

STANDARDS OF STUDENT CONDUCT VIOLATIONS AND CONSEQUENCES

The Director or designee shall determine the appropriate disciplinary measures for each case of misconduct by a student, except where consequences are predetermined by specific Regional School Board policy or by law. Determinations of disciplinary measures shall include considerations of the relative impact of a violation on the entire student body as well as on the individual, the school, and the student's cumulative discipline record.

The director or his/her designee shall inform, consult with, or refer to the chairperson of the Superintendents' Steering Committee, hereafter known as "Superintendent", any discipline matters that involve situations of extreme danger, acts of violence, threats to the school, and any discipline matters that involve unusual circumstances or need special handling. The director or director's designee shall notify the parent of each suspension and may request a parent conference prior to readmission. All disciplinary actions shall be taken in accordance with due process requirements

Student Conduct outlines five (5) student behavior categories and the levels of administrative response(s) that may occur for each. The following factors are used in determining the consequences for a specific violation of the *Code*:

- • 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.
- • 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 the 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 this *Student Conduct*, students, and their property, including but not limited to, backpacks, bags, wallets, other containers, automobiles, lockers, desks, and any MLWGS assigned device(s) may be searched. All such searches are conducted with an administrator and a member of security present. Any materials confiscated are immediately inventoried by both school officials. Metal detectors, 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 *Code*.

Behavior Categories and Range of Consequences

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 Social Emotional Learning SEL competencies.

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

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

Relationship Behaviors (RB): These behaviors create a negative relationship between 2 or more people that does not result in physical harm. Relationship behaviors impact the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.

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

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

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

C. Leveled Systems of Disciplinary Responses and Instructional Interventions

In an effective approach to intervention and discipline, when students do not meet behavioral expectations, they receive supports to address the root causes of the behavior and learn appropriate alternatives. When a specific student behavior does not change following an intervention—or the behavior increases in frequency, intensity, or duration—a problem solving approach is used to identify alternative interventions and responses. All stages of a system of intervention should include opportunities for learning acceptable replacement behaviors within the school and community and access to interventions to address the underlying causes of behavior.

Delivering disciplinary responses to unwanted behaviors is often a needed but never sufficient strategy for reducing inappropriate behavior. Therefore, leveled systems of disciplinary responses should always be only one part of more comprehensive policy around behavior that

includes instructional, preventive and proactive strategies as described earlier in this document. The delivery of disciplinary responses should only serve 4 key functions:

- preventing a negative behavior from being rewarded
- preventing a problem behavior from escalating
- preventing a problem behavior from significantly interrupting instruction
- preventing physical and/or social emotional harm to others

D. Leveled Administrative Responses to Student Behavior

Administrators and leadership teams should engage in a data driven decision-making process to determine appropriate responses for behaviors at all levels. Consequent actions or punishment should always be addressed with instruction and intervention. Instruction should focus on helping students develop social emotional competencies needed to change the behavior.

All referrals to an administrator should include communication with the family. Family involvement is critical to addressing student behavior.

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

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| Re-teaching or modeling of desired behavior | Recognize/Reward appropriate behavior |
| Written reflection or letter of apology | Peer mediation or conflict resolution |
| Behavior progress chart | Community service (appropriate to correct the behavior) |
| Restitution | Seat change |
| Loss of school privileges administration | Confiscation of item or device by the |
| Administrator/Teacher/Parent/Guardian conference | Detention (before school, at lunch, after school) |
| Administrator/Student conference and/or Administrator/Student/Teacher conference | |
| In-school suspension (Up to two days) with behavioral instruction and academic support | |

Level 2 Responses: Administrative responses and interventions at this level are designed prevent further behavior 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.

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| Student conference | Administrator/Teacher/Parent/Guardian |
| conference | |
| Check-In/Check-Out | Mediation or conflict resolution |
| Detention (before school, at lunch, after school) | Referral to Individualized Education Plan (IEP) team |
| Schedule change | Community service (appropriate to correct the behavior) |
| Referral for community-based services | Saturday school |
| Restitution | Confiscation |
| Temporary loss of privileges | |

reassignment, or long-term suspension.

Required School-based Administrative Responses to Level 5 Behaviors

Threat Assessment as indicated by the behavior Referral to law enforcement as required

Referral to home school superintendent or designee

Examples of home school superintendent or designee responses to Level 5 behavior

Long-term suspension² Link: (11 to 45 days as defined by HB1600 in 2018)

Alternative placement

Expulsion

School reassignment: students may be assigned back to home division.

Categories of Behavior Descriptors and Responses

The following charts bring together the Categories of Student Behavior Descriptors and the Levels of Administrative Responses to facilitate the equitable, responsive application of standards of student conduct.

MLWGS Responses to Student Behaviors

Behaviors that Impede the Academic Progress (BAP) of the student or of other students	Level 1	Level 2	Level 3	Level 4	Level 5	SRO
Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)	X	X	X			
Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)	X	X	X			
Scholastic dishonesty (cheating, plagiarism)	X	X				
Unexcused tardiness to class	X	X				
Unexcused tardiness to school	X	X				

Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures	Level 1	Level 2	Level 3	Level 4	Level 5	SRO
Altering an official document or record		X	X			
Giving false information, misrepresentation	X	X	X			
Refusal to comply with requests of staff in a way that interferes with the operation of school		X	X	X		
Failure to be in one's assigned place	X	X				
Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday School)	X	X	X			

²§ 22.1-276.01 as amended by House Bill 1600 Approved March 23, 2018 "Long-term suspension" means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days. For the purpose of data collection, removal from the student's school for disciplinary reasons constitutes suspension.

Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building		X	X	X		
Dress Code Violation	X	X				
Gambling (games of chance for money or profit)	X	X				
Possessing items that are inappropriate for school (examples include toys, literature, electronics)	X	X	X			
Possession of stolen items		X	X			X
Unauthorized use of school electronic or other equipment	X	X	X			
Violation of the Acceptable Use of Technology/internet policy	X	X	X			
Violation of school board policy regarding the possession or use of portable communication devices	X	X	X			
Vandalism, graffiti or other damage to school or personal property		X	X	X		X

Relationship Behaviors (RB) create a negative relationship between 2 or more members of the school community (No physical harm is done)	Level	Level	Level	Level	Level	SRO
Bullying with no physical injury (<u>See Model Policy to Addressing Bullying in Virginia’s Public Schools</u>)	X	X	X			
Cyberbullying (<u>See Model Policy to Addressing Bullying in Virginia’s Public Schools</u>)	X	X	X			
Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability		X	X	X		
Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature		X	X	X		
Unwanted or inappropriate physical contact	X	X	X			
Posting, distributing, displaying or sharing material or literature that is libelous, including using electronic means to post such material	X	X	X			
Stealing money or property without physical force	X	X	X			
Speaking to another in an uncivil, discourteous manner	X	X	X			
Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight	X	X	X			
Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)		X	X	X		
Failure to respond to questions or request by staff	X	X	X			

Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school	Level	Level	Level	Level	Level	SRO
Alcohol: Possessing or using alcohol			X	X		X
Alcohol: Distributing alcohol to other students			X	X		X
Drugs: Possessing drug paraphernalia		X	X			X

Drugs: Violating school board non-prescription (Over the counter) medication policy or look-alike drug policy		X	X			X
Tobacco: Possessing/Using/Distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment		X	X			
Bullying Behavior without physical injury that continues after intervention (<u>See Model Policy to Addressing Bullying in Virginia’s Public Schools</u>) Bullying that leads to physical injury should be classified as Assault and Battery.		X	X	X		
Cyberbullying that continues after intervention (<u>See Model Policy to Addressing Bullying in Virginia’s Public Schools</u>) Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.		X	X	X		
Harassment: Repeatedly annoying or attacking a student or a group of students or personnel creating an intimidating or hostile educational or work environment		X	X	X		
Bus: Distracting the bus driver	X	X	X			
Bus: Endangering the safety of others on the bus		X	X	X		
Fire alarm: Falsely activating a fire or other disaster alarm		X	X			X
Fire related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke		X	X	X		
Engaging in reckless behavior that creates a risk of injury to self or others	X	X	X			
Fighting that results in no injury as determined by the school administration		X	X	X		
Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students			X	X		
Throwing an object that has the potential to cause a disturbance, injury, or property damage		X	X	X		
Shoving, pushing striking a student with no visible injury	X	X	X			
Exposing body parts, lewd or indecent public behavior			X	X		X
Physical contact of a sexual nature – patting body parts, pinching, tugging clothing		X	X	X		X
Physical sexual aggression and/or forcing another to engage in sexual activity; Sexual Assault					X	X
Stalking as described in the <i>Code of Virginia section 18.2 -60.3</i>		X	X			X
Stealing money or property using physical force (no weapon involved)		X	X			X
Stealing money or property or attempting to steal money or property using weapons or dangerous instruments				X	X	X
Leaving school grounds without permission		X	X			
Trespassing		X	X	X		
Possessing dangerous instruments/substances that could be used to inflict harm upon another			X	X		X
Weapons: Possessing any weapon (other than a firearm) as defined by § 18.2-308.1			X	X	X	X

“Weapons” shall include, but is not limited to, guns, firearms, blank guns, starter guns, pellet guns, air guns, toy guns, tear gas guns, chemical weapons, knives, metallic knuckles, blackjacks, explosive devices, joined rings, and other objects which may be used as weapons or imitation weapons.

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.	Level 1	Level 2	Level 3	Level 4	Level 5	SRO
Assault: Intending to cause physical injury to another person			X	X		X
Assault and Battery: Causing physical injury to another person				X	X	X
Fighting: The use of physical violence between students or on another person where there is no injury as determined by the school administration			X	X		
Striking Staff: The use of force against a staff member when no injury is caused				X	X	X
Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications			X	X	X	X
Drugs: Being under the influence of controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications				X	X	X
Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications				X	X	X
Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens or alcohol to another student(s)				X	X	X
Fire: Attempting to set, aiding in setting, or setting a fire *Report to Fire Department *Restitution also required				X		X
Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in <u>§18.2-46.1</u>			X	X		X
Hazing as defined in <u>§18.2-56</u> and noted in <u>§ 22.1-279.6</u> .		X	X	X		X
Threatening, intimidating, or instigating violence, injury or harm to a staff member or members			X	X		X
Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s)		X	X	X		X
Possession of a firearm or destructive device as defined in <u>§ 22.1-277.07</u> .					X	X
Using any weapon to threaten or attempt to injure school personnel					X	X
Using any weapon to threaten or attempt to injure student(s), or other(s)					X	X
Bomb threat – Making a bomb threat				X		X

“Weapons” includes: (a) any stun weapon (as defined in Virginia Code § 18.2-308.1) or taser, (2) any knife having a metal blade three inches or longer, (3) any pistol, shot gun, revolver, rifle, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material, (4) any dirk, bowie knife, switchblade, ballistic knife, machete, razor, slingshot, spring stick, metal knuckles, or blackjack, (5) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nunchahka, nun chuck, nunchaku, shuriken, or fighting chain, (6) any disc of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and may be known as a throwing star or oriental dart; or (7) any weapon of like kind as those enumerated above that can reasonably be considered a weapon so as to inflict bodily harm, injury, or threat of harm or injury (this may include toy or imitation weapons).

MLWGS student conduct policies regarding Technology and the Internet are contained in the Code of Student Conduct adopted annually by the Regional School Board and distributed annually to students and parents. Student Conduct Policy 8002 is available online on this page: <https://mlwgs.com/welcome-to-mlwgs/regional-school-board/constitution-by-laws-and-policies/8000-student-conduct/>

Bullying/Harassment (CAT 2-4)

MLWGS student conduct policies regarding Bullying/Harassment are contained in the Code of Student Conduct adopted annually by the Regional School Board and distributed annually to students and parents. Student Conduct is online on this page: <https://mlwgs.com/welcome-to-mlwgs/regional-school-board/constitution-by-laws-and-policies/8000-student-conduct/>

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