

Loudoun County Public Schools

STANDARDS OF STUDENT CONDUCT



July 2020 - July 2021

Dear Parents or Guardians,

Loudoun County Public Schools has prepared this guide to assist you in understanding student discipline policies and practices in LCPS. While the guide will be informative to all parents, it is primarily intended to answer questions frequently asked by parents whose children have violated student conduct policies and have experienced disciplinary consequences. Topics addressed include the following:

- The authority of the school board in establishing local policies and procedures
- Responsibilities of school administrators to ensure safe and secure learning environments
- Rights and responsibilities of students and of parents
- The disciplinary process related to suspension and expulsion from school

The guide includes basic information on Virginia laws and a series of questions frequently asked by parents. Questions are in bold print. Answers are intended to be brief, understandable, and jargon-free. Many of the answers include a reference to the Code of Virginia or other resources where you may go for more detailed information. This guide is not a substitute for a carefully reading of School Board Policies, regulations and the Student Rights and Responsibilities Handbook all of which can be found online at www.lcps.org.

We hope that this guide will encourage you to do the following:

- Support your school's efforts to provide a safe, orderly environment conducive to learning for your child and all students.
- Read carefully the Student Rights and Responsibilities Handbook (SR&R Handbook) available online (www.lcps.org). If something is unclear or concerns you, talk with your child's principal.
- Review the SR&R with your child to ensure that they understand the rules and possible consequences for breaking them.
- If your child breaks a rule and is disciplined, talk with your child to learn their version of what occurred. Meet with the teacher and school administrator immediately to talk about the incident and to develop strategies for preventing it from happening again.
- Understand that Virginia law gives the school board final administrative authority in all discipline matters.
- Work with your child's school to achieve the goal of responsible behavior. Remember, the goal of school discipline is not to punish, but to correct behavior.
- Be an advocate for your child by seeking other types of intervention, if needed.
- Disciplinary action alone may not address some problems contributing to misconduct.

Sincerely,

Virginia C. Patterson, Ph.D.,
Director of School Administration

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Preface

The purpose of this publication is to provide students, parents, school staff, and the public with a concise and comprehensive description of the minimum standards of behavior for all students enrolled in Loudoun County Public Schools (LCPS). It defines appropriate standards of student conduct and presents a menu of alternative interventions and responses to be implemented by teachers and/or school administrators to address individuals who exhibit inappropriate behavior. It is important to note that these standards of student conduct may be applicable in a virtual environment.

Emphasis is placed upon behavioral expectations of LCPS students in clear and consistent language for common understanding and support in meeting the expectations. The Code of Student Conduct applies to all LCPS students when they are:

- Present at any school or on school property.
- Participating in or attending any school-sponsored activity, regardless of its location, including traveling to and from an event;
- Going to or returning from school, whether or not the student is walking, waiting for, or riding a school bus, or is in a personal or private vehicle, or any other mode of transportation; or
- Involved in conduct, regardless of whether it took place off school property or at a school-sponsored event that substantially disrupts school operations.

Students who observe or are subjected to inappropriate actions as described in the Standards of Student Conduct are expected to report such incidents to their school administration. In addition, all students must report to a school staff member any information concerning threats or disruptions involving the safety of students, staff, or the school environment.

Student activities are a part of the total educational program and are therefore subject to school supervision and regulations. Student conduct at such activities is governed by the same rules for students that apply at all other times they are under school supervision. In addition, students are expected to display good sportsmanship in competitive activities, whether they are participants or spectators, and to conduct themselves in a manner demonstrating respect for persons and property.

The School Board of Loudoun County, Virginia, complies with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Improvement Act of 1990, and the Individuals with Disabilities Education Act. The School Board does not discriminate on the basis of race, national origin, ancestry, color, sex, sexual orientation, perceived sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, marital status, age, religion, disability, or genetic information in any of its programs and activities. The Superintendent of Schools, or the Director of School Administration are responsible for the coordination of compliance with these provisions.

The Code of Student Conduct specifically outlines five major categories of behavior and states consequences which may occur as a result of misconduct. The following factors are used in determining the consequences for a specific violation of the student conduct:

- Age, health, and disability or special education status of the student.
- Appropriateness of student's academic placement.
- Student's prior conduct and record of behavior.
- Student's understanding of the impact of his/her behavior and attitude.
- Student's willingness to repair the harm caused by his/her behavior.
- Seriousness of the behavior offense and the degree of harm caused.
- Impact of the incident on overall school community.
- Whether the student's violation threatened the safety of any student or staff member.
- The possibility that a lesser intervention would adequately address the violation.

When enforcing the Standards of Student Conduct, students and their property, including but not limited to, backpacks, purses, other containers, automobiles, lockers, desks, computers, and electronic devices may be searched. Surveillance cameras, and detection dogs may be used on school property and at school-sponsored activities in order to maintain a safe and productive learning environment. Search and seizure are defined in more detail in the definitions section of this Standard Code of Conduct.

Introduction

Approaching school discipline from an instructional prevention-based standpoint contributes to a positive school environment and ensures equity, fairness, and continuous improvement. Applying an instructional, prevention-based perspective to student behavior is fundamental in a multi-tiered system of support. The Code of Student Conduct addresses elements important to providing a safe, supportive and effective school environment. The Code of Student Conduct has been developed to reflect the organizational, instructional and interpersonal expectations and experiences that set the parameters for behavior in Loudoun County Public Schools.

Roles and Responsibilities of Students

Students are expected to arrive to school and class on time every school day ready to learn. Rules for behavior are provided at each school, as well as in the Student's Rights and Responsibilities (SR&R) Handbook, Student Activities Handbook and the Acceptable and Responsible Use Policy. Students should conduct themselves within the rules. Students have a right to avail themselves of the educational opportunities offered to them through LCPS. This implies not only a right of access to these opportunities, but also a right to be protected from disruptive influences within the school. Students have a right to express their concern when other students disrupt a classroom and prevent them from learning.

To benefit from the opportunities provided for them, students must assume certain responsibilities for learning. These responsibilities include being in school when physically able, being on time for school and classes, dressing in an appropriate manner, paying attention in class, participating in class discussions and other activities, asking questions when something is not understood, getting proper rest, doing homework

and other assignments, making up all work missed because of absences, and doing one's best at all times. Teachers can do much to facilitate learning, but students also must take responsibility for their own learning.

Students also share a common responsibility for the overall learning environment. They should encourage and help each other, work cooperatively in group activities, and avoid creating disturbances that interfere with the efforts of others to learn.

Roles and Responsibilities of Parents/Guardians

Parents/Guardians have a shared responsibility with schools for the education of their children and are encouraged to be engaged and involved with their child's school. Each parent is to assist the school in enforcing the standards of student conduct and school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and support of individual rights. Parents/Guardians should annually review the Student Rights and Responsibilities (SR&R) Handbook, the Acceptable & Responsible Use Policy 8650 and school rules with their child and acknowledge receipt either electronically or in writing. The student's parent(s)/ guardian(s) who have legal and physical custody of the student, may be requested to meet with the principal or his designee to review the School Board's policies on student conduct and the parents' responsibility to assist the school in implementing discipline decisions and 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.

Role and Responsibilities of the Principal and School-Based Administration

The Virginia Standards of Accreditation (2000) Section 8 VAC 20-131-210. A., states that the principal "is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources." Section B.2. specifies that the principal shall "ensure that the school division's student code of conduct is enforced and seek to maintain a safe and secure school environment." Section 8 VAC 20-131-260. C.3. requires a school administration to ensure "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity." In addition, Section D of the Code of Virginia S 22.1-279.3:1 requires that school principals report certain student conduct violations to law enforcement. The same section also states that "Nothing in this section shall require delinquency charges to be filed or prevent schools from dealing with school-based offenses through leveled sanctions or educational programming before a delinquency charge is filed with the juvenile court.

At the school level, school-based administrators have primary responsibility for enforcing the School Board policy and Students Rights and Responsibility (SR&R). They are authorized to impose a broad range of disciplinary actions, such as in-school suspension, after-school detention, suspension of certain privileges, and out of-school suspension for up to ten (10) days.

Role and Responsibilities of Professional Teaching Staff

According to the Standards of Accreditation 8VAC20-131-220, "The professional teaching staff shall be responsible for providing instruction that is educationally sound in an atmosphere of mutual respect and

courtesy....” Teachers are responsible for establishing and maintaining a safe, supportive environment that is developmentally and culturally appropriate and promotes student academic, behavior and social-emotional development. Developing positive relationships with students that are built on mutual trust and respect have been shown to demonstrate some of the highest positive effects on student achievement and behavior. Developing relationships requires “specific skills of the teacher such as the skills of listening, empathy, caring and having a positive regard for others.” The impact of teacher student relationship variables includes gains in positive behavior, critical/creative thinking, math, verbal skills, and overall grades. Because there is a correlational link among student behaviors, positive school climate, and academic achievement, LCPS expectations for teachers are as follows:

- Develop positive relationships;
- Develop a safe and positive physical environment;
- Teach (and re-teach when necessary) behavioral expectations;
- Reinforce positive behavior;
- Provide instructional feedback on behaviors;
- Utilize the school’s tiered framework of interventions and supports for students who are not meeting behavioral expectations;
- Recognize personal stress, reactions that may escalate negative student behavior, and personal bias; and
- Use individual and classroom data to progress monitor student behavior and the teacher’s responses to behavior.

Due Process

All students have a right to adequate and meaningful due process prior to being excluded from school for disciplinary purposes. Schools should ensure that students and families understand school discipline processes and their related right to due process.

Questioning by school officials

School officials have a direct responsibility for student behavior as well as school safety and security. That responsibility allows school officials the latitude to question students in an effort to maintain order. **Law enforcement officers should not be involved in the questioning students as a part of routine school operations when no evidence suggests a crime has been committed.**

Questioning by school officials and law enforcement

Questioning students in the presence of a law enforcement officer greatly enhances the need to ensure that the student has all of the protections afforded them under the law. School administrators should consider the following questions:

- Is the student able to understand his/her rights based on the student's age and development given the situation?
- Has a crime been committed?
- Is the student a suspect in the alleged crime?
- Is the student free to leave the interview?

A student who is being questioned in the presence of law enforcement about involvement in a criminal offense should be afforded the same rights as any suspect being interrogated for criminal involvement.

The school is a custodial setting and students are not free to leave without permission. This fact enhances the need for students to be advised and aware of their rights prior to and during an interrogation by law enforcement. This will include support from school personnel to ensure that the student fully understands the process and that they are aware of the magnitude of the situation. Students, whom school officials determine are not able to understand their rights under the law, should not be questioned by law enforcement without parental involvement.

Students have the right to be informed of any suspension, given specific reasons for the suspension, and offered the opportunity to tell their side of the story before being suspended.

Short-term suspension. Students and families have the right to receive in writing a description of the incident, the date the student may return to school and notice of their right to appeal. This letter must also be sent to the superintendent's designee. Upon written request by the student or parent/guardian, the superintendent's designee must review the suspension. If no alternative education program is provided, schools should make academic assignments available to students during a short-term suspension.

Long-term suspension. Students and families have the right to written notice from the Superintendent's designee about the conditions of a long-term suspension and their relevant due process rights. The student has a right to the following:

- A hearing in front of the Superintendent or their designee;
- An appeal of an unfavorable decision to the School Board;
- Consideration of a variety of factors aside from the offense itself, among them: age and grade level; the student's academic and behavioral history; the availability of alternatives; mental health, substance abuse, or special education assessments; and any other relevant matters; and
- Upon appeal to the School Board, a written decision within 30 days.

Schools should provide an academically appropriate alternative education program that permits students serving a long-term suspension to maintain sufficient progress in the curriculum and allow a

smooth transition back into the student's school once the suspension term concludes. Schools should provide opportunities for earlier re-admittance based on student progress.

Extended Long-term Suspension or Expulsion. Students have the same due process rights to hearings and appeals as with long-term suspension, except that no expulsion is effective until approved by the School Board.

Students have the right to apply for re-admittance to school from an expulsion. Students also have the right to appeal a denial of re-admittance from an expulsion to the School Board.

Due Process Rights for Students with Disabilities

Students with disabilities are entitled to all the same due process protections as students who do not have disabilities, plus additional protections under federal (IDEA, ADA) and state law. In brief,

- Short-term suspensions: A short-term suspension is not considered a “change in placement” for special education purposes, but schools must still provide a free and appropriate education (FAPE) and strive to fulfill the IEP during this suspension. Even so, a series of short-term suspensions that form a pattern of behavior can be considered a change in placement.
- In most cases, students with disabilities cannot be suspended for more than ten school days for conduct that is caused by the disability. Students with disabilities who are long-term suspended or expelled are entitled to an expedited decision from a due process hearing challenging the disciplinary action.

Reporting Requirements for In-School Suspension of Students with Disabilities

“In-School Suspension” involves instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision. By federal definition, an in-school suspension represents a removal from the student's IEP determined placement, regardless of whether a student has access to the regular curriculum during the in- school suspension and regardless of whether the student receives his or her IEP services during the in- school suspension. In-school suspensions of students with disabilities that are administered as part of a Behavioral Intervention Plan (BIP) are to be reported. Use the following:

- Sanction Code 001 will be used for reporting all in-school suspensions
- The disability code will still be required for students with disabilities
- An in-school suspension must be reported even if there was no reportable offense
- The number of days of the in-school suspension must be reported

Please note: A half-day, in-school suspension must be reported as one day. Any in-school suspension less than a half day does not have to be reported.

When a student is suspended or expelled the following will be considered and applied as appropriate:

1. Allow a student who has been suspended or expelled to complete academic assignments during the period of suspension or expulsion.
2. Provide appropriate alternative placements to allow the student to make academic progress.
3. Promote access to social-emotional and/or behavioral supports to assist the student in learning appropriate behaviors before returning to school.
4. Outline re-entry processes for students who are returning to school after a suspension or expulsion.
5. Require a readmission conference with the student, parent, principal, counselor, and other relevant support personnel to review the student's schedule, expectations for behavior, continuing or new student supports or interventions.
6. Require a monitoring process for the student's academic, behavioral, and social-emotional progress upon return to school, which may include drug testing.
7. Specify any limitations that may be included in a student's re-enrollment.
8. Address the use of community service or restitution.
9. Address student and staff participation in a restorative practice.
10. Outline any preparation of the teacher(s) and or student(s) for the re-enrollment of the suspended or expelled student.

Investigation

School administrators are required to investigate thoroughly all reports of student misconduct. Thorough investigations allow each participant the opportunity to tell his/her side of the story. When conducting the investigation, the administrator has the right to talk with students without the parent being present.

The administrator conducting the investigation should:

- talk with student(s) individually,
- have the student(s) write their own account of the incident,
- make sure the student's written account is legible and dated,
- talk to the victim(s) of the incident first and have the victim(s) write an account,
- talk with witness(es) to the incident next, and have the witness(es) write an account,
- talk to the perpetrator(s) and have the perpetrator(s) write an account

Recommended Restorative Questions to ask when conducting an investigation:

For those who have harmed others:

- What happened?
- What were you thinking about at the time?
- Who has been affected by your actions? In what ways?
- What do you think you need to do to make things right?

For those who have been harmed:

- What happened?
- How has this affected you?
- What do you think needs to happen to make things right?

Students may refuse to write a statement. If this happens, the administrator should write that the student refused and write verbatim what the student said. Once the investigation is complete, the administrator should review the information gathered and assign appropriate consequences (dispositions).

Restorative Practices is a disposition that can be selected for a discipline incident. Typically, this is an intervention for behavior and can be used in lieu of suspension days, in conjunction with suspension days and/or for re-entry after suspension days. Restorative Practices services include formal conferences and conflict circles offered by trained Restorative Facilitators. **Contact Office of Student Support Services at 571-252-1012 for more information.**

In determining which disciplinary interventions or consequences are most appropriate, faculty and staff are responsible for considering the following:

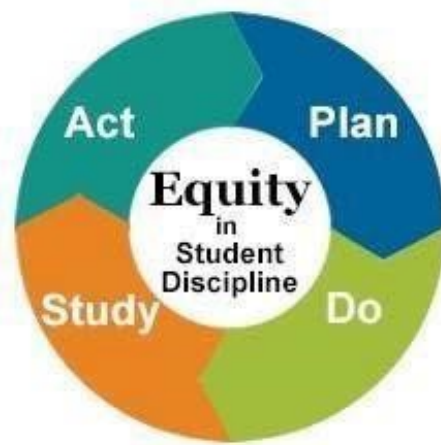
- the nature and seriousness of the violation
- the student's age
- the student's previous disciplinary record
- and any other relevant circumstances

Recording Data Related to Student Discipline

The Code of Virginia (§22.1-279.3:1) requires school divisions statewide to submit data annually to the Department of Education (DOE) on specific incidents of discipline and violence on school property, on a school bus, and/or at a school sponsored event. Therefore, it is necessary to follow consistent procedures when gathering and recording data related to student disciplinary actions.

The codes used for recording information on specific incidents are thoroughly explained in the document. Administrators should refer to these codes frequently as to determine the best course of action. Specific instructions for entering data related to student disciplinary incidents may be found in the last section of this book.

Many factors contribute to the creation of a positive learning environment, free from disruption. Students engaged in learning using best instructional practices and the relationships developed between staff members and students, are less likely to behave in an inappropriate manner. **All schools will address disproportionality and improve equity in discipline within the school improvement framework. The model below will support schools with the work towards equitable opportunities and outcomes for each student.**



Equity in Student Discipline

Plan: Analyze the data and identify root causes

School teams should analyze discipline data to identify patterns, determine root causes of discipline disproportionality, and guide planning and decision-making. School teams must review discipline data disaggregated by race, disability, ELL-status, and sex—at least bi-annually—to identify disparities and monitor progress toward eliminating them.

Do: Decide on a plan and implement

School teams should develop a plan to address its discipline disproportionality and inform changes in practice. Extensive research and resources exist to help districts and schools implement promising practices that promote equity in student discipline while keeping students in school.

Study: Evaluate and monitor progress

School teams should regularly review disaggregated discipline data to monitor the effectiveness of strategies and interventions, measure progress over time, and evaluate how discipline policies, procedures, and practices are impacting different groups.

Act: Adjust the plan, if necessary

School teams should review discipline data to monitor the effectiveness of an intervention or strategy, and adjust the plan if data show little or no progress. To inform this decision, school teams should consider whether additional time or support might be necessary for staff to fully implement the strategy or intervention with fidelity, or whether implementing a new or additional strategy might be necessary.

LCPS 2020 Multi-Tiered System of Supports Pyramid Of Strategies & Interventions

Behavioral Interventions

Tier 3: Intensive, Individual Interventions:

- Functional Behavioral Assessment and Behavior Intervention Plan
- Individual Behavior Plan/Intervention
- Restorative Conferences
- Technical MANDT

Academic Interventions

Tier 3: Intensive, Individual Interventions:

- Modified Instruction/Assessments
- Alternate Assignments
- Individualized Instruction
- Specialized Instruction (e.g. Reading, Math)

Social-Emotional Interventions

Tier 3: Intensive, Individual Interventions:

- Individual Counseling
- Threat Assessment/Safety Plan
- Restorative Conferences
- Suicide Screening, Referral, Follow-Up
- Insight Program
- 10-Day Substance Abuse Program

Tier 3 Systems Planning and Problem Solving Teams: Child Study, PSSST, Mental Health

Tier 2: Targeted Group Interventions:

- Check-In/Check-Out
- Small Group
- Restorative Circles
- Explicit Skill Instruction
- Relational MANDT

Tier 2: Targeted Group Interventions:

- Targeted Evidenced-Based Strategies/Intervention
- Structured Flex/Resource
- Tutoring
- Check-In/Check-Out
- Mentoring
- Specialized Instruction (Reading, Math)

Tier 2: Targeted Group Interventions:

- Group Counseling
- Threat Assessment
- Restorative Circles
- Support Groups
- Tobacco Education Program

Tier 2 Systems Planning and Problem Solving Teams: CLT, IT, SAT, Mental Health

Tier 1: Universal Strategies:

- Define, Teach, Model, Reinforce School-wide Expectations
- Differentiation (Reteach/Model/Reassess)
- Classroom Management Practices (Culturally Responsive Physical Environment; Define & Teach Rules and Routines; Opportunities to Respond; Active Supervision, Behavior Specific (Praise) Feedback; Error Correction)
- Equitable Classroom Practices
- Restorative Communication
- Relational MANDT
- PEER

Tier 1: Universal Strategies:

- Feedback
- Differentiation (Reteach/Model/Reassess)
- Reciprocal Teaching
- Teaching Self-Verbalization
- Meta-Cognition Strategies
- Peer Assisted Learning Strategies

Tier 1: Universal Strategies:

- Differentiation (Reteach/Model/Reassess)
- Sources of Strength
- Classroom Counseling Lessons
- PEER
- Signs of Suicide
- Signs of Suicide-Training Trusted Adults
- Substance Abuse Prevention
- Bullying Prevention (Stop-Walk-Talk & Expect Respect)
- Social Emotional Learning (Second Step)

Tier 1 Systems Planning Teams: PBIS, RTI, School Leadership, Mental Health

PBIS

Loudoun County Public Schools has implemented Positive Behavioral Interventions & Supports (PBIS), a research and evidenced-based framework for creating a common vision of behavioral expectations through consistent language and practices among staff and students. These practices (e.g., explicit instruction of expectations, feedback systems, behavioral definitions and procedures, professional learning for students and staff, etc.) help to ensure that students miss a minimal amount of instructional time due to disciplinary consequences and support all learners across three tiers (universal, targeted, and intensive) based upon student needs. More information about PBIS may be found at the following link:

<https://sites.google.com/lcps.org/mtss/positive-behavioral-interventions-and-support-pbis?authuser=0>

Consideration of the 5-point Intervention Model for Addressing Discipline Disproportionality (Kent McIntosh, et. al., 2014) is imperative to support equitable discipline for all students. This model includes the following components:

1. Use Effective Instruction to Reduce the Achievement Gap
2. Implement PBIS to Build a Foundation of Prevention
3. Collect, Use, and Report Disaggregated Discipline Data
4. Develop Policies with Accountability for Disciplinary Equity
5. Teach Neutralizing Routines for Vulnerable Decision Points

Within the PBIS framework, Restorative Practices (RP) is recommended as a proactive approach to managing student misbehavior. The goals of Restorative Practices in Loudoun County Public Schools include having students take responsibility for their behaviors by addressing those they have harmed, allowing every student who is harmed to have a voice, and giving students the opportunity to learn from the process without having their education interrupted. For more information on Restorative Practices, please visit the RP SharePoint site by following this link: <https://www.lcps.org/Page/223890>

However, when these interventions are not successful, school personnel are authorized to employ the disciplinary measures contained in Loudoun County Public Schools' student conduct policy to maintain appropriate behavior of students and enforce school rules. Except as authorized by this policy, all disciplinary measures shall be imposed by the principal of the school or a person designated by the principal. The principal or designee should use discretion in selecting disciplinary measures appropriate to the offenses and the behavior records of the student.

School personnel are expected to follow the guidelines outlined in this document to promote consistency and equitable implementation of the policies related to student discipline. The guidelines provided in this booklet will assist LCPS administrators in efficient student disciplinary procedures. These guidelines include but are not limited to:

- Providing due process to students through thorough investigation, thoughtful consequences, and the opportunity for appeal when appropriate,
- Adhering to policies and regulations which focuses on discipline considerations for students with disabilities, when appropriate,
- Recording data related to student disciplinary incidents in a timely and accurate manner. It is the building principal's responsibility to ensure that data is entered accurately within three days of the incident. Data entry for a small school should be the responsibility of only one person. Data entry for a medium or large school may be assigned to individuals with clear directions or responsibilities (i.e. Assistant Principals, Deans),
- Designating the Discipline Contact for each school prior to the first principal's meeting of the school year,
- Compiling the discipline packet and tracking the disposition of the disciplinary action for all cases that are sent to the Director of School Administration for review,
- Modifying data collected through the Student Information System. It will also be the responsibility of the school to update the student's daily attendance records, as necessary, to reflect the updated disposition.

Safe Harbor

When a student discovers that he/she accidentally or inadvertently brought a weapon onto school property, the provision of "safe harbor" allows the student to immediately report this to a teacher or administrator and not receive consequences if the weapon has not yet been seen by a teacher, administrator, and school employee or by another student.

Special Circumstances

Given the facts of a particular case, special circumstances may exist indicating that disciplinary action other than suspension and/or expulsion may be appropriate and may be recommended by the principal. The principal may recommend alternate disciplinary action if a student demonstrates intent to harm himself or herself. The Superintendent or the Superintendent's designee shall conduct a preliminary review of all cases under this policy to determine if disciplinary action other than suspension or expulsion is appropriate.

Law Enforcement Agencies/Personnel

School Resource Officer (SRO) is defined in [§ 9.1-101](#) of the Code of Virginia as "a certified law enforcement officer hired by the local law enforcement agency to provide law enforcement and security services to Virginia public elementary and secondary schools." SROs who are assigned to schools should operate under a Memorandum of Understanding (MOU) that outlines the roles and responsibilities of the law enforcement

agency, the school division, and personnel from both. **School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law.**

Roles of Law Enforcement

Law enforcement officers are not school disciplinarians.

The officer's presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division's student code of conduct.

Classroom management rests with the teacher.

Disciplinary responses remain the responsibility of school administrators.

The focus of law enforcement involvement in conduct matters is properly centered on incidents that involve a violation of law. Additionally, issues that do not present "clear and imminent" threat of serious physical injury to a student, teacher, or other member of the school community, or are not a violation of the law, should be handled by school personnel and not by SROs, police, other law enforcement or security officers.

In addition [§ 22.1-279.3:1.B](#) of the Code of Virginia requires law enforcement agencies to notify a division superintendent, a principal, or a designee when a student in their school commits certain offenses that would be a felony if committed by an adult or a violation of the Drug Control Act, or an adult misdemeanor as listed in [§ 22.1279.3:1.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. It further requires that any school superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection § 16.1-260 to report the information to the principal of the school in which the juvenile is enrolled. Requirements for law enforcement agencies to report the release status of the student and for school superintendents to inform principals were added by the 2006 General Assembly.

Required Notification of Certain Offenses to Law Enforcement Authorities

Local school board policy must provide for notification of local law enforcement authorities in accordance with [§22.1-279.3:1.D](#). of the Code of Virginia that principals shall immediately report to the local law enforcement agency any act enumerated in clauses (ii) through (vii) of [§ 22.1-279.3:1.A](#). that may constitute a felony offense. The principal shall also immediately report to the parents of any minor student who is the specific object of any act enumerated in clauses (ii) through (v) of subsection A that may constitute a criminal offense as to whether the incident has been reported to local law enforcement. "No principal shall report" the incident to law enforcement described in clause (i) of section A [§ 22.1-279.3:1. A](#). if the parties complete the established alternative school discipline process. Restorative Practices and mediation too address physical altercations that do not result in injury must be considered and applied.

- 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 that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in § [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 § [22.1-277.07](#), onto school property; vi. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in § [18.2-85](#), or explosive or incendiary devices, as defined in § [18.2-433.1](#), or chemical bombs, as described in § [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 § [18.2-83](#), made against school personnel or involving school property or school buses; or
- 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.

Code Requirements for Drug and Weapons Offenses: Section § [22.1-277.07](#) of the Code of Virginia, permits, but does not require, the expulsion of any student determined to possess a firearm, destruction device, a firearm muffler or firearm silencer, or a pneumatic gun on school property or at a school sponsored activity.

Section § [22.1-277.08](#) of the Code of Virginia, permits, but does not require, the expulsion of students who bring a controlled substance, imitation controlled substance, or marijuana onto school property or to a school-sponsored event. In addition, in the cases of weapons or drugs, school administrators, pursuant to school board policy, and school boards may consider factors listed in § [22.1-277.06](#) in determining special circumstances and may conclude that no disciplinary action or a disciplinary action other than expulsion is appropriate.

Behavioral Menu of Best Practices and Strategies

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Behavior Monitoring

Behavior monitoring involves collecting student behavior data on a regular basis over a period of time and using the data to assist students in meeting behavioral goals. Behavior monitoring can involve varying levels of complexity depending on the skill(s) being monitored, the degree of student involvement in data collection and goal setting, as well as the alignment of data with motivational systems.

Practice Possibilities—Ideas to Consider When Planning

- Establish and teach check-in/check-out practices for students, staff, and parents.
- Create a relationship-based intervention to enhance student engagement through individualized attention for students in partnership with other school staff, family members, and other community service organization.
- Establish data-based teams to regularly review student data (e.g. attendance, behavior, and academic indicators) to inform decision making processes. Identify students who need support and progress monitor students already identified. Develop exit criteria and a transition plan for students no longer needing additional support.
- Create a daily behavior and/or academic report card to monitor student progress. Behavioral progress monitoring records are used by staff to provide students with specific feedback or instruction to monitor performance and develop skills. Have students develop routines and common language to assist with their communication skills regarding classroom behaviors (e.g. Stop. Think. Go.)

Demographic Considerations—Student Factors to Consider When Planning

Students who display culturally appropriate behavior patterns that could potentially be interpreted in a negative way should be considered in decision-making processes before codifying behaviors. Otherwise, schools risk identifying behaviors that are culturally appropriate as disruptive. Meaningful input from families representing various cultural populations can enhance classroom sensitivity, understanding, and responsiveness and also increase family engagement, belonging, and involvement. Also consider language access needs – both how to reduce communication barriers and how to incorporate a student’s primary language into individualized plans.

Students who have been bullied or harassed, or who are at risk of being targets, could be vulnerable in behavior monitoring group-settings and would instead benefit from an individualized progress-monitoring plan. Also, be careful to distinguish between behavioral needs that warrant extra support and behavioral responses to bullying or other forms of harassment.

Strategies for Implementation—Success Factors to Consider When Planning

- Identify a research-based framework to guide behavior monitoring.
- Establish a program to monitor, identify and impact behavior based on research.

- Ensure a systematic approach to include the use of technology for tracking and self-monitoring/assessment.
- Educate all stakeholders on the framework/program and the system.
- Include social, emotional, and academic indicators in the behavior monitoring tool.
- Use common definitions to identify behaviors (where possible align single words with codes in required reporting formats to simplify data collection efforts).
- Determine intervals and what goals are achievable within certain timeframes.
- Ensure there is fidelity to the program as well as fairness and equity.
- Establish and align a method for documenting, coding and tracking behavior.
- Identify the factors and forces that impact the various types of behavior. Determine if variables are attributed to the school or to external forces and address them differently.

Mentoring

Mentoring is defined as a relationship in which an experienced person (mentor) assists another, less-experienced person (mentee) in developing specific skills and knowledge that will enhance the mentee's growth.

Practice Possibilities—Ideas to Consider When Planning

- Partner with local service organizations to establish adult-youth mentoring relationships that include service learning. For example, firefighters could mentor students while also teaching fire safety.
- Empower a group of students to identify potential mentors and develop a mentoring program.
- Develop mentoring in combination with school activities and student clubs.

Demographic Considerations—Student Factors to Consider When Planning

- Students who have limited adult contact or support outside of school could benefit from an adult mentor relationship.
- Students without a parent of their gender may benefit from a gender-matched mentoring program

Strategies for Implementation—Success Factors to Consider When Planning

- Ensure mentoring relationships are clearly defined.
- Evaluate mentors' interpersonal sensitivity and capacity to build rapport with youth as well as families.
- Make mentoring programs available to students in grade levels throughout the district so students can benefit from a mentoring relationship during each stage of their development.
- Streamline processes for clearing volunteer mentors within school buildings.
- Identify potential mentoring resources for metropolitan as well as rural areas and, when necessary, develop a plan to deliver mentoring services in various locations.

Supporting Research

Mentoring often occurs naturally during adolescent development and usually involves an older person with more life experience providing care and assistance to a younger person in the context of a lengthy relationship (CSAP, 2000). Mentoring programs can provide a structured and trusting relationship that bring young people together with caring individuals who offer guidance, support, and encouragement (Hartley, 2004). Mentoring programs can occur in

group settings but usually facilitate one-on-one mentoring relationships (DuBois, Portillo, Rhodes, Silverthorn, & Valentine, 2011).

Mentoring is relational and requires time in which both partners can learn about one another and establish mutual trust. Though a mentor may be a student's peer, most often a mentor is a person at least one or two grade levels higher. Mentor pairings may include middle school students with elementary age students, high school with middle school, or adults with students. If implemented well, mentoring programs hold potential for promoting social-emotional learning and addressing social-behavioral needs in a preventative way (DuBois, et al., 2011).

Mentoring programs can range from informal to formal, but school-based or community-based mentoring programs are often very intentional efforts that recruit mentors who are both experienced and trained (CSAP, 2000).

Mentoring programs can have a positive impact on academic and non-academic student outcomes. One study that partnered at-risk students with positive adult role models in one-on-one mentoring relationships saw improved attendance and grades, as well as decreased discipline referrals over a two-year period (Johnson & Lampley, 2010). A recent meta-analysis of mentoring programs concluded that "mentoring is, by and large, an effective mode of intervention for young people" but added that "effects may hinge to a noteworthy extent on decisions regarding which youth and mentors are targeted and selected for the intervention as well as on the care with which mentoring relationships are then established and guided toward activities that are consistent with the goals of a program" (DuBois, et al., 2011, p. 80).

Cultural competence is a factor that may impact a mentoring relationship. Cultural competence refers to the extent to which individuals have the capacity to effectively work with individuals of a cultural group (Sue, 2006). In regard to youth mentoring, cultural competence requires mentors to acknowledge and reflect on how their values and biases play a role in the perceptions of mentees, and how they experience their relationships with mentees. It is important to consider the mentor's interpersonal sensitivity and capacity to build rapport with youth and their families. When mentees perceive their mentors to be more culturally competent, better quality relationships are likely to result (Sanchez, Feuer, & 2012). Ultimately, mentoring is dependent upon how effective mentors are in establishing relationships with mentees, and cultural competency is an important component of building these relationships.

References

Center for Substance Abuse Prevention. (2000). Mentoring Initiatives: An Overview of Mentoring. U.S. Department of Health and Human Services.

DuBois, D. L., Portillo, N., Rhodes, J. E., Silverthorn, N., & Valentine, J. C. (2011). How effective are mentoring programs for youth? A systematic assessment of the evidence. *Psychological Science in the Public Interest* 12(2):57– 91.

Hartley, R. (2004). Young people and mentoring: Time for a national strategy. *Family Matters*, 68, 22–27. Johnson, K. C., & Lampley, J. H. (2010). Mentoring at-risk middle school students. *SRATE Journal*, 19(2), 64–69.

Sanchez, B., Feuer, R., & Davis, K. (2012). Cultural mistrust and cultural sensitivity in high school seniors' mentoring relationships. Manuscript in preparation.

Sue, S. (2006). Cultural competency: From philosophy to research and practice. *Journal of Community Psychology*, 34(2), 231

Peer Mediation

Peer mediation is a promising practice for resolving interpersonal conflicts among students and teaching practical social skills development. However, successful implementation may depend upon whether the program is designed well enough to avoid peer mediator selection bias and inequitable student learning opportunities. As a practice, peer mediation may be developed as a small component of a larger strategy for teaching conflict resolution skills, improving school climate, and responding to disciplinary referrals.

Practice Possibilities—Ideas to Consider When Planning

- Develop training for students and staff in peer mediation techniques.
- Implement peer mediation programs at different levels: as a school-wide program, in a classroom, or as a school club.
- Demographic Considerations—Student Factors to Consider When Planning
- Secondary-level students, in particular, can benefit developmentally from peer mediation programs because they rely heavily on their peers for social-emotional support and capacity for advanced communication and empathy skills.

Strategies for Implementation—Success Factors to Consider When Planning

- Involve students in all aspects of the program development, implementation, and evaluation.
- Ensure program participation is an option for all students.
- Peer mediators should be neutral and void of a conflict of interest.
- Peer mediators should be supervised by school professionals who have training and expertise in the model.
- The composition of peer mediators should reflect the cultural demographics of the school.
- Participation in peer mediation should be voluntary and amenable to both parties.

Supporting Research

Peer mediation programs can be delivered school wide, in a manner that is class specific, or via a “pull out”/club model. Outcomes of peer mediation programs include: reductions in discipline referrals, improvements in school climate (when part of a school-wide conflict resolution program), satisfaction with solutions, and increased mediator skills in problem solving, decision making, tolerance for alternate points of view, and respect for others (Burrell, Zirbel, & Allen, 2003; Chittooran & Hoeing, 2004). One study showed that peer mediation, combined with mentoring in social-emotional learning, had a significant effect on academic achievement in the language arts (DeVoogd, Lane-Garon, & Kralowec, 2016). A two-year study at a high school in Turkey found that most conflicts referred for peer mediation resulted in resolutions and the overall process was effective for developing social skills and peacefully resolving conflicts (Turnuklu, Kacmaz, Sunbul, & Ergul, 2009).

References

- Burrell, N., Zirbel, C., & Allen, M. (2003). Evaluating peer mediation outcomes in educational settings: A meta-analytic review. *Conflict Resolution Quarterly*, 21(1), 7–26.
- DeVoogd, K., Lane-Garon, P., & Kralowec, C. (2016). Direct instruction and guided practice matter in conflict resolution and social-emotional learning. *Conflict Resolution Quarterly*.

Turnuklu, A., Kacmaz, T., Sunbul, D., & Ergul, H. (2009). Does peer-mediation really work? Effects of conflict resolution and peer-mediation training on high school students' conflicts. *Procedia-Social and Behavioral Sciences*, 1(1), 630–638.

De-Escalation

De-escalation is a technique employed by individuals to provide communicative support to persons experiencing an escalated state. De-escalation communication techniques are verbal and non-verbal. This practice includes identifying escalated situations, using communicative methods to calm individuals, and modeling behavior or providing instruction in self-regulation. As a method of intervention, de-escalation should ultimately lead to the teaching of new skills that can be used in a variety of situations independently.

Practice Possibilities—Ideas to Consider When Planning

- Implement ongoing de-escalation training for all staff that addresses common behaviors while being respectful of cultural differences. Consider including bus drivers, custodians, and other personnel that interact with students who may benefit from de-escalation training.
- Teach staff and students the signs/symptoms of someone experiencing an escalated state and what type of language to use during conflicts. Students and staff could learn how to respond to someone in an escalated state by participating in role-playing activities.
- Provide safe locations and environments in which de-escalation opportunities and silent reflection can occur. Make space available for students to move and exert extra energy.

Demographic Considerations- Student Factors to Consider When Planning

- Elementary children may need more support to identify emotions and to engage in self-calming behaviors. Teaching younger children may also include different techniques based upon their developmental level and readiness. Older children and young adults can rely on increasing knowledge of emotions, and coping mechanisms and may benefit from adult support to pair/match coping with emotions and behaviors.
- Students with physical or cognitive disabilities may have pre-identified triggers that educators should take preemptive actions to address. Monitoring symptoms and documenting the frequency and timing could help guide staff to be aware of events or time(s) of day that the student may be more likely to escalate. Careful monitoring can help determine what type of interventions to employ, whether a referral is appropriate, and/or if an amendment of a student's Individual Education Plan (IEP) is needed.
- Students who come to school with exposure to various types of trauma may disclose information during a de-escalation process that requires follow-up services. When responding to a student in an escalated state, be cognizant/aware of issues of abuse, family situations (i.e. divorce, separations, domestic violence, foster care, adoption, death), and living situations (i.e. homelessness, eviction, living with family, foster care, shelters, etc.).

Strategies for Implementation—Success Factors to Consider When Planning

- Ensure adequate consideration is given to cultural practices and their relationship to behavioral expectations at all times. Staff should be aware of cultural considerations and assess how the influencing effect of dominant cultural norms may exacerbate escalated behavior and/or delay calming and de-escalation.
- Identify factors outside of the school's control that may trigger an escalation. Intervention at this cycle should be carefully organized, planned, and practiced.
- Train all staff in de-escalation techniques, including school building personnel that aren't employed by the district.

- Ensure training is ongoing and frequent enough to support school-wide application. Integrate de-escalation training into induction programs for new educators.
- Utilize assessment tools to identify potential triggers.
- Include students in de-escalation role-playing activities to teach and reinforce self-regulation skills.
- Develop similar language, strategies, and approaches in order to promote generalization of skills and **consistency in addressing escalated situations.**

Supporting Research

De-escalation, as a technique, involves the practical use of communication methods to support students experiencing an escalated state (Bath, 2008). This includes assistance to identify escalated situations, provide methods for calming, and model techniques students can use to self-regulate. As a method of intervention, de-escalation should ultimately lead to the teaching of new skills that can be used in a variety of situations independently.

When a student is considered to be in an escalated state, behavior may range from silent frustration to vocal or physical outburst that present a danger to the student and/or others. Escalated situations can and do occur in the school setting and are best approached systematically, using prevention and intervention strategies. Escalation can happen for a wide variety of reasons. During escalation, there are usually multiple points along a continuum in what could be termed a behavioral crisis cycle (Long, 2007). A student may begin the cycle with mild agitation, where they are somewhat in control, and progress to a point at which they have little to no control over their choices, behavior, or thought process. Educators can use de-escalation techniques at any point during the escalation stage. The de-escalation process should include a recovery phase that may involve the student engaging in reflection, debriefing, and problem solving (Colvin & Scott, 2014).

References

Colvin, G., & Scott, T. M. (2014). *Managing the Cycle of Acting-Out Behavior in the Classroom*.

Corwin Press. Long, N. (2007). The conflict cycle paradigm. In N. Long, W. C. Morse, F. Fecser & R. Newman (Eds.), *Conflict in the Classroom* (6th ed.) Pro-Ed.

Definitions

Behaviors referenced in the *Code of Virginia* and terms related to those references are listed alphabetically in this section. The *Code of Virginia* requires that certain behaviors be included in codes of student conduct and reported to law enforcement. Those behaviors are noted in the last column of the leveled response tables. The *Code* also states that whenever a student commits a reportable incident named in the *Code*, the student shall be required to participate in prevention and intervention activities as determined appropriate by the superintendent or designee (Link: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-279.3:1/>).

Alcohol, Tobacco and Related Products, and Other Drugs

Student conduct policy for alcohol and drugs is addressed related to the possession, use, consumption, purchase, distribution, manufacture, and/or sale of restricted substances on school property, in school vehicles, or during school-sponsored activities on or off school property. This includes, but is not limited to, alcohol, tobacco, electronic cigarettes, and inhalant (vaping) 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 nonprescription drug possessed in violation of school board policy.

LCPS uses sanctions in which a substance abuse prevention/intervention program is available to students in cases of possession, use, or distribution violations. LCPS student assistance program serves as an important programmatic element for substance abuse prevention, intervention, and linkage to treatment.

LCPS school board, in accordance with [§ 22.1-277.2:1](#) of the *Code*, may require any student who has been found in possession of, or under the influence of, or distributing 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.

Arson

Code of Virginia [§ 18.2-79](#) prohibits the burning or destroying of any school. The destruction may be in whole or in part--only a slight burning is necessary to violate this section of the *Code*. Incidents that rise to the level of arson of a school should be turned over to law enforcement for investigation.

Assault: Assault and Battery

The legal definition of assault is a threat of bodily injury. A battery according to Black's online law dictionary is any "wrongful physical violence or constraint, inflicted on a human being without his consent." Courts use these terms to describe behavior. They do not take into account the developmental age of children and therefore should not be used to describe student behavior that does not rise to the level of delinquency. Within the leveled system of student behaviors, age and development should be considered in any instance of physical contact between students. **Behavior that is developmentally expected should not be labeled as assault or battery. However, student conduct policy should specifically prohibit assault and battery of students and staff.**

Attendance: Truancy

[§ 22.1-254](#) of the *Code of Virginia* addresses compulsory attendance, excuses and waivers, alternative education program attendance, and exemptions. The *Code of Virginia* specifically prohibits the use of suspension in cases of truancy: [§ 22.1-277. Suspensions and expulsions of pupils generally.](#)

A. Students may be suspended or expelled from attendance at school for sufficient cause; however, in no cases may sufficient cause for suspensions include only instances of truancy.

Truancy means unexcused absence from school. However, there is an important distinction between a student who is truant and one who is chronically truant. A student displays truant behavior with a single unexcused absence from school, but a student needs to reach or surpass a certain number of unexcused absences to be considered chronically truant. Virginia law does not define a truant specifically but does define a child who is habitually and without justification absent from school as a "child in need of supervision" when certain other conditions are met.

According to [§ 16.1-228. A.](#) of the *Code of Virginia*, the following criteria defines a “child in need of supervision” who is truant:

1. A child who, while subject to compulsory school attendance, is habitually and without justification absent from school;
2. The child has been offered an adequate opportunity to receive the benefit of any and all educational services and programs that are required to be provided by law and which meet the child's particular educational needs;
3. The school division from which the child is absent or other appropriate agency has made a reasonable effort to affect the child’s regular attendance without success; and
4. The school division has provided documentation that it has complied with the provisions of [§ 22.1-258](#) that address actions to be taken when a pupil fails to report to school.

Absenteeism labeled as chronic incorporates all absences: excused, unexcused, and suspensions. Addressing chronic absenteeism focuses on the academic consequences of this lost instructional time and on preventing absences before students miss so much school that they fall behind. It recognizes that students miss school for many understandable issues such as asthma or homelessness or unreliable transportation, for which a punitive response is not appropriate. Chronic absenteeism should be seen as a symptom of an underlying issue and should be addressed via a tiered system of supports framework. That framework may include working with juvenile and domestic court services personnel to address the underlying issues before a Child in Need of Services (CHINS) petition is filed. Developing a Memorandum of Understanding with the Juvenile Court Services is an important part of addressing chronic absenteeism and truancy.

Aggravating circumstances

For the purposes of [§22.1-277](#) and [§22.1-277.05](#) of the *Code of Virginia*, “aggravating circumstances” shall mean:

- i. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or
- ii. That a student’s presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or
- iii. That a student engaged in a serious offense that is:
 - a) persistent (repeated similar behaviors are documented on the student’s disciplinary record), and
 - b) unresponsive to targeted interventions as documented through an established intervention process.

Bomb Threat

LCPS prohibits bomb threats and conduct involving firebombs, explosives, incendiary devices, or chemical bombs. Threats to bomb or damage buildings and giving false information as to danger to such buildings are prohibited by [§ 18.2 -83.](#) of the *Code of Virginia*. Definitions of "explosive material," "fire bomb," and

"hoax explosive device" are defined in [§ 18.2-85](#) of the *Code*. **Bomb threats must be reported to law enforcement.**

Bullying

Section [§ 22.1-276.01](#) of the *Code* defines bullying as 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. **This includes cyberbullying.** It does not include ordinary teasing, horseplay, argument, or peer conflict. School boards are expected to include bullying as a prohibited behavior in their student codes of conduct. Non-criminal behavior associated with bullying includes intimidation, taunting, name-calling, and insults. Typically, cyberbullying is defined as using information and communication technologies, such as cell phone text messages and pictures, and email, social media, blogs, networking websites, defamatory personal websites, and defamatory online personal polling websites, to support deliberate, hostile, behavior intended to harm others.

Disruptive Behavior

"Disruptive behavior" is defined in [§ 22.1-276.01](#) of the *Code* as a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

Dress or Grooming Code

Any practice, policy, or portion of a code of student conduct adopted by a school board that governs or restricts the attire, appearance, or grooming, including hairstyle, of any enrolled student.

Drug-Related Offenses

In accordance with [§ 22.1-277.08](#) of the *Code of Virginia*, shall permit, but not require, the expulsion of any student determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in [§ 18.2-247](#) onto school property or to a school sponsored activity.

A school administrator, pursuant to school board policy, or a school board may determine, based on the facts of a particular situation, that special circumstances exist, and that no disciplinary action or other disciplinary action is appropriate. By regulation, a school board may authorize the superintendent or his designee to conduct a preliminary review of such cases.

Exclusion

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 30 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

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.

Gambling

Section [18.2-325](#) of the *Code of Virginia* defines illegal gambling as the "making, placing, or receipt, of any bet or wager of money or other thing of value, made in exchange for a chance to win a prize, stake or other

consideration or thing of value.” A gambling device includes any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in illegal gambling operations or activity.

Gang-Related Activity

"Criminal street gang" is defined in § [18.2-46.1](#). of the *Code* as meaning “any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.”

Section [16.1-260. G](#). of the *Code* requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including:

1. Prohibited criminal street gang activity pursuant to § 18.2-46.2.
2. Recruitment of other juveniles for a criminal street gang activity pursuant to § 18.2-46.3.

Hazing

Local school board codes of student conduct, in accordance with § [22.1-279.6.B](#). of the *Code*, are required to prohibit hazing and to cite “the provisions of § [18.2-56](#)., which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations; i.e., confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.”

Long-term suspension

Any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days.

Portable Communication Devices

[Section 22.1-279.6. B](#). of the *Code* authorizes school boards to regulate the use or possession of portable communication devices and establish disciplinary procedures for students violating such regulations.

Profane or Obscene Language or Conduct

School board student conduct policy, in accordance with § [22.1-279.6. C](#). of the *Code* is required to prohibit profane or obscene language or conduct. The *Code of Virginia* does not specifically define these terms. Conduct typically prohibited under this provision includes swearing and obscene/offensive gestures, materials, and communications.

Property Violations

- Property violations include, but are not limited to, arson, destruction of property, vandalism, and theft.
- **Destruction of property:** § [22.1-280.4](#). School boards are authorized to seek reimbursement from a pupil or the pupil's parent for any “actual loss, breakage, or destruction of or failure to return property, owned by or under the control of the school board, caused or committed by such pupil in pursuit of his studies.”
- **Theft – Larceny:** The wrongful taking of the property of another without the owner’s consent and with the intention of permanently depriving the owner of possession of the property.

Self-Defense

Procedures for self-defense consideration should include an opportunity for the student(s) to present the student's version of what occurred, as well as a review of facts, involving school personnel and others as appropriate. The fact-seeking process may include students and other staff who may have witnessed the incident or have observed previous interactions between the students involved. In cases where self-defense is claimed, there may be a "history" between the students that often takes the investigation beyond looking at the single incident to examining patterns of interaction, past threats, and bullying. Information is obtained from a variety of persons, including bus drivers, custodians, teachers, other students, and parents.

Based on the criteria used in the judicial system for a claim of self-defense to apply, the following conditions should be met. The person claiming self-defense must:

1. **Be without fault in provoking or bringing on the fight or incident.**
2. **Have reasonably feared, under the circumstances, as they appeared to him, that he was in danger of harm.**
3. **Have used no more force than was reasonably necessary to protect him from the threatened harm.**

Bringing weapons of any kind to school for the purpose of self-defense does not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity.

Short-term suspension

Any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

Stalking

Stalking is defined in § [18.2-60.3](#) of the *Code of Virginia* as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury.

Threats: Intimidation

Threats to kill or to do bodily harm "to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat in reasonable apprehension of death or bodily harm" are specifically prohibited by § [18.2-60](#) of the *Code of Virginia*. The prohibition includes threats to any person or persons "(i) on the grounds or premises of any elementary, middle or secondary school property, (ii) at any elementary, middle, or secondary school-sponsored event, or (iii) on a school bus...."

Section 18.2-60. B. of the *Code* prohibits an oral threat to kill or to do bodily injury to any employee of any elementary, middle or secondary school, while on a school bus, on school property, or at a school-sponsored activity. The 2009 General Assembly amended § [22.1-279.6](#) of the *Code of Virginia* to prohibit the "use of electronic means for purposes of bullying, harassment, and intimidation...."

Section [22.1-79.4. C.](#) (Threat assessment teams and oversight committees) directs division superintendents to establish threat assessment teams for schools. The teams are to:

provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self...

Trespassing

Trespassing upon school property, including school buses, is specifically prohibited by § [18.2-128](#). of the *Code of Virginia*: Any person who, without the consent of some person authorized to give such consent, goes or enters upon, in the nighttime, the premises or property of any school property for any purpose other than to attend a meeting or service held or conducted in such school property, shall be guilty of a Class 3 misdemeanor.

“Trespassing should be used to report instances of unauthorized student presence that occur outside of school hours or are deemed to have an unlawful purpose. These instances should be reported to law enforcement as they are violations of [§ 18.2-128](#). of the *Code of Virginia*.

Weapons or Other Dangerous Articles

Weapons violations considered for expulsion shall permit, but not require those stipulations enumerated in the *Code of Virginia* [§ 18.2-308.1](#). and in the federal *Gun-Free Schools Act*. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

Carrying, bringing, using, or possessing dangerous instruments in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity on or off school property is grounds for disciplinary action. Dangerous instruments, for example, may include letter openers, screwdrivers, hammers, hatchets, and other devices that could be used to inflict harm upon another person. **Not subject to mandatory expulsion is possession of a knife that is customarily used for food preparation or service and is possessed by the student for the sole purpose of personal food preparation and service.**

Weapons-Related Offenses

School board policy, in accordance with § [22.1-277.07](#). of the *Code of Virginia*, permits, but does not require, expulsion of any student determined to possess a firearm, destructive device, a firearm muffler or firearm silencer, or a pneumatic gun on school property or at a school-sponsored activity. Definitions of "firearm," "destructive devices," and "pneumatic gun" are set forth in § 22.1-277.07. E. of the *Code* and are consistent with the federal *Gun-Free Schools Act*.

This prohibition does not apply to Junior Reserve Officers Training Corps (JROTC) programs or to the possession of firearms as part of the curriculum or other programs sponsored by the schools or other organization permitted by the school to use its premises.

A school administrator, pursuant to school board policy, or a school board may determine, based on the facts of a particular situation, that special circumstances exist, and that no disciplinary action or another disciplinary action is appropriate. A school board may, by regulation, authorize the division superintendent or designee to conduct a preliminary review of such cases.

A school board policy may permit or require students suspended or expelled for weapons-related offenses to attend an alternative education program provided by the school board for the term of the suspension or expulsion.

Student Behavior Categories

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents, and counselors of students' social-emotional development and emphasize the importance of helping students achieve academically and develop SEL competencies.

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

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

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

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

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

The categories are a means to sorting behaviors in order to apply administrative responses to student behaviors.

Code Violation Levels

Code Violation Levels offer school administrators guidance when determining the appropriate interventions, supports, and/or responses for student misconduct. **Each level represents explicit consequences permitted for specific code violations; however, depending on the circumstances, administrators may provide an intervention, support, or consequence from a lesser category.**

Please note for levels 3, 4, 5 & 6: Elementary students (PK-3rd grade) may not be suspended for more than three (3) school days or expelled from attendance at school unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

LEVEL 1: Code violations under this category shall result in classroom supports, interventions, or minor consequences (ISS/RESET).

LEVEL 2: Code violations under this category may result in minor consequences, or a suspension for a maximum of three (3) days.

LEVEL 3: Code violations under this category may result in a suspension between one (1) and five (5) days.

LEVEL 4: Code violations under this category may result in a suspension between one (1) and 10 days.

LEVEL 5: Code violations under this category shall result in suspension between 11 and 45 school days.

The long-term suspension may extend beyond a 45-school-day period, if the division superintendent or designee finds that (i) the offense involves a firearm or destructive device, firearm muffler or firearm silencer, or a pneumatic gun, drugs or serious bodily injury or (ii) the local school board or the division superintendent or designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

LEVEL 6: Code violations under this category shall result in a recommendation for expulsion. In this Standards of Student Conduct, each of the Code Violations include the Code of Virginia’s offense code, the LCPS Public Schools’ Code Violation Category, as well as, the name of the actual violation/offense. School and district administrators will use these codes and categories to make decisions regarding student discipline, as well as, to document and analyze discipline data.

Additionally, this Code of Student Conduct, contains separate Code Violation sections dedicated to elementary and secondary students. LCPS believes that different levels of development warrant different levels of responsibility; therefore, the consequence may vary.

See examples below.

SCHOOL LEVELS	VA OFFENSE CODE	CODE VIOLATION LEVEL	VIOLATION/OFFENSE
ELEMENTARY	TF1	LEVEL 3	THEFT OF SCHOOL PROPERTY
SECONDARY	TF1	LEVEL 4	THEFT OF SCHOOL PROPERTY
ELEMENTARY & SECONDARY	AT1	LEVEL 1	EXCESSIVE ABSENCES

Schools administrators must find a balance between eliminating disruptive behavior and maximizing student instructional time. Factors to be considered when disciplining a student:

- Seriousness of the behavior and level of harm
- Age, health or disability
- Impact of incident on the overall school community
- Student’s understanding of the impact of their behavior
- Impact of student’s action on the safety of other students or staff
- Student’s willingness to accept responsibility for behavior and repair harm caused

- Student's prior conduct and disciplinary record

A basic positive approach to discipline is using consequences as a “teachable moment” to address inappropriate behavior while teaching positive behaviors. The goals of progressive responses are:

- **To Increase accountability**
- **Bring about behavioral change**
- **Prevent recurring negative behavior**

Teach students to understand why the behavior is unacceptable and what harm is caused. Students need to have an understanding of what they could have done differently in the same situation and take responsibility for their actions. They should be given the opportunity to learn positive social strategies and skills so not to repeat the behaviors, while understanding that the responses will increase if the behavior continues.

Every effort should be made to correct student negative behaviors through interventions and other school and division resources and with the least *severe* disciplinary responses.

LEVELS AND INTERVENTION RESPONSES

Interventions are aimed to teach and correct alternative behavior to support a safe and respectful learning environment and ensure student academic and behavioral success. When working with students, it is important to remember that all behavior serves a function and has communicative intent. If the students' needs are not met in an appropriate manner, it becomes increasingly difficult for them to be available for learning. Thus, consultation of the crisis cycle is an important component to support staff in preventing, intervening, and deescalating behavior.

LEVEL 1

Interventions and Responses

Level 1 responses are intended to prevent further behavioral issues while keeping the student in school.

Documented parental notification is required.

- Re-teaching or modeling of desired behavior
- Acknowledge appropriate behavior
- Check In/Check Out
- Classroom management practices: Arrange Orderly Classroom Environment; Active Supervision; Define, Teach, Acknowledge Rules and Routines; Behavior Specific Feedback; Error Correction, Opportunities to Respond, Class wide Group Contingencies
- Student/Teacher/Dean conference
- Written reflection or letter of apology
- Peer mediation or conflict resolution using restorative language questions
- Behavior progress chart/Behavioral monitoring
- Community service (appropriate to correct the behavior)
- Restitution
- Seat change
- Schedule change

- Loss of school privileges
- Confiscation by the administration
- Teacher/Student/Dean/Parent/Guardian conference
- Increase ration of positive feedback

LEVEL 2

Interventions and Responses when Level 1 is Ineffective or Severity of Incident Warrants:

Administrative responses and interventions at Level 2 are designed to prevent further behavioral issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate. **Documented parental notification is required.**

- Consider student response and staff implementation to Level 1 Responses
- Student/Teacher/Dean conference
- Administrator/Teacher/Counselor/Student conference (includes re-teaching of expected behavior)
- Administrator/Teacher/Parent/Guardian conference
- Check In/Check Out
- Mediation or conflict resolution using Restorative Language/Circles
- Detention (before school, at lunch, after school)
- Initiate Functional Behavior Assessment (FBA) and Behavioral Intervention Plan (BIP) development for student
- Referral to support services (e.g., School Counselor, School Social Worker, School Psychologist, Student Assistance Specialist, Mentor Program, Problem Solving Team, Substance Use and Intervention Program)
- Referral to individualized Education Plan (IEP) team for students with a pre-existing IEP. **(This is not the process for general education students – the student must go through the Child Study Team to determine if the student may be in need of educational testing which may or may not result in meeting criteria as a student with a disability)**
- Schedule change
- Community service (appropriate to correct the behavior)
- Referral for community-based services
- Saturday school
- Restitution
- Confiscation by the teacher/dean
- Temporary loss of privileges
- In-school restriction with behavioral interventions and/or restorative practices

LEVEL 3

Referral to Administrator (Assistant Principal or Principal) Interventions and Responses

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

- Administrator/Teacher/Student/Parent/Guardian conference
- Detention
- In-school suspension with restorative practices (three plus days not to exceed five days)

- Referral to support services (e.g., School Counselor, School Social Worker, School Psychologist, Student Assistance Specialist, Mentor Program, Problem Solving Team, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
- Referral for community-based services
- Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) review development (**Special Education and General Education Students**)
- Community service
- Revocation of privileges
- Restitution
- Referral to alternative education programs
- Short-term out-of-school suspension (one-three days for elementary students /one-five days for secondary students) with restorative circle or conference upon return
- Behavior contract (developed with and signed by the student, parent/guardian, and school officials)
- Report to law enforcement as required

LEVEL 4

Referral to Administrator Level Interventions and Responses

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

Documented Parental notification is required.

- Threat Assessment as indicated by the behavior
- Report to law enforcement as required
- Parent/ Administrator/Teacher/Student behavior contract
- Long-term revocation of privileges
- Restitution via written contract
- Referral for community-based services
- Schedule change
- **Short-term out-of-school suspension (for preschool to grade three students - one to three days; for fourth to sixth grade students - four to ten days; for seventh to twelfth grade students - five to ten days)**
- Recommendation for a long-term suspension as determined by local policy or by Code. Link: (11 to 45 days as defined in [§ 22.1-276.01](#))

LEVEL 5

Referral to Administrator with Possible Responses Beyond Suspension

Student is severely disrupting the learning environment of the school or severity of behavior warrants a more intensive response. **Office referral and documented parent notification required.**

- Behavior contract – Include statement, “Next referral will result in a referral to Office of School Administration”
- Restorative Conference – (involving appropriate individuals)

- Loss of bus privileges
- Re-entry Support Administrative (intervention session to address replacement behaviors/strategies, academic needs and social relationships harmed)
- Extended suspension (31 days or more) from participation with student activities

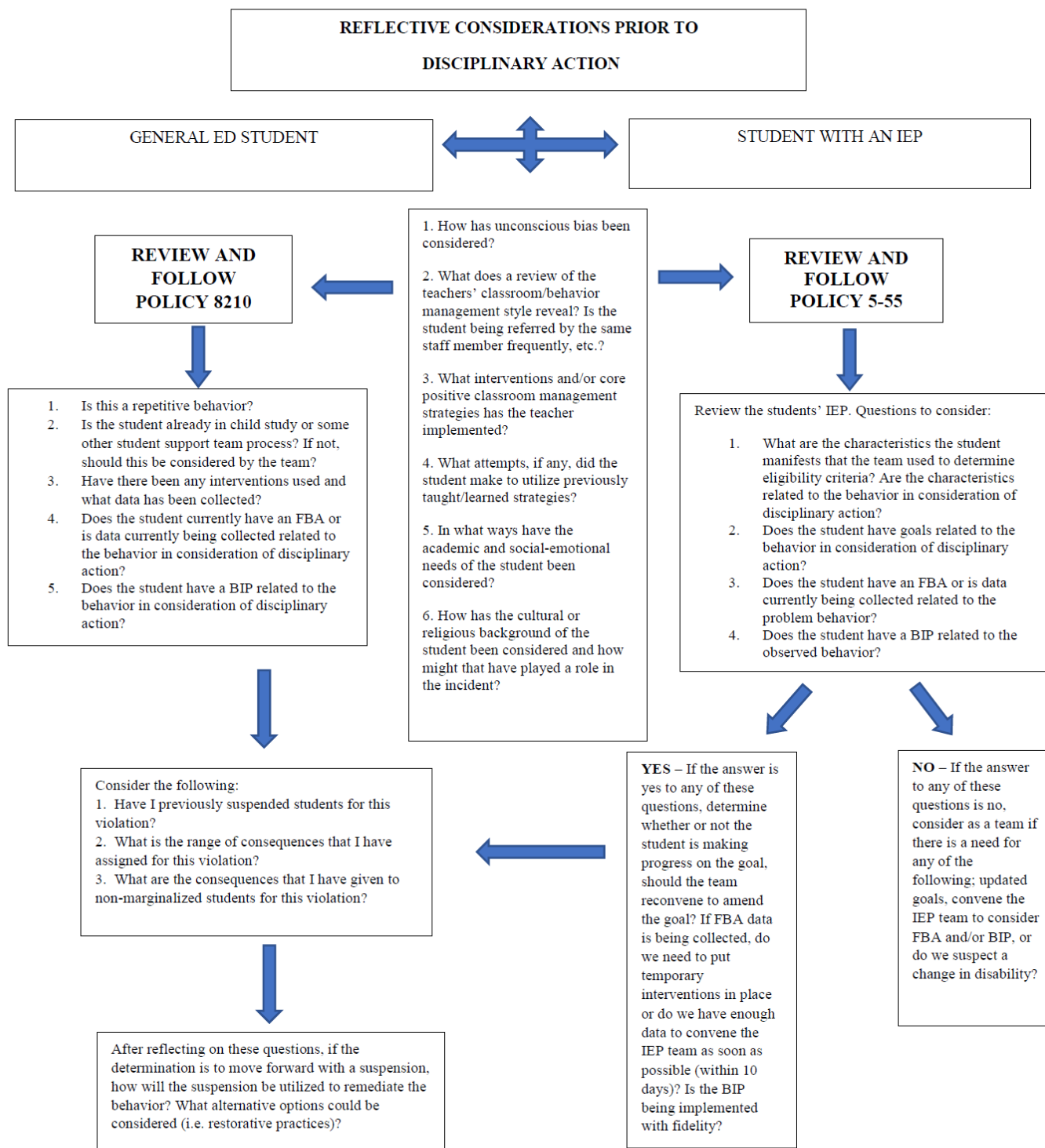
LEVEL 6

Referral to Administrator with Possible Responses Beyond Suspension or Involvement of Office for School Administration.

- Restorative Conference – (Involving appropriate individuals)
- OSS (6-10 days)-OSS days of 6-10 days may be lessened if the mental health evaluation demonstrates the student no longer poses a threat to the safety of the school staff and students.
- OSS (10 days) with meeting to be placed on Behavior Contract ***SWD**
- Return to school setting with additional re-entry supports

OSS (10 days) with referral to the Office of School Administration for recommendation for suspension in excess of 10 days or expulsion ***SWD**

AFTER GATHERING INFORMATION RELATED TO THE INCIDENT AND FOLLOWING THE PROCEDURES OUTLINED IN THE SCHOOL BOARD POLICY, UTILIZE THIS GUIDANCE DOCUMENT. THE PURPOSE IS TO ENSURE THAT WE ARE UTILIZING REFLECTIVE AND EQUITABLE DISCIPLINE PRACTICES, AND ALSO AVOIDING VULNERABLE DECISION POINTS.



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Victim Counts

The following offenses listed below require a victim count due to the nature of the offense. Therefore, any offense reported using one of these codes must also include the number of victims.

- Aggravated Sexual Battery
- Assault/Battery With Firearm or Other Weapon Against Staff
- Assault/Battery With No Firearm or Weapon Against Staff
- Assault/Battery With Firearm or Other Weapon Against Student
- Assault/Battery With No Weapon Against Student
- Assault/Battery Without Bodily Injury
- Bullying
- Cyber Bullying
- Harassment, Non-sexual (Physical, Verbal or Psychological)
- Hazing
- Malicious Wounding Without a Weapon
- Possession of Stolen Property
- Sexual Battery Against Staff
- Sexual Battery Against Student
- Sexual Harassment
- Sexual Offense Offensive Touching Against Staff
- Sexual Offense Offensive Touching Against Student
- Sexual Offenses Against Staff Forcible Assault
- Sexual Offenses Against Student Forcible Assault
- Sexual Offenses Against Staff Attempted Forcible Assault
- Sexual Offenses Against Student Attempted Forcible Assault
- Sexual Offenses Without Force (consensual)
- Stalking
- Theft Offenses (No Force)
- Theft/School Property
- Theft/Staff Property
- Theft/Student Property
- Threat/Intimidation Against Staff (Physical or Verbal)
- Threat/Intimidation Against Student

Categories of Behavior Descriptors and Responses

The following chart brings together the Codes of Student Behavior Descriptors and the Levels of Administrative Responses to facilitate an equitable, responsive application of standards of student conduct. The chart displays explicit level responses for elementary and secondary schools. LCPS staff are encouraged to differentiate responses to behavior for elementary students and secondary students.

Administrative Codes and Responses to Student Behaviors

A. Excessive and Unexcused Tardiness or Absences to School or Class

Students are expected to attend all assigned classes every day. Absence from class includes late arrival, early Dismissal or being missing from any class. Justifiable reasons for non-attendance should be submitted to the school for each absence, late arrival, or class absence. Absences from class require approval from an administrator. Unexcused tardiness and/or skipping class are considered violations of compulsory attendance.

B. Compulsory Attendance

When a student accumulates five (5) unexcused absences, the parent or guardian will be contacted, and a meeting will be scheduled to jointly develop a plan to resolve the student's nonattendance. If the student is absent for more than one (1) additional day after a plan has been developed to resolve the absences, a school conference will be held with the administrator or his/her designee, parent or guardian and the student (if appropriate). The school conference will be held no later than 10 school days after the student's 10th absence. The conference team will monitor the student's attendance and may meet again as necessary to address concerns and plan additional interventions. If attendance does not improve, a referral will be made to the attendance officer.

Upon receipt of a referral, the attendance officer will schedule a conference with the student and his/her parent or guardian within 10 school days. Following this conference, the attendance officer may file a complaint with the juvenile and domestic relations district court, alleging the pupil is a child in need of supervision or in institute proceedings against the parent.

C. Truancy

All student absences are considered unexcused unless the parent either calls the school or sends a written note to provide a justifiable reason for the absence within 24 hours of the absence. Acceptable excuses include the following:

- a. Illness of student.
- b. Serious illness in family which necessitates absence of student.
- c. Death in family.
- d. Special and recognized religious holidays.
- e. Other reasons approved by principal.

A written statement by a physician may be required when a student misses more than 10 days during the school year because of illness.

D. Leaving School Property without Permission

Once a student arrives on school property, he/she may not leave without administrative permission prior to the end of the regularly scheduled day. Students with early dismissals must sign out prior to leaving school. High school students with written

authorization from a parent or legal guardian, may sign themselves out; however, elementary/middle school students must be signed out by a parent or legal guardian who must present a pictured ID card when picking a student up from any school.

****Please note in the tables below:**

- E represents Elementary
- S represents Secondary
- In categories B and C the following applies:
**D4C, D6C, BU3 levels 2-4 are applied to grades 4-12.

Category A: Behaviors that Impede Academic Progress (BAP) of the student or other students	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Notify LE
AT1: Excessive Tardiness and/or Absences	E S						
AT2: Truancy	E S						
AT3: Leaving Without Permission	E S						

Category B: Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Notify LE
BO4: Setting Off False Fire Alarm		E	S				X
C1M: Violation -Electronic Devices/Computer		E	S				
C2M: Violation of Cellular Telephones	E	S					
C3M: Violation of Student Technology Acceptable/Appropriate Use policy	E	S					
D1C: Disrespect (walking away, etc.)	E	E S					
D2C: Defiance (refuses to follow directives)	E	E S					
D3C: Disruptive Demonstrations (Protest)	E	E S					
D4C: Wearing, Possessing, or Distributing Obscene or Disruptive Materials, specifically racially hostile slogans, symbols, images (ex. Confederate flags, Swastika, nooses) that are discriminatory	E	ES	ES	ES	S		
D5C: Classroom or Campus Disruption	E	E S					
D6C: Using Obscene or Inappropriate /Hateful Language /Actions or Gestures	E	E S	ES	ES	S		
D7C: Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract	ES	ES					
D8C: Interfering with learning outside the classroom/hallway (excessive noise, talking interrupting a class)	ES	ES					
G1B: Gambling	E S	E S					
IT1: Cheating	E S	E S					
IT2: Plagiarism	E S	E S					
RG1: Inciting a Riot	E	S	S				
RG2: Attempting to Incite a Riot	E S	S					
S2V: Misrepresentation	E S						

T1C: Unauthorized Use of Technology or Information	E	S	S				
T2C: Causing/Attempting to Cause Damage to Computer Software or Files	E S	E S					
VN1: Vandalism of School Property (Level. 3, depending on cost of repair/replacement)	E	ES	S				
VN1: Vandalism of Private Property (Level. 3, depending on cost of repair/replacement)	E	ES	S				
VN3: Graffiti (level 4, if gang related)	E	ES	S	S			

Category C: Relationship Behaviors (RB) that create a negative relationship between two or more members of the school community- (No physical harm is done)	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	NOTIFY LE
BU1: Bullying		E S	E S	S			
BU2: Cyber Bullying		E S	E S	S			
BU3: Using slurs based on race, ethnicity, color, national origin, immigration status, weight, gender identity, sexual orientation, or disability	E	ES	ES	ES	S		
PC1: Inappropriate physical contact (non-sexual, hitting, pinching that violates school rules regarding contact)	ES	ES					
HR1: Harassment (Non-Sexual) - physical, verbal, or psychological and emotional	E	E	E S	S			
PVL1: Using profane or vulgar language or gestures (swearing, cursing, gestures)	E	ES	ES				
ST1: Stalking		E	S				

Category D: Behaviors of Safety Concern (BSC) create unsafe conditions for students, staff, and or visitors	Level 1	Level 2	Level 3	Level 4	Level 5	CAT 6	Report to LE
AC1: Alcohol Possession			E	S			X
AC2: Alcohol Use				E S			X
AC3: Alcohol Distribution (Intent to Sell or Distribute)				E	S		X
AS1: Arson: Actual					S		X
AS2: Arson Attempted			E S				X
AS3: Lighted Firecrackers, Cherry Bombs, Stink Bombs (That Contribute to a Damaging Fire)			E	S			X
BA1: Battery/Assault (No Injury)			E	S			X
DG1: Schedule I & II Drug Use (e.g., heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, Adderall®, Hydrocodone®, Percocet®, Ritalin®, Oxycontin®,			E	S	S		X

etc. including controlled substance analogs and cannabimimetic agents)							
DG2: Schedule I & II Drug Possession (includes controlled substance analogs and cannabimimetic agents)			E	S	S		X
DG5: Synthetic Marijuana Use or Possession			E	S			X
DG7: Marijuana Use			E	S			X
DG8: Marijuana Possession				S			X
D10: Other Drug Use/Possession (includes cannabimimetic agents)			E	S			X
D11: Other Drug or Paraphernalia Possession (includes cannabimimetic agents)		E	S	S			X
D15: Possession of Inhalants	E	E	S				X
D16: Use of Inhalants	E	E	S				X
D17: Substances Represented as Drugs (Look-alikes)	E		S				X
D20: Anabolic Steroid/Use and Possession		E	S	S			X
FFA: False Fire Alarm	E	E S	S				X
MW1: Malicious Wounding (No Weapon)			E	S			X
STE1: Stealing money or property without physical force		E	E S				
STE2: Stealing money or property using physical force (assault) (no weapon)		E	E S	S			X
TC1: Tobacco Use		E S					
TC2: Tobacco Possession		E S					
TC3: Tobacco Sales/Distribution			E S				
TB2: Electronic Cigarette/Vapes (possession, use, sale, distribution)							
T4B: Bringing Tobacco Paraphernalia to School or School Event		E S	E S				
TF1: Theft of School Property		E	S				
TF2: Theft of Staff Property		E	S				
TF3: Theft of Student Property		E	S				
TF4: Possession of Stolen Property		E	S	S			
T11: Threat/Intimidations (Staff)			E S	E S	S	S	X
T12: Threat/Intimidations (Student)			E S	E S	S	S	X
TRP1: Trespassing	E S	E S					

Category E: Behaviors that Endanger Self or Others (BESO) Behaviors endanger the health, safety, or welfare of either student or others in school community	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Report to LE
BA1: Battery/Assault (Staff with Weapon)			E	E S	S		X
BA3: Battery/Assault (Student with Weapon)			E	E S	S		X
BA4: Battery/Assault (Student no Weapon)			E	E S	S		X
BO1: Bomb Threat		E	E S	S			X
DG3: Schedule I & II Drug Sale/Distribution			E	S			X
DG6: Synthetic Marijuana Distribution and Sale			E	S			X
D6G: Over-the-Counter/Prescription Medication/Sale/Distribution			E	S			X
DG9: Marijuana Sale/Distribution			E	S			X
D12: Other Drug Sale/Distribution (includes cannabimimetic agents)			E	S			X
D17: Substances Represented as Drugs (Look-Alikes)			E	S			X
D19: Anabolic Steroid Sale/Distribution			E	S			X
DR3: Violations of prescription drugs, theft, or attempted theft of prescription drugs		E	S				X
D4G: Over-the-Counter Medication Use			E S				
D5G: Over-the-Counter Medication Possession	E	S					
F1T: Minor Physical Altercation (Pushing/shoving)		E S					
FA2: Fighting - No/Minor Injury (Level. 3 - subsequent offenses)		E S	E S				
GA1: Gang Activity (Level. 3 - for a subsequent offenses)		E S	S				
H1Z: Hazing	E	E S	S				
SB1: Sexual Battery (Staff)			E	S	S	S	X
SB2: Sexual Battery (Student)			E	S	S	S	X
SX0: Sexual Harassment (level 5 for subsequent offenses)	E	E	E S	S	S		X
SX1: Offensive Sexual Touching - Staff (5 for subsequent offenses)		E	E S	S	S		X
SX2: Offensive Sexual Touching - Student (5 for subsequent offenses)		E	E S	S	S		X
SX3: Forcible Assault/Rape (Staff)			E	S	S	S	X
SX4: Forcible Assault/Rape (Student)			E	S	S	S	X
SX5: Attempted Forcible Assault/Rape (Staff)			E	S	S		X

SX6: Attempted Forcible Assault/Rape (Student)			E	S	S		X
SX7: Sexual Offenses (Consensual)			E	S	S		X
SX8: Aggravated Sexual Battery			E	S	S	S	X
W1P: Possession of Ammunition	E	S	S				
W2P: Possessing or Bringing to School or a School-Sponsored Event any Substance Used as a Weapon (Mace, Tear Gas, or Pepper Spray)			ES	S			X
WP0: Possession of Pneumatic Weapon (BB Gun, Paintball Gun, or Pellet Gun)			ES	S			X
WP1: Possession of Firearm					ES	ES	X
WP2: Possession of a Shotgun or Rifle					ES	ES	X
W3P: Bringing a Toy/Look-alike Gun to School or School Event			E	S			
WP4/Cat. 4 or 5A: Possession of Weapon That Expels a Projectile			E	S			X
WP5: Possession of a Knife (Blade 3 inches or longer)			E	S			
W9P: Bringing Fireworks, Firecrackers or Stink Bombs to School or School Event			ES				X
WP6: Possession of Explosive Device or a Bomb			E	S	S		X
WP7: Use of Explosive Device or a Bomb			E		S	S	X
WP9: Possession of Other Weapons			E	S	S		X
W8P: Bringing Razor Blades/Box Cutter to School or School Event			ES	S			
WT1: Possession of Taser or Stun Gun			E	S			

*The disciplinary reporting requirements indicate if the offense is required by law and/or 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)*.