

A TRADITION OF EXCELLENCE FOR ALL



LYNCHBURG CITY SCHOOLS

Lynchburg City School Board

to

**Virginia School Board
Association**

Policy Conversion

**Section 7 - Part 1
(Discipline)**

Lynchburg City Schools
Lynchburg, Virginia

Policy Manual - Section 7 Part 1 (Discipline)

This manual contains Virginia School Board Association (VSBA) policies related to discipline. Adopting the VSBA format allows the Lynchburg City School Board to keep up with the latest changes in Virginia legislation as it relates to education. Several VSBA policies have been “personalized” to reflect the policy and practice of the Lynchburg City Schools.

Table of Contents

<u>VSBA Equivalent</u>	<u>Page #</u>	<u>LCS Title</u>
JFC	1	Student Conduct
IB	5	Academic Freedom
JGDZ	6	Student/Parent Appeals
BCEA	7	School Board Disciplinary Committee
JB	8	Equal Educational Opportunities/Nondiscrimination
JGD/JGE	14	Student Suspension/Expulsion
JGD/JGE-RZ	25	Student Suspension/Expulsion
	32	Offense Codes
JGDA	47	Disciplining Students with Disabilities
JGDB	53	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JFC-R	54	Standards of Student Conduct
JFCC	63	Student Conduct on School Buses
JGA	64	Corporal Punishment
JEA	65	Compulsory Attendance
CLA	68	Reporting Acts of Violence and Substance Abuse
JFCE	71	Gang Activity or Association
JFHA/GBA	73	Prohibition Against Harassment and Retaliation
JFCF	81	Drugs in School
JFCH	83	Tobacco-Free School for Staff and Students
JFCD	85	Weapons in School
JFCZ	88	Communication Devices
KNAJ	90	Relations with Law Enforcement Authorities
JFG	92	Search and Seizure
JO	95	Student Records
JFCJ	107	Written Notification of Violation of School Policies by Students in Alternative Education Programs
JFCL	108	Notification Regarding Prosecution of Juveniles as Adults

STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of Lynchburg. It is the responsibility of the Lynchburg City 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 (see JFC-R) 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 or principal's designee 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 (see CLA). 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 (see JFC-R).

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:

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

ACADEMIC FREEDOM

The School Board seeks to educate young people in the democratic tradition, to foster a recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Freedom of individual conscience, association, and expression will be encouraged and fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate examples the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth of Virginia.

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Such home and classroom work shall be evaluated by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-203.3.

Cross Refs.: IKB Homework
INDC Religion in the Schools

STUDENT/PARENT APPEALS

A student or parent has the right to express concern (orally or in writing) about a condition, circumstance, or restriction imposed by the teacher or school administrator within a reasonable time frame. The teacher or administrator has the responsibility to respond to the concern and explain a rationale in a reasonable time frame.

If the student or parent is not satisfied with the response, the decision of the teacher or administrator may be appealed. An appeal means a written expression of concern that should be reviewed by the next higher level of authority. A written response to the appeal should be sent within ten days.

This policy is notwithstanding other policies that include specific appeal process.

SCHOOL BOARD DISCIPLINARY COMMITTEE

A Disciplinary Committee composed of at least three School Board members presides over all cases of student suspensions of more than 10 days and expulsions within the Lynchburg City School Division. The decision of the committee, if unanimous, is the final decision of the School Board. In non-unanimous decisions, the student has the right to appeal to the full School Board. The School Board shall render a final decision in such cases on the appeal within thirty days of the Committee decision.

The School Board Disciplinary Committee follows the procedures set forth in Policy JGD/JGE Student Suspension/Expulsion.

Membership on the School Board Disciplinary Committee is composed of School Board members who serve on a rotational basis with the Board chair or vice-chair presiding.

Adopted:

Legal Ref.: Code of Virginia, §§ 22.1-277.05, 22.1-277.06.

Cross Refs.: BEC School Board Committees
JEC School Admission
JGD/JGE Student Suspensions/Expulsions

EQUAL EDUCATIONAL OPPORTUNITIES/ NONDISCRIMINATION

I. Policy Statement

Equal educational opportunities shall be available for all students, without regard to sex, race, color, national origin, gender, ethnicity, religion, disability, ancestry, or marital or parental status. Educational programs shall be designed to meet the varying needs of all students.

No student, on the basis of sex or gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege or advantage or be denied equal access to educational and extracurricular programs and activities.

The School Board shall

- provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons;
- provide a free, appropriate education, including non-academic and extracurricular services to qualified disabled persons;
- not exclude qualified disabled persons, solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and
- not discriminate against qualified disabled persons in the provision of health, welfare or social services.

II. Complaint Procedure

A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the Compliance Officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the Superintendent.

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. If the report of alleged discrimination involves the Superintendent, the compliance officer, or the supervisor of the compliance officer, the School Board will determine who should conduct the investigation. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint, by giving written notice that the complaint has been received, to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, the compliance officer, or the supervisor of the compliance officer then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the Superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the Superintendent or designee determines that prohibited discrimination occurred, the Lynchburg City School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

D. Appeal

If the Superintendent or designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the Superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the Superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

If the Superintendent or designee determines that prohibited discrimination occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

E. Compliance Officer and Alternate Compliance Officer

The Lynchburg City School Board has designated

Dr. John C. McClain
Assistant Superintendent for Student Learning and Success
915 Court Street, Lynchburg, Virginia 24504
mclainjc@lcsedu.net
(434) 515-5000

as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer

Ms. Ethel E. Reeves
Director for Engagement, Equity, and Opportunity
915 Court Street, Lynchburg, Virginia 24504

reevesee@lcsedu.net
(434) 515-5000

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

IV. Right to Alternative Complaint Procedure

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

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

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

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted:

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. §§ 794.
42 U.S.C. §§ 2000d through 2000d-7.

34 CFR 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs: AC Nondiscrimination
AD Educational Philosophy
GB Equal Employment Opportunity/Nondiscrimination
JB-F Report of Discrimination
JBA Section 504 Nondiscrimination Policy and Grievance Procedures
JFHA/GBA Prohibition Against Harassment and Retaliation

STUDENT SUSPENSION/EXPULSION

Suspension or expulsion is the final step in the Lynchburg City Schools' student disciplinary process. A suspension is the denial of access to all facilities and programs of the school division during the length of the suspension or expulsion. All long-term suspensions and expulsions require approval by the school board.

I. DEFINITIONS

As used in this Policy,

“Alternative education program” shall include night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

“Destructive device” means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. “Destructive device” does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

“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 the expulsion.

“Firearm” means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a

combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. "Firearm" does not include any pneumatic gun as defined in this Policy.

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

"One year" means 365 calendar days as required in federal regulations.

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

"School Board Disciplinary Committee or Disciplinary Committee" means a committee composed of at least three members of the Lynchburg City School Board.

"School property" means any real property owned or leased by the City of Lynchburg and turned over to the School Board to be used by the division for school purposes, or real property leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

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

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

II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

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

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

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

III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than 10 school days by either the school principal, any assistant principal, or, in their absence, the principal's designee. The principal, assistant principal, or principal's designee may suspend the pupil after giving the pupil oral or written

notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal, or principal's designee responsible for such suspension shall report the facts of the case in writing to the Superintendent or Superintendent's designee and the parent of the pupil suspended. The Superintendent or Superintendent's designee reviews forthwith the action taken by the principal, assistant principal, or principal's designee upon a petition for such review by any party in interest and confirm, reduce, or disapprove such action based on an examination of the record of the pupil's behavior. The decision of the Superintendent or Superintendent's designee is final and may not be appealed.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than 10 days shall include notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent of the student.

IV. LONG-TERM SUSPENSION

A principal may recommend to the Superintendent that a pupil be suspended from attendance at school for more than 10 days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee. The Disciplinary Committee may confirm, reduce, or disapprove the suspension. If the Disciplinary Committee's decision is not unanimous, the pupil or his parent may appeal the Disciplinary Committee's decision to the full School Board. Such appeal shall be decided by the School Board within 30 days.

The written notice of a suspension for more than 10 days shall include notification of the length of the suspension and shall provide information concerning the availability of community-based educational, alternative education, or intervention programs. Such notice shall also state that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension shall be borne by the parent of the student.

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

V. EXPULSION

A. Generally

A principal may recommend to the Superintendent that a pupil be expelled from attendance at school after written notice to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee in accordance with the regulations of the School Board.

The School Board Disciplinary Committee may confirm, reduce, or disapprove the expulsion of a student. If the Committee's decision is not unanimous, the pupil or his parent may appeal the Committee's decision to the full School Board. Such appeal shall be decided by the School Board within 30 days.

The Committee confirms, reduces, or disapproves of proposed expulsions regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and his parent shall include notification of the length of the expulsion and provides information concerning the availability of community-based educational, training, and intervention programs. The notice shall also state whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion shall be borne by the parent of the student.

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

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice shall also advise the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board shall establish, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule shall be designed to ensure that any initial petition for readmission will be reviewed by the Disciplinary Committee or

the division Superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the division Superintendent or the Disciplinary Committee denies such petition, the student may petition the School Board for review of such denial.

B. Conduct Giving Rise to Expulsion

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

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

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

1. Firearms

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the Superintendent or Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this policy

shall not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

2. Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board may, by regulation, authorize the Superintendent or the Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

VI. PROCEDURE FOR SCHOOL BOARD DISCIPLINARY COMMITTEE HEARING FOR LONG TERM SUSPENSION OR EXPULSION

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

- The Disciplinary Committee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the Disciplinary Committee.
- The Disciplinary Committee may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representative). The Disciplinary Committee may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross examination provided, however, that the Disciplinary Committee may take the testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the Disciplinary Committee determines, in its discretion, that such action is necessary to protect the student witness.
- The parties shall produce such additional evidence as the Disciplinary Committee may deem necessary. The Disciplinary Committee shall be the judge of the

relevancy and materiality of the evidence.

- Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, shall be marked and made part of the record.
- The Disciplinary Committee may, by majority vote, uphold, reject or alter the recommendations.
- The Disciplinary Committee shall transmit its decision, including the reasons therefor, to the Superintendent or Superintendent's designee who will then notify the student, his parent(s) or guardian(s), and the principal.

Following the decision of the Disciplinary Committee or upon expiration of the appeal period, the student's parent(s) or guardian shall be provided with written notice which shall include the following:

- The terms or conditions of re-admission, if any;
- The duration of the long-term suspension or expulsion;
- A statement declaring whether the student is eligible to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after the long-term suspension or expulsion. If neither option applies in the case of expulsion, a statement that the student may petition the School Board for readmission after one calendar year from the date of his expulsion; and
- The availability of community-based educational, training and intervention programs.

The student or his parent(s) may appeal the Disciplinary Committee's decision to the full School Board only if the decision of the Disciplinary Committee is not unanimous. Otherwise the decision of the Disciplinary Committee is final.

The appeal to the full School Board must be in writing and must be filed with the Superintendent within five (5) calendar days of the committee's decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The full School Board will decide the appeal within thirty (30) calendar days of the request for an appeal and communicate its decision in writing to the student and his parent, guardian, or other person having control or charge of the student. Such written notice shall include any changes in: (1) the duration of the suspension or expulsion; (2) the availability of community-based educational, training, and intervention programs; and/or (3) eligibility to return to school or attend an alternative education program. No statements, witnesses or evidence may be presented at this appeal unless specifically requested by the Chairman of the Board.

VII. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

(1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 16.1-260.G;

(2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 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 § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code § 22.1-277,

to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime or offense occurred. The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

A principal (or his designee) may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil.

VIII. REPORTING

A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports shall be made to the division Superintendent and to the principal or his designee on all incidents involving

(1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;

(2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described by Va. Code § 18.2-60.3, on a school bus, on school property, or at

- a school-sponsored activity;
 - (3) any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
 - (4) any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
 - (5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
 - (6) any illegal conduct involving firebombs, explosive materials or devices or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school sponsored activity;
 - (7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
 - (8) the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor and
 - (9) any illegal possession of weapons, alcohol, drugs, or tobacco products.
- B. The division Superintendent and the principal or his designee may receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A Superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 shall report such information to the principal of the school in which the juvenile is enrolled.
- C. The principal or his designee shall submit a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the Superintendent of the school division. The division Superintendent shall annually report all such incidents to the Department of Education.

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

- D. The principal or his designee shall also notify the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary

action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students.

- E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required, if deemed appropriate, to participate in such prevention and intervention activities by the Superintendent or his designee.
- F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal shall immediately report to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

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

- G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

IX. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the Lynchburg City Schools, in accordance with Policy JEC (G). In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the Lynchburg City School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that re-admission, without parent

conference, is appropriate for the student.

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

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

The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

X. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities shall be disciplined in accordance with Policy JGDA
Disciplining Students with Disabilities.

Adopted:

Legal Refs.: 20 U.S.C. § 7151.

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.:	BCEA	Disciplinary Committee
	IGBH	Alternative School Programs
	JEC	School Admission
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

STUDENT SUSPENSION/EXPULSION

A. Generally

Suspensions are used only as a last resort in disciplining students. Short-term suspensions may vary from one (1) day to ten (10) days. All suspensions for periods longer than ten days must be approved by the School Board Disciplinary Committee. The following violations of the Code of Student Conduct and School Board policy are grounds for suspension or expulsion:

See attached reference table “Offense Codes”

B. School Board Disciplinary Committee

The School Board Disciplinary Committee will be comprised of three school board members.

C. Notice of Suspension

Every effort must be made to contact the parent by phone on the day of the suspension. Copies of the notice of suspension must be (1) given to the student, (2) mailed to the parent or legal guardian, (3) sent to the Director of Student Services, Alternative Education and Behavior Support, and (4) retained in the school in the student’s discipline record in accordance with the [Management of the Student's Scholastic Record in the Public Schools of Virginia](#).

D. Short-term Suspensions

1. Students may be suspended from school for up to 10 school days by a school principal, associate principal, assistant principal, or, in their absence, the principal’s designee.
2. Prior to imposing the suspension, a principal, associate principal, or assistant principal, or principal’s designee must inform the student of the suspected violations of School Board Policy and give the student an explanation of the facts as known to school personnel and an opportunity for the student to present his/her version of the facts. If deemed necessary, a principal, associate principal, assistant principal, or principal’s designee may conduct further investigation into the matter.
3. Upon suspending a student for 10 days or less, the principal, associate principal, assistant principal, or principal’s designee shall make an attempt to contact the parent(s) or guardian(s) by telephone on the day of the suspension to inform them of the incident and the disciplinary action. The school administrator must give the student a written notice of the suspension. The administrator must also mail a copy of the form to the student’s parents or guardians, forward a copy to the Director of Student Services, Alternative Education, and Behavior Support, and place a copy in the student’s record. The notification shall provide information that includes the length of the suspension, information regarding the availability of alternative

education options, if applicable, and the student's right to return to regular school attendance at the end of the suspension.

An administrator must provide a copy of the Student/Parent Due Process Rights form to the student and his/her parent(s) or guardian(s) which include the right to request an appeal if he/she disputes the facts of the case which resulted in the student's suspension from school, if he/she believes his/her student's rights have been violated, or if he/she disputes the length of the suspension.

4. If a parent or guardian decides to appeal a decision, students given short-term suspensions would remain in school until the outcome of the appeal has been determined, unless the principal deems the situation dangerous or disruptive to the school environment. A principal, associate principal, assistant principal, or principal's designee may immediately remove from school a student whose presence poses a continuing danger to person or property or an ongoing threat of disruption. As soon as possible the principal, associate principal, assistant principal, or principal's designee shall provide to the student the notice of charges, an explanation of facts, and an opportunity for the student to present his/her version of what occurred.
5. Upon written request to the principal, a parent or guardian may appeal a short-term suspension given by the associate principal, assistant principal, or principal's designee. If the principal upholds or reduces the suspension, he/she must inform the parent or guardian of the option to further appeal the suspension by making a written request within 3 school days of the notice of suspension to the Director of Student Services, Alternative Education, and Behavior Support.
6. A parent or guardian may appeal a short-term suspension given or upheld by the principal to the Superintendent or to the Superintendent's designee. A parent or guardian must provide a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 school days of the notice of suspension. If the parent or guardian does not make a written request within 3 school days, the parent or guardian waives the right to an appeal.
7. The Director of Student Services, Alternative Education, and Behavior Support shall inform the parent(s) or guardian(s) in writing of the decision of the Superintendent or the Superintendent's designee to confirm, reduce or disapprove the disciplinary action. The decision of the Superintendent or Superintendent's designee is final and may not be appealed to the School Board.

E. Long-term Suspensions

1. A principal may recommend to the Superintendent that a student be suspended from school in excess of 10 days. Upon making this recommendation, the principal shall notify the student and the student's parent(s) or guardian(s) of this recommendation in writing on the day that the principal makes the long-term suspension

recommendation.

The principal shall attach to his/her written recommendation all supportive evidence as to the act or actions of the student prompting the recommendation and, where applicable, evidence of all previous efforts made by the staff to assist the student in the case where the recommendation is the result of a series of acts by the student.

After the principal makes the suspension decision, the principal will provide the parent(s) or guardian(s) with the following information:

- a. The proposed action and the reason(s) for the action;
 - b. The length of the recommended suspension;
 - c. The right to inspect the student's school records;
 - d. The student's eligibility to return to regular school attendance or to an appropriate alternative education program during the suspension; and,
 - e. The right of the student and student's parent(s) or guardian(s) to appeal the suspension to the School Board Disciplinary Committee.
2. Within 3 school days of the start of the suspension, the Superintendent must forward to the School Board Disciplinary Committee the principal's recommendation for a long-term suspension of a student after the Superintendent or Superintendent's designee has provided the student and student's parent(s) or guardian(s) with a written notice which summarizes the proposed disciplinary action, the reasons for that action, and the right to appeal the suspension to the School Board Disciplinary Committee.
 3. A parent or guardian may appeal a long term suspension to the School Board Disciplinary Committee by providing a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 school days of the notice of suspension. If the student's parent(s) or guardian(s) makes a timely request for an appeal, the School Board Disciplinary Committee must hold a hearing within 10 school days of the start of the suspension, unless the student and his/her parent/guardian agree to an extension of time for conducting the hearing. During the interim period between the principal's recommendation of suspension and the action of the School Board, the student is considered to be suspended from all school activities and school functions and is prohibited from being on school premises.
 4. If the parent or guardian appeals a long term suspension to the School Board Disciplinary Committee, the Committee may confirm, reduce, or disapprove the proposed suspension. If the decision of the School Board Disciplinary Committee is not unanimous, the parent(s) or guardian(s) may appeal the decision to the full School Board pursuant to Policy JGD/JGE. A parent or guardian must provide a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 school days of the decision of the School Board

Disciplinary Committee indicating their interest in appealing the decision of the Committee. The full School Board must review the suspension recommendation and render a decision to confirm, reduce, or disapprove the suspension within 30 days.

- 5 . If the parent(s) or guardian(s) does not appeal the suspension or does not file a timely appeal, the School Board Disciplinary Committee will nevertheless review the suspension recommendation on the record and render a decision to confirm, reduce or disapprove the proposed suspension within 10 days of the notice of suspension.

F. Expulsions

1. A principal may recommend to the Superintendent that a student be expelled from school. The principal shall attach to his/her written recommendation all supportive evidence as to the act or actions of the student prompting the recommendation and, where applicable, evidence of all previous efforts made by the staff to assist the student in the case where the recommendation is the result of a series of acts by the student.
2. The School Board authorizes the Superintendent or Superintendent's designee to conduct a review to determine whether disciplinary action other than expulsion is appropriate for incidents including drug or weapons violations. (See reference table "Offense Codes.")

The Superintendent or Superintendent's designee shall consider the following special circumstances:

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

At the conclusion of the review, the Superintendent or designee shall confer with the principal regarding the appropriate discipline, if any, and shall follow the applicable procedures depending upon the outcome.

- 3 . If the principal's recommendation is expulsion, he/she shall notify the student and student's parent(s) or guardian(s) of this recommendation in writing on the day that

the principal makes the expulsion recommendation, and provide the parent(s) or guardian(s) with the following information:

- a. The proposed action and the reason(s) for the action;
 - b. The length of the recommended expulsion;
 - c. The right to inspect the student's school records;
 - d. The student's eligibility to return to regular school attendance or to an appropriate alternative education program during the suspension or expulsion;
 - e. The right of the student and student's parent(s) or guardian(s) to appeal the expulsion to the School Board Disciplinary Committee.
4. Within 3 school days of the start of the expulsion, the Superintendent must forward to the School Board Disciplinary Committee the principal's recommendation for an expulsion of a student, together with the results of the review by the Superintendent or designee, after the Superintendent or Superintendent's designee has provided the student and student's parent(s) or guardian(s) with a written notice which summarizes the proposed disciplinary action, the reasons for that action, and the right to appeal the suspension to the School Board Disciplinary Committee.
5. A parent or guardian may appeal an expulsion to the School Board Disciplinary Committee by providing a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 school days of the notice of expulsion. If the student's parent(s) or guardian(s) makes a timely request for an appeal, the School Board Disciplinary Committee must hold a hearing within 10 school days of the start of the expulsion, unless the student and his/her parent/guardian agree to an extension of time for conducting the hearing. During the interim period between the principal's recommendation of expulsion and the action of the School Board, the student is considered to be suspended from all school activities and school functions and is prohibited from being on school premises.
6. If the parent or guardian appeals an expulsion to the School Board Disciplinary Committee, the Committee may confirm, reduce, or disapprove the proposed expulsion. If the decision of the School Board Disciplinary Committee is not unanimous, the parent(s) or guardian(s) may appeal the decision to the full School Board pursuant to Policy JGD/JGE. A parent or guardian must provide a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 school days of the decision of the School Board Disciplinary Committee indicating their interest in appealing the decision of the Committee. The full School Board must review the expulsion recommendation and render a decision to confirm, reduce, or disapprove the expulsion within 30 days.

If the parent(s) or guardian(s) does not appeal the expulsion or does not file a timely appeal, the School Board Disciplinary Committee will nevertheless review the expulsion recommendation on the record and render a decision to confirm, reduce or disapprove the proposed expulsion within 10 days of the notice of expulsion.

7. All expulsions appealed to the School Board Disciplinary Committee must be reviewed by the Board at the end of the expulsion time period. Students who are expelled and who are not permitted to return to regular school attendance or to attend, during the expulsion, an alternative program, may petition for readmission to be effective one year after the date of expulsion. In order to be timely, a written petition for readmission, along with a copy of the School Board's expulsion decision, must be filed with the Superintendent 60 days prior to the end of the expulsion (but no sooner than 90 days prior to the end of the expulsion). The Superintendent may hold a hearing and shall issue a decision prior to the expiration of the one-year expulsion period. An untimely petition may result in a delayed decision on readmission. When a petition for readmission is denied by the Superintendent, the student may petition the School Board for review of such denial. The School Board's review is based on the written record. An application may be made annually in accordance with the above schedule. Notice of the right to petition for readmission, as well as any conditions, will accompany the expulsion decision.

G. Alternative Education Program

The School Board authorizes the Superintendent or Superintendent's designee to require any student who has been:

(1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 16.1-260.G;

(2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 16.1-260.G; or

(3) found to have committed a serious offense or repeated offenses in violation of School Board policies,

to attend an alternative education program. The Superintendent or Superintendent's designee may require such student to attend such programs regardless of where the offense occurred.

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

Prior to making the alternative education placement, the Superintendent or Superintendent's designee must provide written notice to the student and student's parent (s) or guardian(s) that the student will be required to attend an alternative education program, and notice of the opportunity to appeal the placement to the Superintendent or

designee. The parent(s) or guardian(s) may appeal the placement to the Superintendent or Superintendent's designee, by providing a written request to the Director of Student Services, Alternative Education, and Behavior Support within 3 days of the notice of the alternative education placement. In the case of any pupil the Superintendent or Superintendent's designee determines may pose a risk of danger to persons or property, or whose presence may create a threat of disruption, the Superintendent or Superintendent's designee may make an immediate placement in alternative education during the pendency of any appeal or review. If the Superintendent or Superintendent's designee uphold the placement decision, the parent(s) or guardian(s) may petition the School Board to review that decision by providing a written request to the Director of Student Services, Alternative Education and Behavior Support within 3 days of the notice of the decision. If the parent(s) or guardian(s) does not request a review by the School Board or does not make a timely request, the decision of the Superintendent or Superintendent's designee is final. If the parent(s) or guardian(s) does file a timely petition, the School Board will review the placement decision on the record, and will render a decision within 30 days. The decision of the School Board is final.

H. Students Suspended or Expelled From Attendance at School From Another District or a Private School

A student who has been expelled or suspended for more than 30 days from attendance at school by another school board or a private school, or for whom admission has been withdrawn by a private school, may be excluded from attendance for no more than one calendar year in the case of expulsion or withdrawal of admission, and in the case of suspension of more than 30 days, for no longer than the duration of such suspension. The school shall provide written notice to the student and his or her parent of the reasons for such possible exclusion and of the right to attend a hearing conducted by the Superintendent or the Superintendent's designee. The student may not attend school until a review of the case is conducted by the Superintendent or Superintendent's designee. Exclusion from some or all Lynchburg City School programs shall be imposed upon a finding that the student presents a danger to the other students or staff members of the school division. The decision to exclude shall be final unless altered by the School Board after timely written petition. Upon the expiration of the exclusion, the student may petition the Superintendent for admission.

REFERENCE TABLE Offense Codes

The following table lists terms, definitions, and codes for offenses.

NOTE: Offenses used as measures for determining NCLB’s “**persistently dangerous schools**” designation are **shaded in gray**. New code or code changes are highlighted in **yellow**.

Offense Term	Definition	Reporting Codes	Reference Notes
Alcohol Use Possession Sale/Distribution	Violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or consumption of intoxicating alcoholic beverages or substances represented as alcohol. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.	AL1 Required to be reported to law enforcement	Sub-Categories AC1 – Alcohol Use AC2 – Alcohol Possession AC3 – Alcohol Sale/Distribution
Arson Actual Attempted	Unlawfully and intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to a damaging fire.	AR1	Sub-Categories AS1 – Arson: Actual AS2 – Arson: Attempted AS3 – Lighted firecrackers, Cherry Bombs, or Stink-bombs that Contribute to a Damaging fire. Firecrackers or fireworks should be coded as W9P.

Offense Term	Definition	Reporting Codes	Reference Notes
Assault/Battery With Firearm or Other Weapon Against Staff	An actual offensive, forceful and violent and intentional touching or striking of a staff member against his or her will, intentionally causing bodily harm through the use of a firearm or other weapon.	BA1 Required to be reported to law enforcement	
Assault/Battery With No Firearm or Weapon Against Staff	An actual offensive and intentional touching or striking of a staff member against his or her will, intentionally causing bodily harm without the use of a firearm or weapon.	BA2 Required to be reported to law enforcement	
Assault/Battery With Firearm or Other Weapon Against Student	An actual offensive forceful and violent and intentional touching or striking of a student against his or her will, intentionally causing bodily harm with the use of a firearm or other weapon.	BA3 Required to be reported to law enforcement	
Assault/Battery With No Firearm or Weapon Against Student	An actual offensive and intentional touching or striking of a student against his or her will, or mutual participation in a fight that intentionally causes bodily harm without the use of a firearm or weapon.	BA4 Required to be reported to law enforcement	
Assault/Battery Malicious Wounding Without a Weapon	Maliciously causing bodily injury to a person (without a weapon) with the intent to maim, disfigure, disable, or kill.	BA5 Required to be reported to law enforcement	
Assault/Battery without bodily injury	The assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored event.	BA6	

Offense Term	Definition	Reporting Codes	Reference Notes
Attendance	Violation of state, school division, or school policy relating to attendance.	A1T	
Breaking and Entering Burglary	Unlawfully entering or attempting to enter a building or other structure with the intent to commit a crime.	BR1	Sub-Categories BK1 – Burglary: Actual BK2 – Burglary: Attempted
Bullying	Using repeated negative behaviors intended to frighten or cause harm. These may include, but are not limited to, verbal or written threats or physical harm.	BU1	
Cyber Bullying	Cyber bullying is defined as using information and communication technologies, such as cell phone text messages and pictures and internet e-mail, social networking Web sites, defamatory personal Web sites, and defamatory online personal polling Web sites to support deliberate, hostile, behavior intended to harm others.	BU2	
Disorderly Conduct/ Insubordinate	Unwillingness to submit to authority or refusal to respond to a reasonable request. Any act that intentionally disrupts the orderly conduct of a school function. Any behavior that substantially disrupts the orderly learning environment.	D1C D2C D3C D4C D5C D6C D8C	Sub-Categories D1C – Disrespect (walking away, etc.) D2C – Defiance (refuses requests) D3C – Disruptive Demonstrations D4C – Possession of Obscene or Disruptive Literature D5C – Classroom or Campus Disruption D6C – Using Obscene or Inappropriate Language or Gestures D8C – Minor Insubordination

Offense Term	Definition	Reporting Codes	Reference Notes
<p>Drug Violations Schedule I & II Anabolic Steroid Marijuana Use Possession</p>	<p>Violation of laws or ordinances prohibiting the manufacture, transportation, possession or consumption of marijuana, Schedule I & II drugs, and anabolic Steroid-Use. Suspicion of being under the influence of marijuana may be included if it results in disciplinary action. Links to the Drug Control Acts: http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3446 (Schedule I) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3448 (Schedule II) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3466 (Definitions)</p>	<p>DR1 Required to be reported to law enforcement</p>	<p>Sub-Categories Schedule I & II Drugs/ Marijuana/Anabolic Steroid-Use and Possession DG1 – Schedule I & II Drug Use DG2 – Schedule I & II Drug Possession DG7 – Marijuana Use DG8 – Marijuana Possession D20 – Anabolic Steroid/Use and Possession DG5 – Synthetic marijuana Use or Possession</p>
<p>Drug Violations Look-alikes Use Possession</p>	<p>Unlawfully using, cultivating, manufacturing, purchasing, possessing, transporting, or importing any substances represented as drug look-alikes. Links to the Drug Control Acts: http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3466 (Definitions) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-247 (Definitions)</p>	<p>DR2 Required to be reported to law enforcement</p>	<p>Sub-Categories D17 – Substances Represented as Drugs (Look-alikes)</p>
<p>Drug Violations Inhalants</p>	<p>Unlawfully using, cultivating, manufacturing, purchasing, possessing, transporting, or importing any inhalants Links to the Drug Control Acts: http://leg1.state.va.us/000/cod/18.2-264.HTM</p>	<p>D15 D16</p>	<p>D15 – Possession of Inhalants D16 – Use of Inhalants</p>
<p>Drug Violations Prescription Theft Attempted Theft</p>	<p>Unlawfully possessing or attempting to take possession of drugs prescribed for another. Links to the Drug Control Acts: http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-258.2 (Theft) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3466 (Definitions)</p>	<p>DR3 Required to be reported to law enforcement</p>	

Offense Term	Definition	Reporting Codes	Reference Notes
<p>Drug Violations Schedule I & II</p> <p>Anabolic Steroid Marijuana Sale/Distribution</p>	<p>Unlawfully possessing with the intent to distribute, sell, or solicit any Schedule I or II drug, marijuana, or anabolic steroid.</p> <p>Links to the Drug Control Acts: http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3446 (Schedule I) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3448 (Schedule II) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3466 (Definitions)</p>	<p>DR4</p> <p>Required to be reported to law enforcement</p>	<p><u>Sub-Categories</u> Schedule I & II Drugs/ Marijuana/ Anabolic Steroid Sale/Distribution. DG3 – Schedule I & II Drug Sale/Dist. DG9 – Marijuana Sale/Distribution D19 – Anabolic Steroid Sale/Distribution DG6 – Synthetic marijuana sale and/or distribution</p>
<p>Drug Violations Schedule III-VI</p> <p>Use, Possession, Sale/ Distribution, Paraphernalia Possession</p>	<p>Unlawfully using or possessing with the intent to distribute, selling or soliciting any controlled drug or narcotic substance not specified in previous drug categories. Having equipment (paraphernalia) for use in consuming illegal drugs in one's pocket, bag, car, or locker.</p> <p>Links to the Drug Control Acts: http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3450 (Schedule III) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3452 (Schedule IV) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3454 (Schedule V) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3455 (Schedule VI) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3466 (Definitions) http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-265.1 (Paraphernalia)</p>	<p>DR5</p> <p>Required to be reported to law enforcement</p>	<p><u>Sub-Categories</u> Schedule III-VI Drugs/ Use/ Possession/ Sale/ Distribution D10 – Other Drug Use/ Overdose D11 – Other Drug Possession/ Paraphernalia Possession D12 – Other Drug Sale/Distribution</p>
<p>Drug Violations Over-the-Counter Use, Possession, Sale/ Distribution</p>	<p>Unlawful use, distribution, sale, solicitation, purchase, possession, transportation, or importation of over-the-counter medication.</p>	<p>D4G D5G D6G</p>	<p><u>Sub-Categories</u> D4G – Over-the Counter Medicine/Use D5G – Over-the-Counter Medicine/Possession D6G – Over-the-Counter Medicine Sale/ Distribution</p>

Offense Term	Definition	Reporting Codes	Reference Notes
Electronic Devices	Using electronic devices that are deemed inappropriate in an educational setting.	C1M C2M C3M	<u>Sub-Categories</u> C1M – Beepers C2M – Cellular Telephones C3M – Electronic Devices
Extortion	Unlawfully obtaining or attempting to obtain something of value from another by compelling the other person to deliver it by the threat or eventual physical injury or other harm to that person or person’s property.	EX1	<u>Sub-Categories</u> ET1 – Extortion ET2 – Attempted Extortion
Fighting With No Injury or Minor injury	Mutual participation in a fight involving physical violence, where there are no or minor injuries. These may include, but not be limited to, the following: scrape on body (e.g., knee, elbow, hand) or minor bruising.	FA2	
Altercation/ confrontation	Confrontation, tussle, or verbal/physical aggression that does not result in injury.	FIT	
Gambling	Making, placing, or receiving any bet or wager of money or other thing of value dependent upon the result of the game, contest, or any other event with an uncertain outcome.	GIB	
Gang Activity	Street gang means any ongoing organization, association, or group of three or more persons, whether formal or informal, that has as one of its primary objectives or activities to commit one or more criminal or non-criminal gang activities. This includes articles of clothing that symbolize association, rituals, or activities identified by groups of students.	GAI	
Harassment, Non-sexual (Physical, Verbal, or Psychological)	Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating or hostile educational or work environment.	HRI	

Offense Term	Definition	Reporting Codes	Reference Notes
Hazing	Committing an act or acts against a student or coercing a student to commit an act that creates risk of harm to a person in order to be initiated into a student organization or class.	H1Z	
Homicide Against Staff With Firearm	Any death of a staff member resulting from the use of a firearm (other than accidentally self-inflicted or suicide).	HO1 Required to be reported to law enforcement	
Homicide Against Student With Firearm	Any death of a student resulting from the use of a firearm (other than accidentally self-inflicted or suicide).	HO2 Required to be reported to law enforcement	
Homicide Against Staff With Other Weapon	Any death of a staff member resulting from the use of a weapon (other than accidentally self-inflicted or suicide).	HO3 Required to be reported to law enforcement	
Homicide Against Student With Other Weapon	Any death of a student resulting from the use of a weapon (other than accidentally self-inflicted or suicide).	HO4 Required to be reported to law enforcement	
Inciting a Riot	Unlawful use of force or violence that seriously jeopardizes the public safety, peace, or order. Three or more people acting together.	RT1	Sub-Categories RG1 – Inciting a Riot RG2 – Attempting To Incite a Riot

Offense Term	Definition	Reporting Codes	Reference Notes
Kidnapping	Unlawfully seizing, transporting, and/or detaining a person against his/her will, or a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage-taking.	K11	
Other Violations	Violations that are inappropriate for school behavior.	S1V S2V S3V	<u>Sub-Categories</u> S1V – Inappropriate Personal Property (i.e., Dress Code Violation) S2V – Misrepresentation (i.e., Lying, Cheating or Plagiarism) S3V – Other School Code of Conduct Violation Not Otherwise Included
Robbery	Taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.	RO1	<u>Sub-Categories</u> Robbery (Using Force) RB1 – Actual Robbery RB2 – Attempted Robbery See also Burglary/Theft
Stalking	Engaging in conduct directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury.	ST1 Required to be reported to law enforcement	
Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment	SX0	

Offense Term	Definition	Reporting Codes	Reference Notes
Sexual Battery Against Staff	Sexual battery against a staff member involves an offensive or intentional threat, intimidation or use or physical helplessness of sexual abuse. Sexual battery is a Class I misdemeanor.	SB1 Required to be reported to law enforcement	
Sexual Battery Against Student	Sexual battery against a student member involves an offensive or intentional threat, intimidation or use or physical helplessness of sexual abuse. Sexual battery is a Class I misdemeanor.	SB2 Required to be reported to law enforcement	
Sexual Offenses Against Staff Forcible Assault	Sexual penetration (e.g., oral, anal, or vaginal) against a staff member without consent.	SX3 Required to be reported to law enforcement	
Sexual Offenses Against Student Forcible Assault	Sexual penetration (e.g., oral, anal, or vaginal) against a student without consent. This category also includes statutory rape that is defined as sexual penetration with or without the consent of a minor.	SX4 Required to be reported to law enforcement	
Sexual Offenses Against Staff Attempted Forcible Assault	Attempted sexual penetration (e.g., oral, anal, or vaginal) against a staff member without consent.	SX5 Required to be reported to law enforcement	
Sexual Offenses Against Student Attempted Forcible Assault	Attempted sexual penetration (e.g., oral, anal, or vaginal) against a student without consent, including statutory rape, or sexual penetration with or without the minor's consent.	SX6 Required to be reported to law enforcement	

Offense Term	Definition	Reporting Codes	Reference Notes
Sexual Offenses Without Force	Lewd behavior, indecent exposure that includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat. Consider age, developmentally appropriate behavior, and disability status before using this category.	SX7 Required to be reported to law enforcement	
Sexual Offense Aggravated Sexual Battery	<p>Sexually abusing a victim less than thirteen years of age or accomplishing the act against the will of the victim by force, threat, intimidation, or through the use of the victim's mental incapacity or physical helplessness, and— the victim is at least thirteen but less than fifteen years of age, or the accused causes serious bodily or mental injury to the victim, or the accused uses or threatens to use a dangerous weapon.</p> <p>Sexual abuse means an act committed with the intent to sexually molest, arouse, or gratify any person where the accused intentionally touches the victim's intimate parts or material directly covering such intimate parts; the accused forces the victim to touch the victim's own or another person's intimate parts or material directly covering such intimate parts; or the accused forces another person to touch the victim's intimate parts or material directly covering such intimate parts.</p>	SX8 Required to be reported to law enforcement	
Sexual Offense Touching Against Staff	Improper physical contact against a staff that is offensive, undesirable, and/or unwanted as determined by the victim.	SX1	Consensual touching (e.g., kissing, walking arm-in-arm) should not be reported even though such behavior may violate a local school policy. Consider age, developmentally appropriate behavior, and disability status before using this category.
Sexual Offense Touching Against Student	Improper physical contact against a student that is offensive, undesirable, and/or unwanted as determined by the victim.	SX2	Consensual touching (e.g., kissing, walking arm-in-arm) should not be reported even though such behavior may violate a local school policy. Consider age, developmentally appropriate behavior, and disability status before using this category.

Offense Term	Definition	Reporting Codes	Reference Notes
School Threat Bomb Threat (Threat of Destruction or Harm)	Any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or harming students or staff. Intentionally making a false report of potential harm from dangerous chemicals or biological agents.	BB1 Required to be reported to law enforcement	<u>Sub-Categories</u> BO1 – Bomb Threat BO2 - Chemical/Biological Threat BO3 – Terrorist Threat BO4 – Setting off False Fire Alarm
Technology Use Violations/Use	Unauthorized violations of technology use according to the Acceptable Usage Policy.	T1C T2C T3C T4C	<u>Sub-Categories</u> T1C – Unauthorized Use of Technology or Information T2C - Causing/Attempting to Cause Damage to Computer Hardware, Software or Files T3C – Violations of Acceptable Usage Policy T4C – Violations of Internet Policy
Threat/Intimidation Against Staff	Unlawfully placing a staff member in fear of bodily harm through physical, verbal, written or electronic threats which immediately creates fear of harm without displaying a weapon or subjecting the person to actual physical attack. Consider age, developmentally appropriate behavior, and disability status before using this category.	T11 Required to be reported to law enforcement	Also see Harassment-Non Sexual/Hazing/School Threat/Bullying
Threat/Intimidation Against Student	Unlawfully placing a student in fear of bodily harm through physical, verbal, written or electronic threats which immediately creates fear of harm without displaying a weapon or subjecting the person to actual physical attack. Consider age, developmentally appropriate behavior, and disability status before using this category.	T12	
Theft Offenses (No Force)	Unlawfully taking, carrying, leading, or riding away property from the possession of another person. May include pocket picking, purse snatching, theft from building, theft of electronic data, theft from motor vehicle, or from coin-operated machines.	TH1	<u>Sub-Categories</u> Theft Offenses (except motor vehicle) TF1 - Theft of School Property TF2 -Theft of Staff Property TF3 - Theft of Student Property TF4 - Possession of Stolen Property

Offense Term	Definition	Reporting Codes	Reference Notes
Theft Offense of a Motor Vehicle	Unlawfully taking, carrying, leading, or riding away a motor vehicle or the attempted theft of a motor vehicle. This category includes theft of a car, truck, motorcycle, dune buggy, snowmobile, RV, or anything that is self-propelled.	TH2	<u>Sub-Categories</u> Theft of a Motor Vehicle TF6 – Attempted Theft of Motor Vehicle
Tobacco Use Possession, Sale, Distribution	Possessing, using, distributing, or selling tobacco products, including smokeless tobacco, on school grounds, at school-sponsored events, and/or on school transportation.	TB1	<u>Sub-Categories</u> TC1 – Tobacco Use TC2 – Tobacco Possession TC3 – Tobacco Sales/Distribution
Tobacco Paraphernalia	Bringing tobacco paraphernalia to school or to a school event.	T4B	
Electronic Cigarette	Possessing, using, distributing, or selling electronic cigarettes or paraphernalia, on school grounds, at school-sponsored events, and/or on school transportation	TB2	
Trespassing	Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave.	TR1	
Vandalism	Willfully and/or maliciously destroying, damaging or defacing public or private property without the consent of the owner or the person having custody or control of it. This category includes graffiti.	VA1	<u>Sub-Categories</u> VN1 – Vandalism of School Property VN2 – Vandalism of Private Property VN3 – Graffiti

Offense Term	Definition	Reporting Codes	Reference Notes
<p>Weapon (1)</p> <p>Firearm Handgun/ Pistol</p>	<p>Possessing or bringing a handgun or pistol to school or to a school-sponsored event.</p>	<p>WP1 Required to be reported to law enforcement</p>	<p>Automatic expulsion required. May be modified by LEA, in accordance with federal and state guidelines.</p>
<p>Weapon (2)</p> <p>Firearm Shotgun/ Rifle</p>	<p>Possessing or bringing a rifle/shotgun to school or a school-sponsored event.</p>	<p>WP2 Required to be reported to law enforcement</p>	<p>Automatic expulsion required. May be modified by LEA, in accordance with federal and state guidelines.</p>
<p>Weapon (3)</p> <p>Expels a Projectile</p>	<p>Possessing or bringing to school or a school-sponsored event any weapon designed to expel a projectile or that may readily be converted or modified manufactured guns to expel a projectile by the action of an explosive device.</p>	<p>WP4 Required to be reported to law enforcement</p>	<p>This definition does not include BB guns or pneumatic weapons. See WP0.</p>
<p>Weapon (4)</p> <p>Knife</p>	<p>Possessing or bringing to school or a school-sponsored event any sharp-edged instrument that is classified as a knife with a blade of three inches or more.</p>	<p>WP5 Required to be reported to law enforcement</p>	
<p>Weapon (5)</p> <p>Other Firearms</p>	<p>Possessing or bringing any other weapon that will, or is designed to, expel a projectile by the action of an explosive to school or a school event. This includes firearms not mentioned previously (operable or inoperable, loaded or unloaded) such as, but not limited to, a zip or starter gun.</p>	<p>WP8 Required to be reported to law enforcement</p>	<p>These definitions may include automatic weapons or semi-automatic weapons other than shotgun/rifle, or handgun, such as an XM8.</p>
<p>Weapon (6)</p> <p>Other Weapon</p>	<p>Possessing or bringing any weapon, instrument, or object that is designed to or may readily be converted to inflict harm on another person to school or a school event. (i.e., golf club, baseball bat, chains, nunchakas, or billy club)</p>	<p>WP9 Required to be reported to law enforcement</p>	

Offense Term	Definition	Reporting Codes	Reference Notes
Pneumatic Weapon (BB Gun)	Possessing or bringing any pneumatic gun or rifle that is air powered to school or a school event. A pneumatic gun or rifle includes a BB, paint ball, or pellet gun.	WP0 Required to be reported to law enforcement	
Possession of Explosive Device	Possessing or representing any weapon that explodes or is designed to or may readily be converted to explode.	WP6 Required to be reported to law enforcement	
Use of Bomb or Explosive Device	Using any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion.	WP7 Required to be reported to law enforcement	
Possession of Ammunition	Possession of any type of ammunition. Ammunition means ammunition or cartridges, cases, primers, bullets, or propellant powder designed for use in any firearm.	W1P	W1P – Bringing Ammunition to School or School Event.
Weapon/ Look-alike	Any device that looks like a real gun or is a toy gun (i.e., water pistols). Category also includes look-alike weapons.	W3P	
Weapon/ Chemical Substance	Possessing or bringing to school or a school-sponsored event any substance used as a weapon. The substance would include mace, tear gas, or pepper spray.	W2P	
Possible Weapons	Possessing knife less than three inches, razor blades, box cutters, fireworks, firecrackers, or bringing stink bombs to school or a school event.	W8P W9P	W8P-Bringing Razor Blades/ Box Cutters/ Less than 3 inch blade knife to School or School Events. W9P-Bringing Fireworks, Firecrackers, or Stink Bombs to School or School Event.

Offense Term	Definition	Reporting Codes	Reference Notes
Possession of Taser Gun	Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or another charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person.	WT1	
Possession of Stun Gun	Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge that exceeds the equivalency of five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person	WS1	

*The disciplinary reporting requirements indicate if the offense is required by law to be reported to the Virginia Department of Education regardless of the disciplinary sanction or if the offense is in violation of the school code of conduct and must be reported if a student is suspended or expelled as required by the federal *Safe and Drug-Free and Communities Act (SDFSCA)*.

DISCIPLINING STUDENTS WITH DISABILITIES

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

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

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

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) there is a series of removals each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
 - (a) the length of each removal,
 - (b) the proximity of the removals,
 - (c) the total time the student is removed, and
 - (d) the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals.

If the disciplinary action will result in a change of placement for a student with a disability then that student's parents must be sent notice that same day of the recommendation for discipline and be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed. The special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the discipline.

II. Short-Term Suspension

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

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

III. Functional Behavior Assessments and Behavior Intervention Plans

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

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,

- if the student already has a FBA and BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may agree to a change in placement when reviewing or modifying the BIP. Without this agreement, the student must return to the placement from which the student was removed.

IV. Educational Services While Disciplined

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

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

- 1) continue to progress in the general curriculum, although in another setting, and
- 2) progress toward meeting the goals set out in the student's IEP.

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

V. Manifestation Determination

When a disciplinary action is proposed that will result in a change of placement, a manifestation determination review shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent and relevant members of the IEP team (as determined by the parent and the school division).

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

- 1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and
- 2) determines that:
 - (a) the conduct in question was not caused by, or had a direct and substantial relationship to, the student's disability; and
 - (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

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

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

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to nondisabled students. Following a removal which constitutes a change in placement, the student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The Manifestation Team must decide whether to conduct or review the FBA and BIP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the discipline.

VII. Disciplinary Action and/or Alternative Placement for Behavior That Is Determined To Be a Manifestation

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

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

Students with disabilities 1) who carry or possess a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD, JFCF or JGDB and may be placed in an interim alternative educational setting for up to forty-five school days. This option is available without regard to whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another

setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, a FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

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

X. Placement During Appeals

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

XI. Protection for Students Not Yet Eligible for Special Education and Related Services

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if before the behavior that precipitated the disciplinary action occurred:

- (1) the parent expressed concern in writing (or orally if the parent is unable to write or, if necessary, to accommodate a disability) to school personnel that the student is in need of special education and related services; or
- (2) the parent requested an evaluation of the student for special education eligibility through formal evaluation procedures; or
- (3) the student's teacher or other school personnel had expressed specific concerns about a pattern of behavior demonstrated by the student directly to the Director of Special Education or to other supervisory personnel of the school division.

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

- (1) the parents refused to allow an evaluation of the student or refused special education services; or
- (2) the student was evaluated and found not eligible for special education services.

If a request for an evaluation is made during the period such student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the

student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting, in compliance with the procedures for suspended and expelled students with disabilities. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities.

XII. Students with Disabilities as Defined Under Section 504 of the Rehabilitation Act of 1973

1. Section 504 is a nondiscrimination statute. It prohibits discrimination against students on the basis of disability.

If a child is disciplined and that child has a disability as defined under Section 504 of the Rehabilitation Act, it would be discriminatory to discipline the child if the disability caused the misconduct. Thus, before disciplining a child who has a Section 504 disability, the school must determine whether the misconduct caused the disability.

Since discipline procedures developed for students with disabilities as defined in the Individuals With Disabilities Act (IDEA) generally assure compliance with Section 504, Lynchburg City Schools' discipline policy for Section 504 has been designed to mirror IDEA discipline procedures with one exception unless otherwise noted: Students with 504 disabilities are not entitled to educational services during a long-term suspension unless students without disabilities are provided educational services for the same offenses.

2. Short-term suspensions of 10 days or less at a time may be imposed to the same extent as for non-disabled students, provided the suspensions do not constitute a pattern.

A series of short-term suspensions which constitute a pattern of exclusion, a long-term suspension or expulsion all require a manifestation determination.

3. A school can discipline a child if the misconduct was not a manifestation of the child's disability.
4. A group of knowledgeable persons must make the determination of whether a child's disability caused the misconduct in all cases where long-term disciplinary action is recommended, except for the defined drug and alcohol situations.
5. Manifestation procedures are not required when a student with a 504 disability uses or possesses alcohol or illegal drugs and/or is currently engaging in the use of alcohol or drugs. Schools may discipline children with a 504 disability who commit these drug or alcohol offenses to the same extent as children without disabilities.
6. When a child who has a 504 disability uses or possesses alcohol and/or illegal drugs as outlined in the exceptions to the manifestation procedures under Section 504, he/she has no right to appeal these drug and/or alcohol offenses in a due process hearing.

7. Students with Section 504 disabilities are not entitled to educational services during a long-term suspension unless those services are made available to non-disabled students.

Adopted:

Legal Refs.: 20 U.S.C. § 1415(k).
29 U.S.C. § 705(20)(C)(iv)

34 C.F.R. 300.530-300.536.

8 VAC 20-81-160.

Cross Ref.: JFC Student Code of Conduct
JFCD Weapons in School
JFCF Drugs in School
JGD/JGE Student Suspensions/Expulsions
JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

DISCIPLINE OF STUDENTS WITH DISABILITIES FOR
INFLICTION OF SERIOUS BODILY INJURY

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

The term serious bodily injury has the same meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Adopted:

Legal Refs: 18 U.S.C. § 1365(h)(3).
20 U.S.C. § 1415(k)(1)(G)(iii).

Cross Refs:	JFCD	Weapons in School
	JFCF	Drugs in School
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities

STANDARDS OF STUDENT 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 §22.1-279.3 of the Code of Virginia, 1950, as amended, and a copy of the compulsory school attendance law shall be 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 the Code of Virginia § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents shall be notified that by signing the statement of receipt, parents are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school shall maintain records of the signed statements.

A. The following are standards of student conduct established by the School Board for all students. The consequences of any act are determined on the basis of the facts presented in each situation in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Assault and Battery

A student shall not assault or commit battery upon another person on school property, on school buses or during school activities on or off school property.

An assault is a threat of bodily injury.

A battery is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

2. Attendance; Truancy

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See Policy P 7-15 Student Attendance)

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

3. Bomb Threats

Students shall not engage in any illegal conduct involving firebombs, explosive or

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

4. Bullying

A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities.

"Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

5. Bus-Related Offenses

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus. (See policy JFCC—Student Conduct on School Buses)

6. Cheating

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- cheating on a test or assigned work by giving, receiving, offering and/or soliciting information
- plagiarizing by copying the language, structure, idea and/or thoughts of another
- falsifying statements on any assigned schoolwork, tests or other school documents

7. Personal Electronic Communication Devices

Students enrolled in grades 9-12 may have a personal electronic communication device (e.g. cell phone) in their possession before, during, or after the regular hours of operation of the school day. The device may be used in non-instructional times and spaces (e.g. in hallways, cafeteria, on buses) so long as it is not disruptive and is not used to record others when there is a reasonable expectation of privacy.

Students enrolled in elementary and middle schools may have a personal electronic communication device (e.g. cell phone) in their possession. However, the devices must be turned off and remain out of sight (e.g. in a book bag or locker) throughout the regular school day. (See Policy JFCZ Personal Electronic Communication Devices)

8. Defiance of the Authority of School Personnel

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

9. Disruptive Conduct

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

10. Electronic Cigarettes

Students shall not possess electronic cigarettes or vaporizers on school premises, on school buses or at school sponsored activities. (See policy KGC Use of Tobacco and Electronic Cigarettes on School Premises)

11. Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

12. 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.

13. Fighting

Exchanging mutual physical contact between two or more persons by pushing, shoving or hitting with or without injury is prohibited.

14. 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, on school buses or during any school related activity.

15. Gang Activity

Gang-related activity is not tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students). (See Policy JFCE Gang Activity or Association).

16. 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. (See policy JFHA/GBA Prohibition Against Harassment and Retaliation)

17. 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 causes bodily injury shall report the hazing to the local Commonwealth Attorney.

18. Internet Use

Students shall abide by the Lynchburg City School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA Acceptable Computer System Use.)

19. Laser Pointers

Students shall not have in their possession laser pointers.

20. 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.

21. Possession or Use of Weapons or Other Dangerous Articles

Students shall not have in their possession any firearm or other dangerous weapon or device. (See Policy JFCD Weapons in School.)

22. Profane, Obscene or Abusive Language or Conduct

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

23. Reports of Conviction or Adjudication of Delinquency

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

24. Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

25. Student Dress

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

Clothing should conform to standards of safety and be appropriate for the learning environment. Clothing that does not meet these standards includes the following:

- Loose fitting clothing that could cause safety hazards
- Flip-flops and other footwear that are tripping hazards or injury risks
- Clothing that exposes or highlights private areas or shows an excessive amount of bare skin
- Hats and other head coverings, unless for religious or health purposes

Additionally, disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parent(s)/guardian(s) of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students not complying with this policy will be asked to cover the noncomplying clothing, change clothes, or go home.

26. Theft

A student shall not intentionally take or attempt to take the personal property of another person by force, fear or other means.

27. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

28. Trespassing

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

29. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs

A student shall not possess, use, or distribute any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

A student shall not attempt to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

A student shall not be under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco and inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

The School Board may require a student who has been found in possession of, or under the influence of, drugs or alcohol in violation of School Board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

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

30. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events. When a student injures, destroys, or defaces school property, including school buses, the student and his/her parent or guardian shall be required to pay for the damage.

B. Corrective Actions

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. The facts and circumstances of each offense are considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of privileges, including access to the School Division's computer system
5. Parental conferences
6. Modification of student classroom assignment or schedule
7. Student behavior contract
8. Referral to student support services
9. Removal from class
10. Initiation of child study process
11. Referral to in-school intervention, mediation, or community service programs
12. Tasks or restrictions assigned by the principal or his designee
13. Detention after school or before school
14. Suspension from school-sponsored activities or events prior to, during, or after the regular school day

15. Alternative Instructional Arrangement (AIA)
16. Out-of-school suspension
17. Referral to an alternative education program
18. Notification of legal authority where appropriate
19. Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event and recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school sponsored activity
20. Participation in a drug, alcohol or violence intervention, prevention or treatment program.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7.C.3, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.6, 22.1-280.4, 46.2-323, 46.2-334.001.

Student Code of Conduct Policy Guidelines (Virginia Board of Education January 2015).

Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008).

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	GAB/IIBEA	Acceptable Computer System Use
	GAB-R/IIBEA-R	Acceptable Computer System Use Regulation
	GBECA	Electronic Cigarettes
	IEA	Pledge of Allegiance
	IGAG	Teaching About Drugs, Alcohol and Tobacco
	JED	Student Absences/Excuses/Dismissals
	JFC	Student Conduct
	JFCC	Student Conduct on School Buses
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	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
JHCD	Administering Medicines to Students
JN	Student Fees, Fines and Charges

STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions.

If a student's riding privileges are suspended or revoked, the student's parents are responsible for seeing that the student gets to and from school safely.

The bus driver and/or bus assistant is responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal and provide a copy of the report to the transportation office.

Adopted:

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, 22.1-181, 22.1-293(B), (D).

Cross Refs.: EEA Student Transportation Services
JFC Student Conduct
JFC-R Standards of Student Conduct

CORPORAL PUNISHMENT

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this policy, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. "Corporal punishment" does not include physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

Adopted:

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-279.1.

Cross Ref.: JM Restraint and Seclusion of Students

COMPULSORY ATTENDANCE

Every parent, guardian, or other person 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 send such child to a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy 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 educational pre-kindergarten program.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- any child whom the division Superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- any child who has obtained a high school diploma or its equivalent, a certificate of completion, a passing score on a high school equivalency examination approved by the Board of Education or who has otherwise complied with compulsory school attendance requirements.

Individual Student Alternative Education Plan

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age.
2. There shall be a meeting of the student, the student's parents, and the principal or principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:
 - career guidance counseling;
 - mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with

- attendance reported to the principal or principal's designee;
 - mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
 - successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
 - counseling on the economic impact of failing to complete high school; and
 - procedures for re-enrollment.
3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the Superintendent or attendance officer shall seek immediate compliance with such laws.

Alternative Education Programs

The School Board authorizes the Superintendent or Superintendent's designee to require any student who has been:

(1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 16.1-260.G;

(2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Superintendent of the school division pursuant to Va. Code § 16.1-260.G; or

(3) found to have committed a serious offense or repeated offenses in violation of School Board policies,

to attend an alternative education program. The Superintendent or Superintendent's designee may require such student to attend such programs regardless of where the crime occurred.

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

Prior to making the alternative education placement, the Superintendent or Superintendent's designee must provide written notice to the student and student's parent (s) or guardian(s) that the student will be required to attend an alternative education program, and notice of the opportunity to appeal the placement to the Superintendent or designee. The parent(s) or guardian(s) may appeal the placement to the Superintendent or

Superintendent's designee, by providing a written request to the Director of Student Services, Alternative Education, and Behavior Support within three days of the notice of the alternative education placement. In the case of any pupil the Superintendent or Superintendent's designee determines may pose a risk of danger to persons or property, or whose presence may create a threat of disruption, the Superintendent or Superintendent's designee may make an immediate placement in alternative education during the pendency of any appeal or review. If the Superintendent or Superintendent's designee uphold the placement decision, the parent(s) or guardian(s) may petition the School Board to review that decision by providing a written request to the Director of Student Services, Alternative Education and Behavior Support within three days of the notice of the decision. If the parent(s) or guardian(s) does not request a review by the School Board or does not make a timely request, the decision of the Superintendent or Superintendent's designee is final. If the parent(s) or guardian(s) does file a timely petition, the School Board will review the placement decision on the record, and will render a decision within 30 days. The decision of the School Board is final.

Exceptions to Compulsory Attendance

Exceptions to the Compulsory Attendance law can be found in the Code of Virginia § 22.1-254 (I).

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.: JEG Exclusions and Exemptions from School Attendance
LBD Home Instruction

REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

I. Acts Reported to the Principal

- A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the Superintendent and to the principal (or designee) on all incidents involving:
- (i) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
 - (ii) the assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
 - (iii) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
 - (iv) any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
 - (v) the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;
 - (vi) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
 - (vii) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
 - (viii) the arrest of any student for an incident occurring on a school bus, on school property, or at a school sponsored activity, including the charge therefor; and
 - (ix) any illegal possession of weapons, alcohol, drugs, or tobacco products.

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

- B. The Superintendent and the principal or his designee receive reports from local law-enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (i) through (viii) of subsection A and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. The Superintendent may request that the reports include information regarding terms of release from detention, court dates, and terms of any disposition orders entered by the court. When the Superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G

of Va. Code [§ 16.1-260](#), the Superintendent reports such information to the principal of the school in which the juvenile is enrolled.

II. Reporting Duties of the Principal and Superintendent

The principal or designee reports all incidents required to be reported pursuant to section I of this policy to the Superintendent. The Superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that are provided by the Department and makes such information available to the public.

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

Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal immediately reports to local law-enforcement officials any of the acts listed in clauses (ii) through (vii) of subsection I.A. of this policy which may constitute a criminal offense and may report to the local law-enforcement agency any incident described in clause (i) of subsection I.A.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal also immediately reports any act enumerated in clauses (ii) through (v) of subsection I.A. of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported pursuant to this policy, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information regarding other students.

III. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student is required to participate as deemed appropriate by the Superintendent or Superintendent's designee in such prevention and intervention activities.

The School Board develops, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing. Activities designed to prevent the recurrence of violence and crime, including hazing, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a network of volunteer services in implementing

prevention activities.

IV. Purpose

The purpose of reporting acts of violence and substance abuse is to develop a program of prevention activities to provide a safe environment conducive to learning.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 22.1-279.3:1, 22.1-279.9.
8 VAC 20-560-10.

GANG ACTIVITY OR ASSOCIATION

The Lynchburg City School Board recognizes 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. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of three 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 environment
- creation of an atmosphere of fear and intimidation.

Students are subject to disciplinary action in accordance with Policy and Regulation JFC for participating in gang activity. Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, tattoo, 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 inciting other students to act with physical violence;
- inappropriate congregating, bullying, cyberbullying, 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.

The Superintendent shall, in cooperation with local law enforcement and/or juvenile agencies, develop a list of known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols. The list shall be updated regularly.

The Superintendent shall provide, in collaboration with local law enforcement, in service training in gang behavior and characteristics to facilitate staff identification of students at risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Adopted:

Legal Refs.: Code of Virginia, as amended, §§ 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2),
§ [22.1-276.01](#)

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Lynchburg City School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Lynchburg City School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

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

The school division

- promptly investigates all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either

- explicitly or implicitly, of obtaining or retaining employment or education;
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

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

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

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

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

C. Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, perceived sexual orientation or gender identity.

III. Complaint Procedure

A. Formal Procedure

1. File Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the Superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. If the report of alleged discrimination involves the Superintendent, the compliance

officer, or the supervisor of the compliance officer, the School Board will determine who should conduct the investigation. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the Superintendent or Superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the Superintendent or Superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Lynchburg City School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the Superintendent or Superintendent's designee determines that prohibited harassment occurred, the Superintendent or Superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal

If the Superintendent or Superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the Superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the Superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the Superintendent or Superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

Compliance Officer and Alternate Compliance Officer

The Lynchburg City School Board has designated

Dr. John C. McClain, Ed.D.
Assistant Superintendent for Student Learning and Success
915 Court Street, Lynchburg, Virginia 24504
mcclainjc@lcsedu.net
(434) 515-5000

as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer

Ms. Ethel Reeves
Director of Engagement, Equity, and Opportunity
915 Court Street, Lynchburg, Virginia 24504
reevesee@lcsedu.net
(434) 515-5000

The Compliance Officer shall

- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

B. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or principal's designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal's designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of

recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

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

VII. False Charges

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted:

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFHA-F/GBA-F	Report of Harassment
	GCPD	Professional Staff Discipline
	JHG	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

DRUGS IN SCHOOL

I. Generally

Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code § 18.2-247, on school property or at a school-sponsored activity is prohibited.

A. Expulsion

A student who is determined to have brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate. In addition, the School Board may, by regulation JGD/JGE-RZ, authorize the Superintendent or Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate.

B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in Lynchburg City school division's drug and violence prevention plan.

The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

C. Required Reporting to Parents and Local Law Enforcement

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

III. Students with Disabilities

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

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

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.
2. For purposes of this forty-five (45) school day removal, “illegal drugs” and “controlled substance” are defined as follows:
 - a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).
 - b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Adopted:

Legal Refs: 20 U.S.C. §§ 1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).

21 U.S.C. § 812(c).

Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

Cross Refs:	CLA	Reporting Acts of Violence and Substance Abuse
	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGDA	Disciplining Students with Disabilities

TOBACCO-FREE SCHOOL FOR STAFF AND STUDENTS

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy:

1. "School property" means:
 - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
 - b. All premises owned, leased or authorized for use by the school division;
 - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Adopted

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2825, 15.2-2827, 22.1-79.5, 22.1-279.6.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	GBEC	Tobacco-Free School for Staff and Students
	GBECA	Electronic Cigarettes
	JFC-R	Standards of Student Conduct
	KG	Community Use of School Facilities
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises

WEAPONS IN SCHOOL

I. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action.

A student who has possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in VA. Code § 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation JGD/JGE-RZ, authorize the Superintendent or the Superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Disciplinary proceedings for violation of this policy will be initiated promptly.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in Va. Code § 22.1-277.07, designed or intended to propel a projectile of any kind, including a rifle,
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart,
- explosives, and
- destructive devices as defined in Va. Code § 22.1-277.07, or other dangerous articles.

II. Students with Disabilities

- A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.
- B. Additional authority to remove a student with a disability from school for a weapons violation.
1. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.
 2. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition:

"a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length."

Adopted:

Legal Refs.: 18 U.S.C. § 930(g)(2).

20 U.S.C. § 1415(k)(1)(G)(i).

Code of Virginia, §§15.2-915.4, 18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 277.07:1.

Wood v. Henry County Public Schools, 255 Va. 85, 495 S.E.2d 255 (1998).

8 VAC 20-81-10.

Cross Refs.: JGD/JGE Student Suspension/Expulsion

JFC	Student Conduct
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

PERSONAL ELECTRONIC COMMUNICATION DEVICES

A. Generally

Students bring personal electronic communication devices on school property at students' own risk. The Lynchburg City Schools is not responsible for any damaged, missing, or stolen electronic devices. If a student's electronic device becomes damaged or stolen, the school division will investigate the incident; however, the school division will not take any financial responsibility for the loss or damage of the student's electronic device or his/her electronic device charges.

B. Personal Electronic Communication Devices at the High School Level

Students enrolled in grades 9-12 may have a personal electronic communication device (e.g. cell phone) in their possession before, during, or after the regular hours of operation of the school day. The device may be used in non-instructional times and spaces (e.g. in hallways, cafeteria, on buses) so long as it is not disruptive and is not used to record others when there is a reasonable expectation of privacy.

Any inappropriate use of personal electronic communication devices, including but not limited to, inappropriate photographs, text messaging, practice known as sexting, and recording/videotaping will result in confiscation of the device; further consequences may include suspension from school and possible referral to appropriate authorities.

C. Personal Electronic Communication Devices at the Middle School Level

Students enrolled in middle schools may have a personal electronic communication device (e.g. cell phone) in their possession. However, the devices must be turned off and remain out of sight (e.g. in a book bag or locker) throughout the regular school day.

Any inappropriate use of personal electronic communication devices, including but not limited to, inappropriate photographs, text messaging, and recording/videotaping will result in the confiscation of the device. Further consequences could include suspension and possible referral to appropriate authorities.

D. Personal Electronic Communication Devices at the Elementary School Level

Students enrolled in elementary schools may have a personal electronic communication device (e.g. cell phone) in their possession. However, the devices must be turned off and remain out of sight (e.g. in a book bag or locker) throughout the regular school day.

Any inappropriate use of personal electronic communication devices, including but not limited to, inappropriate photographs, text messaging, and recording/videotaping will result in the confiscation of the device. Further consequences could include suspension and possible referral to appropriate authorities.

E. Personal Electronic Communication Devices in Alternative Education Settings

In alternative education settings, the school administrator may establish, and adjust as necessary, additional restrictions across the school. These shall be communicated in writing to students and parent(s)/guardian(s).

F. Additional Procedures and Restrictions

The principal may authorize restrictions on a student's use of the device that exceed those in this policy, based on a student's behaviors and communicated in writing to the student and parent(s)/guardian(s).

The principal may confiscate the device if needed, and then determine to either return the device to the student at the end of the day or require the student's parent to make an appointment with the principal to retrieve the device.

Violations of the policy regarding personal electronic communication devices on school property may result in progressive disciplinary action as set forth by procedures outlined in Lynchburg City School Board Policy JGD/JGE.

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

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

Service of Process at School

Law enforcement should not serve students with court papers on non-school related matters during school operation without the permission of the Division Superintendent. If a staff member is to be served, the School Board encourages the process server to make all reasonable attempts to serve the documents off school premises. When a staff member or student is to be served with a legal process at school, this should occur in the school administrative office.

Development of Programs

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

Report to Law Enforcement Officials

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

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property, or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary

devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or

6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

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

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-280.2:1, 22.1-293(B-D).

Cross Refs.:	JFC	Student Conduct
	JGD/JGE	Student Suspension/Expulsion
	CLA	Reporting Acts of Violence and Substance Abuse
	KN	Sex Offender Registry Information

SEARCH AND SEIZURE

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

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

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

PERSONAL SEARCHES

A student's person (e.g. student's pocket) and/or personal effects (e.g. purse, book bag, etc.) may be searched by a school official whenever the official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation.

All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be:

1. justified at its inception and
2. reasonably related in scope to the circumstances justifying the search.

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

A personal search may include requiring a student to be scanned with a metal detector.

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

Strip searches involve an extreme intrusion into the rights of a student and may only be conducted when an extremely serious situation exists requiring immediate action because of an imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent threat of death or great bodily injury to the student or another person. If a strip search must be conducted by a school official, it must be by a same sex official with a same sex adult witness, and the school official must have the prior approval of the Superintendent or Superintendent's designee, unless the health or safety of the student is endangered by the delay.

LOCKER AND DESK SEARCHES

Student lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers and desks may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

AUTOMOBILE SEARCHES

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

COMPUTER SEARCHES

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

CONSENT SEARCHES

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

permission for the search.

REFUSAL OF A SEARCH BASED ON REASONABLE SUSPICION

The refusal of a student to submit to a search based on reasonable suspicion may result in disciplinary action and/or a request to the Lynchburg Police Department for assistance.

SEIZURE OF ILLEGAL MATERIALS

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

Adopted:

Legal Refs.: New Jersey v. T.L.O., 469 U.S. 325 (1985).

U.S. Const. Amendment IV.

Constitution of Virginia, Article I, § 10.

Code of Virginia, 1950, as amended, § 22.1-279.7.

Virginia School Search Resource Guide (Virginia Department of Education Oct. 2000).

Cross Ref.:	CLA	Reporting Acts of Violence and Substance Abuse
	EGAA	Reproduction and Use of Copyrighted Materials
	GAB/IIBEA	Acceptable Computer System Use
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JFCF	Drugs in School
	KNAJ	Relations with Law Enforcement Authorities

STUDENT RECORDS

Generally

The Lynchburg City School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The Superintendent and/or his designee(s) is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The Superintendent also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Definitions

For the purposes of this policy, the Lynchburg City Schools uses the following definitions.

Authorized representative – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

Directory information - information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from

birth through age six that addresses the children's cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

Education program - any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

Education records - any information recorded in any way including handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche maintained by the Lynchburg City School Board or an agent of the school division which contains information directly related to a student, except

- records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;
- records created and maintained for law enforcement purposes by the Lynchburg City School Board's law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;
- in the case of persons who are employed by the Lynchburg City School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in his capacity as an employee;
- records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student;
- grades on peer-graded papers before they are collected and recorded by a teacher; and
- any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student's file or is stored electronically under an individual student's name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Eligible student - a student who has reached age 18.

Parent - a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

Student - any person who is or has been in attendance at Lynchburg City Schools regarding whom the school division maintains education records or personally identifiable information.

Dissemination and Maintenance of Records About Court Proceedings

Adjudications

The Superintendent shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G. contained in a notice received pursuant to Va. Code § 16.1-305.1 to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.

A parent, guardian, or other person having control or charge of a student, and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor. The parent or guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.

Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by him and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

Petitions and Reports

The Superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division.

The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.

- If the Superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Annual Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- the type of information designated as directory information and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Copies of Education Records

The Lynchburg City Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

Fees for Copies of Records

The fee for official transcripts is \$3 each. There is a \$2 fee for each copy of information from student records for purposes other than transcripts. This includes information for the DMV and Social Security, and graduation verification for employment or a copy of the immunization record. For other than the above, the actual cost of copying time and postage will be charged. The Lynchburg City Schools does charge for search and retrieval of the records. The Lynchburg City Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

The school maintains a scholastic record for each enrolled student, which is stored in a secure central location under the supervision of the principal of the school at which the student is enrolled, during enrollment and for up to one year after leaving the division. Records for students no longer enrolled are forwarded to the registrar in the School Administration Building.

The following is a list of the types of records that the Lynchburg City Schools maintain, their locations, and their custodians.

Types	Location	Custodian
Directory Information	Individual School	Principal/Designee
Health Information	Individual School	Principal/Designee
Academic History/ Standardized Test Scores	Individual School	Principal/Designee
Student Discipline Information	Individual School	Principal/Designee
Attendance	Individual School	Principal/Designee
Special Education	Individual School	Principal/Designee

Disclosure of Education Records

The Lynchburg City Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.
A school official is:
 - a person employed by the School Board
 - a person appointed or elected to the School Board
 - a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
 - a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records
 A school official has a legitimate educational interest if the official is:
 - performing a task that is specified in his or her position description or by a contract agreement
 - performing a task related to a student's education
 - performing a task related to the discipline of a student
 - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. If records or information are released under this provision, the student's parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.

3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
 - specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.

10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
 - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 - the parties to whom the division disclosed the information.
11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
12. Directory information so designated by the school division.
13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

Unauthorized Disclosure of Electronic Records

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent of any student affected by such disclosure, except as otherwise provided in Va. Code §§ [32.1-127.1:05](#) or [18.2-186.6](#). Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Lynchburg City School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

Disclosure of Information Relating to Home Instructed Students

Neither the Superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § [22.1-254](#). Nothing in this policy prohibits the Superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

Any authorized representative other than an employee must be designated by a written agreement which

- designates the individual or entity as an authorized representative;
- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a) (3) including a description of how the personally identifiable information will be used;
- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- specifies the time period in which the information must be destroyed; and
- establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

The Lynchburg City Schools will provide, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent. The school division will notify parents of the option to make a request and will comply with any request.

The school division will provide military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

Record of Disclosure

The Lynchburg City Schools maintains a record, kept with the education records of each

student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies, or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his assistants who are responsible for the custody of such records, and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

Directory Information

The Lynchburg City School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

Parents and eligible students may not use the right to opt out of directory information disclosures to 1) prevent disclosure of the student's name, identifier, or institutional email address in a class in which the student is enrolled; or 2) prevent an educational agency or institution from requiring the student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

Student directory information is defined to include the following:

- Student's name
- Names of student's parents or guardians
- Address
- Telephone listing
- Electronic mail address
- Photograph

- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Classroom assignments and teachers

Correction of Education Records

The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows.

1. Parents or the eligible student must request in writing that the Lynchburg City Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
2. Lynchburg City Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Lynchburg City Schools shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
4. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
6. Lynchburg City Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
7. If Lynchburg City Schools decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.
8. If Lynchburg City Schools decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the

decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

High School Credit-Bearing Courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The School Board specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Confidentiality of HIV and Drug and Alcohol Treatment Records

The Lynchburg City Schools complies with the confidentiality requirements of Va. Code § 32.1-36.1 providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division maintains confidentiality of drug and alcohol treatment records as required by federal and state law.

Adopted:

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.
20 U.S.C. §§1232g, 7908.
42 U.S.C. § 290dd-2.

34 C.F.R. 99.3, 99.7, 99.10, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37.

Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-254.1, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23-2.1:3, 32.1-36.1.

Cross Refs.:	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JHCB	Student Immunizations
	JHCD	Administering Medicines to Students
	KBA-R	Requests for Information
	KBC	Media Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction

WRITTEN NOTIFICATION OF VIOLATION OF SCHOOL POLICIES BY
STUDENTS IN ALTERNATIVE EDUCATION PROGRAMS

The School Board requires written notification of an offense to the parent, guardian or other person having charge or control of a pupil in an alternative education program as described in Va. Code § 22.1-209.1:2 when

- a pupil commits an offense in violation of School Board policies and school officials determine the offense was committed without the willful intent to violate such policies, or
- the offense did not endanger the health and safety of the individual or other persons.

The notification shall be made no later than two school days following the incident. The School Board requires the principal of the school the child attends, or other appropriate school personnel, to develop appropriate measures, in conjunction with the pupil's parent or guardian, for correcting such behavior.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-209.1:2(D).

NOTIFICATION REGARDING PROSECUTION OF JUVENILES AS ADULTS

The Lynchburg City School Board will annually provide information developed by the Office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-279.4.