 3 misdemeanor. Misrepresentation may lead to the possible dismissal of the student from City of Manassas Public Schools.

In addition, the City of Manassas Public Schools requires that the parent/guardian/person having control or charge of a child affirm that the student has not withdrawn from school attendance at a private school or public school in Virginia or another state to avoid an expulsion hearing before the school board for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person.

School Board Policy 7-26 and Code of Virginia §22.1-3.2

NOTICE OF PARENTAL RESPONSIBILITY AND INVOLVEMENT REQUIREMENTS

[§ 22.1-279.3 of the Code of Virginia]

§ 22.1-279.3 of the Code of Virginia contains provisions addressing parental responsibility and involvement that are intended to promote proper student conduct and attendance. Through the enactment of this legislation, the Assembly has asserted its position that parents do not relinquish their responsibility for disciplining or managing their children while they are attending public schools. Rather, parents must work in partnership with school administrators to maintain a safe and orderly school environment. Most of our parents are involved and support our schools, helping to create the environment that is necessary to promote learning.

- Within one month of the opening of school, the school board must send to parents/guardians a copy of these requirements, a copy of the school board's standard of student conduct and the requirements of this section of Virginia Code.

- A parent/guardian must sign and return a statement acknowledging receipt of the school board's standards of student conduct and notice of the requirements of this section of Virginia Code. Notice is to be given to parents/guardians that by signing the statement of receipt, parents/guardians shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent/guardian shall have the right to express disagreement with a school's or school division's policies or decisions.

NOTICE OF PARENTAL RESPONSIBILITY AND INVOLVEMENT REQUIREMENTS - continued

- Each school must maintain records of the signed statement.

- The principal is authorized to request that the student's parent/guardian meet with the principal or designee to review the standards of conduct and the parent/guardian's responsibility to participate in disciplining the student, and to discuss improving the student's behavior and educational progress.

- The principal may notify the parent/guardian when the student violates a school board policy that could result in a suspension, whether or not the administration has imposed such action. If sent, the notice must state the date and particulars of the offense, the parent's/guardian's obligation to assist the school in improving the student's behavior, and if the student is suspended, a parent/guardian may be required to accompany the student to meet with school officials.

- Suspended students may not be readmitted to the regular school program until the student and parent/guardian meet with the school officials to discuss improving the student's behavior. However, the principal or designee is authorized to readmit the student without the parent conference if it is appropriate for the student.

- If parent/guardian fails to comply with these requirements, the school board may petition the juvenile and domestic relations court to proceed against the parents/guardians for willful and unreasonable refusal to participate in efforts to improve the student's behavior. The court is authorized to take the following actions:

- Order the parent/guardian to meet with the school officials, if the parent/guardian willfully and unreasonably fails to meet with the principal after such a request has been made.

- Order the student or parents/guardians to participate in treatments or programs to improve the student's behavior, or be subject to other limitations and conditions as the court deems appropriate, and/or impose a fine of up to $500, if the parent/guardian willfully and unreasonably fails to meet with school officials if a student is to be readmitted after a suspension, or a student is receiving a second suspension or is being expelled.

Parents/guardians are asked to read the standards of conduct including the notice of requirements, sign the card provided by the school, and return the card to the school.

PROSECUTION OF JUVENILES AS ADULTS

Effective July 1, 1997, each school division is required to inform juveniles who are 14 years of age or older, that under certain circumstances, juveniles may be prosecuted as adults. The circumstances under which this may occur include: when a juvenile is charged with capital murder, first or second degree murder, murder by lynching or as the result of mob action, if by accident while in the prosecution of some other act which is a felony, injury by mob, abduction, malicious wounding, malicious wounding of a law enforcement officer, poisoning, robbery, car jacking, rape, forcible sodomy, or object sexual penetration. If any one charge is transferred for trial as an adult, all other charges arising out of the same act will be transferred. Once a juvenile is convicted as an adult, all subsequent criminal offenses will be treated as adult offenses. In addition, any individual who is tried as a juvenile, but is 18 years of age or older at the sentencing, may receive an adult penalty for a conviction as a juvenile.

VIRGINIA COMPULSORY ATTENDANCE LAW

[§ 22.1-254 of the Code of Virginia]

§22.1-254 Ages of children required to attend

A. Every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in § 22.1-254.1.

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational or parochial education pre-kindergarten program.

B. Instruction in the home of a child or children by the parent, guardian or other persons having control or charge of such child or children shall not be classified or defined as a private denominational or parochial school.

C. The requirements for this section shall not apply to any child who has obtained a high school diploma, its equivalent, or a certificate of completion, or has otherwise complied with compulsory school attendance requirements as set forth in this article.

D. The requirements of this section shall apply to any child in the custody of the Department of Youth and Family Services, or any child who may have been adjudicated as an adult, and who has not passed his eighteenth birthday.

E. The requirements of this section shall apply to any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation, as provided in subsection C of § 22.1-253.13:1 and § 22.1-254.01.

F. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

SEARCH AND SEIZURE

Every student has a right to be free of unreasonable searches and seizures – a right protected by the Fourth Amendment to the U.S. Constitution. Students are, however, subject to reasonable searches and seizures. As a general rule, a reasonable search or seizure of a student is related to a reasonable suspicion that the student has committed an infraction of school rules. The law also allows random or group searches of students conducted fairly and according to policy when justified by special circumstances. For the protection of all students, school authorities may conduct searches of students, including purses, book bags, automobiles, etc., in accordance with the law and School Board policy. Areas furnished for student use, such as desks and lockers, remain under the control of the school. Therefore, students should not expect that such areas will remain private and should expect that book bags or purses stored there may be searched.

REQUIRED REPORTING TO LAW ENFORCEMENT

There are times when violations of the Student Code of Conduct are also violations of the law. Building administrators are required to report violations of the law to law enforcement authorities in accordance with Virginia State Legal Code 22.1-279.3:1 D. The following is a list of incidents that necessitate a report to law enforcement authorities:

Assault and battery resulting in bodily injury
Sexual assault
Stalking
Conduct involving firearms
Conduct involving alcohol
Conduct involving marijuana and controlled substances
Conduct involving imitation controlled substances
Conduct involving anabolic steroids
Theft or attempted theft of prescription medication
Threats against school personnel
Explosive material, explosives, hoax explosives
Incendiary devices, chemical bombs
Threats to bomb and false threats to bomb

Building Administrators may request the involvement of law enforcement personnel in any situation or incident. Building Administrators may report to law enforcement any incident that they believe may be a violation of the law. In addition to what is required by law, building administrators will also report the following to law enforcement authorities:

All violations involving weapons/dangerous objects
All violations involving gangs
All violations involving physical abuse or hazing
All violations involving theft
All violations involving trespassing
All violations involving sexual misconduct
All violations involving vandalism
All violations involving destruction of school property
All violations involving illegally parked student vehicles

DEFINITIONS: [§ 22.1- 276.01 of the Code of Virginia]

"Alternative education program" shall include, but shall not be limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

"Disruptive behavior" means a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

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

"Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of expulsion.

"Long-term suspension" means any disciplinary action whereby a student is not permitted to attend school for more than ten days but less than 365 calendar days.

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

DEFINITIONS: MCPS Student Code of Conduct

"Disciplinary Probation" means an administrative staff member will monitor the student's behavior, attendance and academic performance, make regular reports to the superintendent as to the student's progress, and ensure that any further problematic behavior by the student comes directly to the attention of the superintendent. Disciplinary Probation may include conditions for continued attendance at the base school that have to do with a specific violation of the conduct code. All such conditions will be detailed in writing. A student placed on disciplinary probation will sign a written notice (summary document) indicating that he/she understands these conditions and that further problematic behavior will result in alternative educational placement, long-term suspension or a recommendation for expulsion.

"Readmission" as it appears in the conduct code, applies to a student not enrolled in the school division who is seeking to be admitted following an expulsion from Manassas City Public Schools.

"Re-entry Conference" is the formal return to school of a suspended student who is currently enrolled in the school division. A Re-entry Conference takes place only when specifically required by the code of conduct or mandated by the superintendent or the school board and is chaired by the superintendent/designee. The student, parent/guardian, and school administrator sign a document summarizing the violation, disciplinary action taken, compliance with school board policies, planned interventions, conditions of disciplinary probation, and the determination of appropriate educational placement.

"Parent Conference" is a meeting with a student's parents/guardians required by school administrators following a suspension to discuss improving the student's behavior. School administrators have the legal right to require such a conference and to deny a student's return to the regular school program until the student and parents/guardians attend the conference.

"Building Administrator" is the school principal or acting principal, all assistant principals and any other staff member designated to serve as an acting principal, acting assistant principal, or on special assignment as an assistant principal.

"Parent" is an adult who is legally responsible for and/or has legal custody of the student. This refers to either or both parents, any guardian of the student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent.

The Manassas City Public Schools maintain jurisdiction over students on all school property, during all school sponsored/school related activities, events and organizations (including but not limited to all sports home and away, clubs, meetings, dances, proms, after-prom parties, field trips, graduation) and travel to and from school including walkers and school bus riders.

Code of Virginia 22.1-78 **School Board Policy 7-1**