



**CODE OF  
STUDENT CONDUCT  
2009-2010**

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## Superintendent's message

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One of the responsibilities that I hold most seriously is the obligation to provide a safe and secure environment for all young people who participate in our school programs. We can expect our students to take full advantage of their educational opportunities only when they are able to attend school without fear. Our students must understand their rights and responsibilities in relationship to achieving the maximum from every educational experience. They must acknowledge that there are clear expectations for appropriate behavior and that violations of school rules will lead to prescribed consequences.

The cooperation of students, parents, school staff, and the community remains essential in providing an appropriate environment for learning to take place. Our schools are assisted in this effort by a strong and consistent disciplinary policy which outlines the behavioral expectations for every student. Schools must be among the safest places in the community.

To establish a standard of student behavior, each school principal is required to recommend a student's expulsion when the student:

- (1) is in possession of a firearm,
- (2) assaults a staff member,
- (3) distributes over-the-counter drugs, prescription drugs, or illegal substances,
- (4) endangers the safety of the school community and/or any of its members, or
- (5) becomes a habitual offender of any component of the *Code of Student Conduct*.

Parental involvement and support have a great effect on student conduct. Together, we can provide strong discipline and rigorous academic programming in our schools. I ask that you, as parents, assist us in this process by discussing the *Code of Student Conduct* with your children. If you have specific questions, please do not hesitate to talk with your school principal.

Sincerely,

Dr. Patrick J. Russo  
Superintendent of Schools

## Preface

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The purpose of this publication is to provide students, parents, school personnel, and the public with a concise and comprehensive description of the minimum standards of behavior for all students enrolled in the public schools of Henrico County. It defines appropriate student conduct and presents a menu of alternatives to be employed by school administrators to address individuals who exhibit inappropriate behavior. Emphasis is placed upon the right of all responsible students to accept the challenge to gain benefit from their educational program.

**This *Code of Student Conduct* applies to all Henrico County Public School students. It is enforced when they are on school property, while traveling to school or from school, to, from and at bus stops, in School Board vehicles, in attendance at school or at any school-sponsored activity. In addition, this *Code* applies to incidents off school property as referred to in *Definitions - Alternative Placements/Suspensions/Expulsions*. This *Code* also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in this *Code* 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.**

The School Board of Henrico 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, color, national origin, religion, sex, age or disability in any of its programs and activities. The Superintendent of Schools or the Disciplinary Review Hearing Officer (DRHO) is responsible for the coordination of compliance with these provisions. The Central Office is located at 3820 Nine Mile Road, Henrico, Virginia 23223, (804) 652-3600.

This *Code of Student Conduct* specifically outlines thirteen major categories of behavior and states consequences which may occur as a result of misconduct. It is stressed that the descriptions include minimum expectations and in determining the dispositions for a specific action, the student's past history will be considered.

When enforcing this *Code*, students and their property, including but not limited to, backpacks, purses, other containers, automobiles, lockers, desks, computers, cell phones, and PDA's may be searched. 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 is defined in more detail in the definition section of this *Code*.

# Dress Code

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While most students dress appropriately and safely for school, the School Board and school staff rely on students and parents to exercise judgment in promoting modesty, decency, and a sense of decorum so as not to disrupt the learning environment. School climate has a direct influence on student achievement, and the manner in which students dress is a significant factor in school climate.

This dress code will assist parents and students as they make decisions regarding daily attire that contribute to an appropriate, safe and secure learning environment for all students. Students must dress modestly and in a manner that neither distracts from nor substantially disrupts the learning environment. In support of the Code of Student Conduct Dress Code, a student's appearance that is disruptive, distracting, or hazardous is prohibited.

The administration of each elementary, middle and high school has the authority to notify students and parents of modifications to the dress code for spirit days and other school celebrations, as particular items pose a disruption, or as other circumstances warrant.

Students **may not wear** the following items unless otherwise stated:

1. Hoods, hats, or head coverings of any kind inside school buildings during regular school hours, unless required for religions or medical reasons.
2. The following items worn on school grounds during regular school hours: bandanas, do-rags, head scarves, hair picks, wave caps, large combs, brushes, and rollers.
3. Sunglasses, unless prescribed by a physician.
4. Dresses, skirts, shorts, athletic shorts and other similar clothing that are shorter than four inches above the knee, even when worn with leggings or tights.
5. Messages on clothing, chains, jewelry and personal belongings that pertain to drugs, alcohol, tobacco, sex, gangs, vulgarity, or that could reasonably cause a substantial disruption to the learning environment.
6. Spiked jewelry, chains, and items which could cause student injury.
7. Beachwear (which includes bathing suits and trunks) and sleepwear.
8. Clothing that reveals undergarments.
9. Cut-off jeans, cut-off sweat pants, or torn, ripped, or slashed clothing that reveals undergarments or body parts excluded by other parts of this code.
10. Bedroom slippers or shoes with wheels, also known as "wheelies."
11. Clothing that reveals the midriff while sitting or standing.
12. Clothing that is excessively tight or skimpy, including biker pants and clothing with plunging necklines.
13. Clothing that is see-through, revealing, or resembles undergarments.
14. Tube tops, halter-tops, halter-top dresses, strapless dresses or tops or dresses with spaghetti straps (female tops must be at least two inches wide at the shoulder).
15. High heels or flip flops at the elementary level (elementary students are encouraged to wear athletic shoes or closed toe shoes with a rubber sole and should wear such shoes

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for Physical Education and recess).

16. Coats inside the school building during the school day as determined by the administrative staff depending on the school design and administrative ability to provide storage for coats.

Students must wear clothing as designed (buttoned, zipped, etc.). Students must wear pants on the hips, secured above the buttocks. Students **may not**:

1. Drape towels, shirts or shorts around the neck.
2. Roll down waistbands on shorts, pants, and skirts.
3. Wear clothing in any manner that reveals undergarments at any time.
4. Wear athletic basketball jerseys without wearing a t-shirt beneath the jersey.

#### Recommended Dispositions—Elementary School

The administrative team in each school shall have discretion regarding dress code decisions. Parents of students who violate the dress code will be contacted to provide appropriate clothing for their children, if necessary.

#### Recommended Dispositions—Middle School

The administrative team in each school shall have discretion regarding dress code decisions. Students who violate the dress code will face disciplinary consequences. All middle schools will follow these disciplinary guidelines:

First Offense—Warning with Opportunity to Change Clothes to Correct Dress Code Violation;  
Parent Notification

Second Offense—Administrative After-School Detention

Third Offense—One (1) Day In-School Suspension

Continued infractions will result in additional consequences

#### Recommended Dispositions—High School

The administrative team in each school shall have discretion regarding dress code decisions. Students who violate the dress code will face disciplinary consequences. All high schools will follow these disciplinary guidelines:

First Offense—Warning with Opportunity to Change Clothes or Correct Dress Code Violation;  
Parent Notification

Second Offense—Saturday Detention or One (1) Day In-School Suspension

Third Offense—One (1) Day Out-Of-School Suspension

Continued infractions will result in additional consequences.

## **Middle School Cellular Phone Guidelines**

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Cellular phones should not be visible or used from the point of entering the bus at the morning pick-up stop to exiting the bus at the afternoon drop-off.

When students are attending instructionally related after-school activities (tutoring, homework help, make-up work, etc.) cellular phones should not be used. When students are released from these sessions, cellular phone usage is allowed.

Cellular phones may be used when students are attending non-instructional after-school events/activities as long as the cellular phone is not creating a problem or distraction.

### Recommended Dispositions

First Offense—Confiscation of phone, parent contacted by person confiscating the phone, verbal warning, parent must retrieve the phone.

Second Offense—Confiscation of phone, parent contacted by administrator, parent must retrieve the phone, detention or In-School Suspension.

Third Offense—Insubordination disciplinary consequence

Fourth Offense—Contact Marilyn Royal, Director of Middle School Education, to discuss further consequence.

Some middle school administrators require parents to wait 24 hours before retrieving the cellular phone from the school. At other schools, the phone can be retrieved any time between the hours of 8:00 a.m.- 4:30 p.m.

## High School Cellular Phone Guidelines

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In accordance with Henrico County Public School's *Code of Student Conduct* policy, the school division will strictly enforce the ban on student cellular phone usage during school hours. This will be done to ensure a learning environment free of unnecessary disruption. The county policy as specified on page 17, Disorderly Conduct/Disruptive Behavior, Section D, states that students are prohibited from using unauthorized electronic devices during school hours. The list of unauthorized electronic devices includes, but is not limited to, cellular phones.

Cellular phones are required to be turned off and out of visible sight during the normal school day; each school will specify the beginning and end of the school day. Failure to comply with the policy mentioned above will result in the following administrative actions:

### Recommended Dispositions

First Offense—Confiscation of phone and a disciplinary infraction entry will be placed into the student's conduct record. Also, in accordance with the *Code of Student Conduct*, cellular phones shall be confiscated on sight and will only be returned to a parent or legal guardian during normal school office hours. Parents are required to wait until the following school day before making arrangements to pick up a confiscated phone. This is necessary to allow teachers time to bring the cellular phone to the office and for the administrator to document the incident.

Second Offense—The student will receive either in-school suspension or Saturday detention. Again, in accordance with the *Code of Student Conduct*, cellular phones shall be confiscated on sight and will only be returned to a parent or legal guardian during normal school office hours the day following the confiscation.

Third Offense—The student will be suspended out-of-school for one (1) day for gross insubordination. In accordance with the *Code of Student Conduct*, cellular phones shall be confiscated on sight and will only be returned to a parent or legal guardian during normal school office hours the day following the confiscation.

Fourth Offense—The student will be suspended out-of-school for three (3) days for gross insubordination. In addition, the student shall be banned from possessing a cellular phone at school for the remainder of the school year.

## Use of Cellular Phones, other Electronic Devices (iPods, etc.) during Assessments (Quizzes, Tests, Exams, etc.)

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1. Test administration procedures are developed in order to help reduce measurement error and to increase the likelihood of fair, valid, and reliable assessments. Specifically, appropriate standardized procedures improve measurement by increasing consistency and test security. Consistent, standardized administration of the assessments allows for direct comparisons between student scores, despite the fact that students may have taken the same assessment on different dates or class periods. Furthermore, procedures that protect the security of the assessment help to maintain the meaning and integrity of the score scale for all students.
2. All Henrico County Middle/High School students are prohibited by school policy to use any type of unauthorized electronic or mechanical device during regular school hours. This includes, but is not be limited to, pagers (beepers), cellular phones, portable musical devices (including iPods and other MP3 players), laser pointers, cameras, etc., or look-alikes.
3. There is ample evidence that students use electronic devices during assessments to breach the security of the assessment, or give or receive unauthorized assistance to others. Thus, the result of a violation of test administration procedures is an unfair advantage to those students who have chosen to violate them.
4. Any student using an unauthorized electronic device shall be deemed to have violated the Test Administration Procedures. For the purpose of this policy, “use” shall be defined as having any electronic device out and/or in sight, whether on or off (including asleep), without direct authorization from the classroom instructor.
5. Any student found in breach of the Test Administration Procedures, by using an unauthorized electronic device, shall receive a zero on the assessment. Furthermore, the device in use shall be confiscated and turned in to the student’s grade level administrator with a written referral, in accordance with the *Code of Student Conduct*.
6. Any student found to be using any unauthorized electronic device at other times (not during an assessment) will have the device confiscated in accordance with the appropriate provisions of the *Code of Student Conduct* and given to the student’s grade level administrator.

## **Responsibilities of the Faculty/Staff and School Community**

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In order to ensure that all students attending Henrico County Public Schools have fair access to an education, the collaborative role of the school, community, parents, students, staff, and patrons is strongly emphasized. Cooperation between the home and school will reduce misunderstanding and indifference, which can undermine student success in the educational process.

The classroom teacher has the major responsibility for classroom management. Each teacher should develop a positive climate for learning. To accomplish this goal, interventions to change student behavior should include methods to prevent or correct misconduct.

The efficient, routine operation of a classroom requires a well-developed, well-understood, and consistent set of rules and regulations. Students are to be held accountable for certain standards. Expectations must be established ahead of time in a manner that makes them easily learned and understood. Listing the do's and don'ts in an attempt to cover every situation may create a confused classroom climate. If the *Code* is too detailed and prescriptive, it will become impractical and unmanageable. Rules and regulations that attempt to define every type of situation and recourse are not necessary.

Teachers handle the major portion of student discipline through their system of classroom management; however, teachers will refer a student for discipline when the situation warrants. Each public school operating in Henrico County has a referral system for student discipline. The school principal and/or designee is responsible for addressing the student's behavior after the teacher/staff referral. Central Office administrative support is provided by the Superintendent or the Disciplinary Review Hearing Officer (DRHO) and the School Board.

# 1

## Attendance

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- A1T Excessive Absences**
- A2T Truancy**
- A3T Leaving without permission**

Students are expected to arrive at school and all classes on time every day.

### **A. Excessive and Unexcused Tardies 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 missing from any class. Justifiable reasons for nonattendance should be submitted to the school for each absence, late arrival or class absence. Absences from class require approval from the teacher or an administrator. Unexcused tardies and/or skipping classes are considered a violation of compulsory attendance.

### **B. Compulsory Attendance**

When a student accumulates five (5) unexcused absences, the parent will be contacted and the school social worker will develop a plan with the parents to resolve the student's nonattendance.

When a student accumulates six (6) unexcused absences, the school social work supervisor will report the attendance status to the commonwealth attorney's office.

When a student accumulates seven (7) unexcused absences, the school social worker will file a complaint against the student and/or parents through Henrico Juvenile & Domestic Relations Court.

### **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:

1. Illness of student
2. Serious illness in family which necessitates absence of student
3. Death in family
4. Special and recognized religious holidays
5. Other reasons approved by principal

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

Truancy sweeps are performed routinely by school social workers and school resource officers.

**D. Leaving School  
Property without  
Permission**

Once a student arrives on school property, he 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.

**Recommended Dispositions - one or more may apply**

Student Conference

Counseling

Parent Contact (Parent/Guardian)

Conference with Parent/Guardian

Instructional Support Services Intervention

Detention

Alternative School Program

Shortened School Day

School Resource Officer/Law Enforcement Agencies

Court Referral Initiated by Social Worker

Probationary Student Status and Limited Participation in School Program

# 2 Substance Abuse

## A. Alcohol

### 1. Use, Possession of Alcohol

AC1 Alcohol Use

AC2 Alcohol Possession

**Students shall not use, be under the influence of, or have in their possession any alcoholic beverages on school property or at any school-sponsored event.**

Certain circumstances will warrant a recommendation for expulsion; however, the following disposition will apply:

#### **First Offense**

##### **Disposition**

- (1) Refer the incident to an administrative school hearing chaired by the building principal and/or designee.
  - (a) A minimum out-of-school suspension of 10 school days is mandatory.
  - (b) A 30-school-day exclusion from all extracurricular activities is mandatory.
  - (c) If a student has an illegal substance in a motor vehicle, parking permit privileges will be revoked for 20 school days.
  - (d) Absences during suspension will be unexcused, with no right to make up missed work; however, if the student successfully completes the school division's Awareness and Intervention Program and if student and parent participate in one meeting with Program staff, any suspension IN EXCESS OF 10 SCHOOL DAYS may be waived; all absences during suspension will be excused, with the right to make up work; and any exclusion from extracurricular activities IN EXCESS OF 10 SCHOOL DAYS may be waived.
  - (e) The parents may enroll the student in a community drug counseling program of their choice and sign permission to share information between school and program. In this case the provisions of paragraph 1(d) shall apply.
- (2) Report the incident to the School Resource Officer.

#### **Subsequent Alcohol and/or Drug Abuse Offenses (Cumulative within 3 years)**

##### **Disposition**

In addition to any of the penalties described under possession, all three of the following **will be** implemented:

- (1) Report to School Resource Officer
- (2) Referral to Disciplinary Review Hearing Officer
- (3) **RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

A prior alcohol and/or drug offense that resulted in expulsion, will not be regarded as a "First Offense" for the purposes of determining whether the disposition for a "Subsequent Alcohol and/or Drug Offense" is applicable.

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## 2. Possession with Intent to Sell or Distribute

### AC3 Alcohol Sales/Distribution

Students shall not bring alcohol or alcoholic beverages onto school property or to a school-sponsored event with the intent to sell, give, share, pass on to or take orders for or arrange for a sale to occur before, during, or after school.

#### Disposition

All three of the following penalties **will be** implemented:

- (1) Report to School Resource Officer
- (2) Referral to Disciplinary Review Hearing Officer
- (3) **RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

## B. Drugs

### 1. Possession/Use

- DG1 Schedule I & II Drug Use (e.g., heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, etc.)
- DG2 Schedule I & II Drug Possession
- DG7 Marijuana Use
- DG8 Marijuana Possession
- D10 Other Drug Use/Overdose
- D11 Other Drug Possession/Paraphernalia/Possession
- D15 Possession of Inhalants
- D16 Use of Inhalants
- D17 Substances Represented as Drugs (Look-alikes)
- D20 Anabolic Steroid/Use and Possession

Students shall not use, be under the influence of, or have in their possession any drugs and/or drug paraphernalia on school property or at any school-sponsored event.

Certain circumstances will warrant a recommendation for expulsion; however, the following disposition will apply:

The possession of a Schedule I & II Drug (e.g. heroin, cocaine, opium, morphine, LSD, methamphetamines, ecstasy, etc.) **WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**

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### **First Offense**

#### **Disposition**

- (1) Refer the incident to an administrative school hearing chaired by the building principal and/or designee.
  - (a) A minimum out-of-school suspension of 10 school days is mandatory.
  - (b) A 30-school-day exclusion from all extracurricular activities is mandatory.
  - (c) If a student has an illegal substance in a motor vehicle, parking permit privileges will be revoked for 20 school days.
  - (d) Absences during suspension will be unexcused, with no right to make up missed work; however, if the student successfully completes the school division's Awareness and Intervention Program and if student and parent participate in one meeting with Program staff, any suspension IN EXCESS OF 10 SCHOOL DAYS may be waived; all absences during suspension will be excused, with the right to make up work; and any exclusion from extracurricular activities IN EXCESS OF 10 SCHOOL DAYS may be waived.
  - (e) The parents may enroll the student in community drug counseling program of their choice and sign permission to share information between school and program. In this case the provisions of paragraph 1(d) shall apply.
- (2) Report the incident to the School Resource Officer.

### **Subsequent Drug and/or Alcohol Abuse Offenses (Cumulative within 3 years)**

#### **Disposition**

In addition to any of the penalties described under possession, all three of the following **will be** implemented:

- (1) Report to School Resource Officer
- (2) Referral to Disciplinary Review Hearing Officer
- (3) **RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

A prior drug and/or alcohol offense that resulted in expulsion, will not be regarded as a "First Offense" for the purposes of determining whether the disposition for a "Subsequent Drug and/or Alcohol Offense" is applicable.

## **2. Possession with Intent to Distribute**

- DG3 Schedule I & II Drug Sale/Distribution**
- D6G Over-the-Counter/Prescription Medication/Sale/Distribution**
- DG9 Marijuana Sale/Distribution**
- D12 Other Drug Sale/Distribution**
- D17 Substances Represented as Drugs (Look-Alikes)**
- D19 Anabolic Steroid Sale/Distribution**
- DR3 Drug violations of prescription drugs, theft or attempted theft of prescription drugs**

**Students shall not bring drugs or drug paraphernalia onto school property or to a school-sponsored event with the intent to sell, give, share, pass on to or take orders for or arrange for a sale to occur before, during, or after school.**

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**Students shall not manufacture, distribute, intend to distribute, or bring onto school property or to a school-sponsored event with intent to distribute, any of the following: drugs (including anabolic steroids), chemicals, or look-alike/imitation drugs or chemicals.**

**Disposition**

All three of the following penalties **will be** implemented:

- (1) Report to School Resource Officer
- (2) Referral to Disciplinary Review Hearing Officer
- (3) **RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

**3. Possession or use of Medication and Prescription Drugs**

**D4G Over-the-Counter Medication Use**

**D5G Over-the-Counter Medication Possession**

**DR3 Drug violations of prescription drugs, theft or attempted theft of prescription drugs**

**In order that school authorities will know what medicine a student is taking in case of an emergency, and, in order to prevent trafficking in drugs, no student may have in his/her possession any medication or prescription drugs, even if recommended or prescribed for the student's use, unless his parent or guardian has requested and received permission from the school for the student to possess and self-administer prescribed medication, in accordance with school board policy. Medication and prescription drugs shall not be taken to school by the student. A parent or guardian is required to take all such items to the school's clinic for documentation. "Medication" shall mean any drug or other substance used in treating illnesses, disorders, healing, or relieving pain, including over-the-counter drugs, such as aspirin, cough syrups, gargles, cold tablets, and the like.**

**Recommended Dispositions—one or more may apply**

Parent Contact

Conference with Parent

Alternative School Program

Suspension (10 school days and Awareness and Intervention Program)

School Resource Officer/Law Enforcement Agencies

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 3 Dangerous Objects and Firearms

- W1P Possession of Ammunition
- W2P Possessing or Bringing to School or a School-Sponsored Event any Substance Used as a Weapon (Mace, Tear Gas, or Pepper Spray)
- WP0 Possession of Pneumatic Weapon (BB Gun, Paintball Gun, or Pellet Gun)
- WP1 Possession of Firearm
- WP2 Possession of Shotgun or Rifle
- W3P Bringing a Toy/Look-alike Gun to School or School Event
- WP4 Possession of Weapon That Expels a Projectile
- WP5 Possession of a Knife (Longer Than 3 Inches)
- WP7 Use of a Bomb or Explosive Device
- WP8 Possession of Other Firearms
- WP9 Possession of Other Weapons
- W8P Bringing Razor Blades/ Box Cutters to School or School Event

In accordance with § 22.1-277.07 of the Code of Virginia, a student who is determined to have brought a firearm or an air rifle or BB gun on school property, on a school division vehicle, or to a school-sponsored activity shall be expelled for no less than one calendar year (365 days). The Superintendent, his designee, or the School Board may determine, based on the facts of the particular case, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate.

Each student who attends school in Henrico County has the right to learn in a safe environment with others who respect his/her well-being. The following categories are considered extremely serious violations which threaten a suitable and secure learning environment:

- A. The possession of dangerous objects is prohibited. Dangerous objects include the representation of items commonly understood to be inappropriate to school activities. These items include, but are not limited to, bullets, machetes, brass knuckles, switchblades, knives, box cutters, other sharp objects, Chinese stars, mace, laser pointers, firecrackers, fireworks, stink bombs, etc. Possession includes bringing the item(s) onto school property, or to a school-sponsored event. Also included is the misuse of common place objects, including but not limited to keys, locks, etc. Violation of this rule may result in a recommendation for expulsion.
- B. The possession of look-alike weapons, including, but not limited to, cap guns, squirt or water guns, toy pistols, comb knives, etc., is prohibited on school property. Possession includes bringing the item(s) onto school property or to a school-sponsored event.
- C. The objects noted in A and B used or intended to intrude on the security and safety of fellow students and school personnel **WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- D. The possession, use, or representation of a firearm, whether loaded or unloaded, operative or inoperative, on any school property or during any school activity, is prohibited unless specifically authorized by school officials. Possession includes bringing a firearm onto school property or to a school-sponsored event and storing it in a vehicle, locker, or other receptacle. Firearms include pellet guns, BB guns, CO<sub>2</sub> air pistols, stun weapons, paint ball guns, and any other device which meets the definition of firearm in the *Code of Virginia*. **VIOLATION OF THIS RULE WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**

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- E. The possession or representation of any explosive or flammable material considered to have the capacity to create an explosion or to start a fire, including, but not limited to, firecrackers, lighter fluid, and other flammable substances, is prohibited unless specifically authorized by school officials. Possession includes bringing the item(s) onto school property or to a school-sponsored event.

**Recommended Dispositions - one or more may apply**

Student Conference  
Parent Contact  
Conference with Parent  
Instructional Support Services Intervention  
Alternative School Program  
School Resource Officer  
Suspension  
Law Enforcement Agencies/Fire Marshal  
Court Referral  
Confiscation  
Community Service  
Restitution

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 4 Disorderly Conduct/Disruptive Behavior

<b>BO1</b>	<b>Bomb Threat</b>	<b>D5C</b>	<b>Classroom or Campus Disruption</b>
<b>BO2</b>	<b>Chemical/Biological Threat</b>	<b>D6C</b>	<b>Using Obscene or Inappropriate Language or Gestures</b>
<b>BO3</b>	<b>Terrorist Threat</b>	<b>D8C</b>	<b>Minor Insubordination</b>
<b>BO4</b>	<b>Setting Off False Fire Alarm</b>	<b>GA1</b>	<b>Gang Activity</b>
<b>C1M</b>	<b>Beepers</b>	<b>G1B</b>	<b>Gambling</b>
<b>C2M</b>	<b>Cellular Telephones</b>	<b>HR1</b>	<b>Harassment</b>
<b>C3M</b>	<b>Electronic Devices</b>	<b>RG1</b>	<b>Inciting a Riot</b>
<b>D1C</b>	<b>Disrespect (walking away, etc.)</b>	<b>RG2</b>	<b>Attempting to Incite a Riot</b>
<b>D2C</b>	<b>Defiance (refuses to follow directives)</b>	<b>S1V</b>	<b>Inappropriate Personal Property</b>
<b>D3C</b>	<b>Disruptive Demonstrations</b>	<b>S3V</b>	<b>Other School Code of Conduct Violation not Included</b>
<b>D4C</b>	<b>Possession of Obscene or Disruptive Literature</b>		

Students are entitled to a learning environment free of unnecessary disruption. Any physical, written or verbal disturbance, communication or activity, within the school setting or during related activities, which may interrupt or interfere with teaching and orderly conduct of school activities is prohibited.

- A.** The Henrico County School Board’s “Standards of Dress” shall be implemented consistently across the county and are specified on page 3 of this *Code of Student Conduct* and on the Henrico County Public Schools websites.
- B.** Any event, action, or statement which relies on chance for the monetary advantage of one participant at the expense of others is gambling. This violation includes exchanging items of value as well as currency and extends to keeping score for later settlement.
- C.** The possession or distribution of print or electronic materials which are obscene, violent, inappropriate or significantly disruptive to the educational process is prohibited. Included are inappropriate student expression, sexting, threats, hit lists, distribution of non-authorized literature, and illegal assembly.
- D.** The use of any type of unauthorized electronic or mechanical device is prohibited during regular school hours. This shall include, but not be limited to, pagers (beepers), cellular phones, as specified on page 5, portable musical devices, laser pointers, cameras, etc., or look-alikes. High school and middle school students will be permitted to use cellular phones on school property or at school-sponsored activities before and after regular school hours. However, cellular phone use may not interfere with any after-school activity.

Elementary students are not permitted to possess, display, use or activate cellular telephones on school campuses, school buses or at school-sponsored activities at any time, except in the case of extenuating situations with prior written approval from the building principal. These items will be confiscated by the school administration and returned to a parent or legal guardian.

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- E. Verbal assault is cursing, threatening, or using abusive language or written remarks intended to demean or harm a student, staff member, or visitor, and is prohibited. This violation includes, but is not limited to, actions, displays, or written material of an obscene, violent or inappropriate nature and the wearing of clothing or adornments, including inappropriate jewelry, which themselves convey either violent or sexually suggestive messages or offensive statements towards school personnel and/or students, i.e., vulgar language.
  - F. Failure to respond appropriately to written or verbal directions given by school personnel, chaperones/volunteers, or law enforcement officers is considered insubordination. Also included is disobedience or defiance of reasonable requests made by school personnel, chaperones/volunteers, or law enforcement officers.
  - G. Other activities which disrupt the orderly functions of the school include, but are not limited to: demonstrating hostile or disruptive behavior, habitual offenses (repeat violations of the *Code of Student Conduct*), unauthorized fraternities or secret societies, unauthorized sales by students, possession of inappropriate toys, inappropriate use of school lockers and facilities, and setting off false fire alarms.
  - H. Gang-related activity will not be tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students). Section 16.1-260.G. of the *Code of Virginia* requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including, prohibited criminal street gang activity pursuant to § 18.2-46.2. and recruitment of other juveniles for a criminal street gang activity pursuant to § 18.2-46.3.

**Recommended Dispositions - one or more may apply**

Student Conference  
Parent Contact  
Conference with Parent  
Instructional Support Services Intervention  
Detention  
Suspension  
Shortened School Day  
Alternative School Program  
Suspension Intervention Program  
School Resource Officer/Law Enforcement Agencies  
Court Referral  
Confiscation  
Community Service  
Mediation/Conflict Resolution

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 5

## Fighting/Assault/Threats

<b>FA2</b>	<b>Fighting With no or Minor Injury</b>	<b>BA5</b>	<b>Malicious Wounding Without A Weapon</b>
<b>F1T</b>	<b>Minor Physical Altercation</b>	<b>BU1</b>	<b>Bullying</b>
<b>BA1</b>	<b>Battery/Assault Against Staff With Weapon</b>	<b>ET1</b>	<b>Extortion</b>
<b>BA2</b>	<b>Battery/Assault Against Staff With No Weapon</b>	<b>ET2</b>	<b>Attempted Extortion</b>
<b>BA3</b>	<b>Battery/Assault Against Student With Weapon</b>	<b>H1Z</b>	<b>Hazing</b>
<b>BA4</b>	<b>Battery/Assault Against Student With No Weapon</b>	<b>TI1</b>	<b>Threat/intimidations against staff</b>
		<b>TI2</b>	<b>Threat/intimidations against student</b>
		<b>ST1</b>	<b>Stalking</b>

Students and school personnel are entitled to a school environment free from threat, aggression and assault.

- A. Actions, comments, or written messages intended to cause others to fight or which may result in a fight are prohibited.
- B. Intentionally hitting, shoving, scratching, biting, kicking, blocking the passage of, or throwing objects at a student is prohibited.
- C. Conveying by gestures, notes, or verbal comments with the intent to cause bodily injury or to deprive a student of his rights is prohibited.
- D. Fighting involving two or more parties in conflict when they are striking each other for the purpose of causing harm or injury is prohibited. This action may extend to mutual shoving, wrestling, or other aggressive actions which may result in the danger of harm or injury to either party, bystanders, or school property.
- E. The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury is prohibited.
- F. Assault upon a School Board employee, School Resource Officer, DARE Officer, or volunteer is prohibited. **VIOLATION OF THIS RULE WILL RESULT IN AN AUTOMATIC RECOMMENDATION FOR EXPULSION.**
- G. Conveying by gestures, notes, or verbal comments with the intent to cause bodily injury or to deprive a School Board employee, School Resource Officer, DARE Officer, or volunteer, of his/her rights, or demonstrating hostile acts, is prohibited.
- H. The willful use of physical or verbal threats or physical abuse intended to result in an involuntary transfer of money or property to another student is prohibited.
- I. Cursing, threatening, using abusive language, bullying, teasing, hazing, or other acts of intimidation are prohibited. This includes, but is not limited to, any verbal, written, electronic (through any social chat rooms, web space, telephones, or text messaging), physical or mental teasing, threat of bodily injury or use of force directed toward and based upon a person's race, religion, sex, sexual orientation, national origin, disability, or intellectual ability.

### **Recommended Dispositions - one or more may apply**

Student Conference  
Parent Contact  
Conference with Parent  
Instructional Support Services Intervention  
Detention  
Alternative School Program

Suspension Intervention Program  
Suspension - Required Mediation/Conflict Resolution Training  
School Resource Officer/Law Enforcement Agencies  
Court Referral  
Community Services

**RECOMMENDATION TO THE SCHOOL BOARD  
FOR EXPULSION**

# 6 Integrity

IT1	Cheating	S2V	Misrepresentation
IT2	Plagiarism	TF1	Theft of School Property
IT3	Falsification	TF2	Theft of Staff Property
BK1	Burglary: Actual	TF3	Theft of Student Property
BK2	Burglary: Attempted	TF4	Possession of Stolen Property
RB1	Actual Robbery	TF6	Attempted Theft or Theft of Motor Vehicle
RB2	Attempted Robbery		

Henrico County Public School students are expected to perform honestly through the production of their own work. They should also demonstrate respect for the belongings and rights of others, including, but not limited to, staff members and volunteers.

The following acts are prohibited:

- A. Cheating includes the actual giving, receiving, or use of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
- B. Plagiarism includes using or copying the language, structure, idea, and/or thought of another and representing it as one's own original work.
- C. Falsification includes, but is not limited to, a verbal, written or electronic transmission (i.e., e-mails, images), including the production or use of forgery, or counterfeiting.
- D. Stealing includes acquiring another's possessions without right or permission. The possession of stolen property is considered theft.
- E. Attempts toward completion of any act described above would constitute a violation and may be punishable to the same extent as if the attempted act had been completed.
- F. Unauthorized use of technology and information accessed through technology without permission is prohibited as specified in Section 12, "Technology and the Internet." Student files may be subject to search.
- G. Willful or malicious false accusations/reports against school personnel or other students.

**Recommended Dispositions - one or more may apply**

Student Conference

Parent Contact

Conference with Parent

Detention

Alternative School Program

Suspension

School Resource Officer/Law Enforcement Agencies

Court Referral

Restitution

Community Service

Revocation of Computer Access and Use, including laptops

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 7 Transportation

TN2 Motor Vehicle Registration

TN4 Walkers/Property/Rights

TN3 Improper Use of Bicycle

Proper behavior is required to, from, and at bus stops and while riding the bus to assure that the rights of others, residential or otherwise, are respected. **Students are required to listen to and follow the directions of the bus driver.** Students must ride the bus to which they are assigned. Temporary permission to ride an alternate bus must be granted, in writing, by the principal or designee.

## A. The School Bus

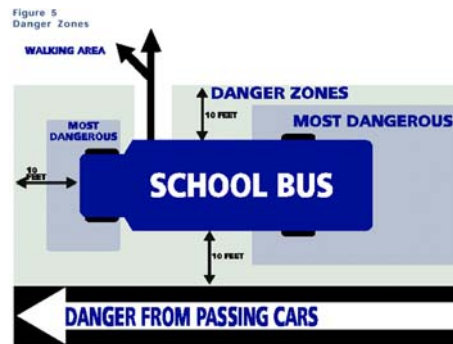
School bus transportation is provided for many Henrico students. This service exists for elementary, middle, and high school students to and from school, instructional field trips, athletic trips, special after-school activities, as well as for transportation from base schools to locations where specialized educational programs are available.

Riding a school bus is a privilege. Students who violate the *Code of Student Conduct* and designated bus rules on the school bus may have the privilege of riding revoked for a specified time or permanently. In addition, other dispositions may apply. The driver of the bus has the authority and the responsibility for maintaining order and providing a safe environment. When the driver requires assistance to resolve a potentially harmful situation on the bus, the principal, or designee, of the school served by the driver will render assistance.

## B. To assist the Department of Pupil Transportation:

1. Visit the Bus Stop with your Child. This will show your child the safest route to the stop, where to wait, how far from the street to stand and to check for any unsafe situations. Remind your child that the bus stop is not a place to play while waiting for the school bus. A young student always should be accompanied by a parent/guardian or a designated adult to and from the bus stop.
2. Have Your Child at the Bus Stop On Time. Rushing to a bus stop is dangerous. Be at the stop at least 5 minutes, but no more than 10 minutes, prior to the pick up time.
3. Always have a Plan for Emergencies. Make sure your child knows what to do if they have missed their bus, or if the school opens late or closes early.
4. Backpacks are Important. They keep all school supplies intact and free hands for holding handrails when entering or exiting the bus. Do not attach items to the outside of the backpacks which could catch on the handrails or the door. Backpacks with wheels must be carried up and down the steps and while walking down the aisle.
5. Always be Alert When Driving on School Grounds or in the Vicinity of Bus Stop Locations. Watch for children in every direction. Only use designated areas on school grounds to drop off/pick up your child. Stop if the Red Traffic Warning Lights on the bus are flashing, even on school grounds!
6. Review All School Bus Runs with Your Child. Explain why there are rules to make sure everyone stays safe. This will reinforce their importance and will increase your child's respect for the bus driver and their very important job.
7. All Pre-school and Kindergarten Students Must be Accompanied by a Parent/Guardian or a Designated Adult to and from the School Bus Stop. Authorized adults must have their picture ID card in their possession to accept the child or the child will be returned to school.

8. Know the Danger Zone. Make sure that your child understands and recognizes the Danger Zone around a school bus:
- Take 10 giant steps away from the bus when getting off.
  - Always cross in front of the bus.
  - Look at the bus driver and wait for their signal before crossing the road.
  - If you drop anything outside the bus, leave it! Get permission from your driver to pick it up so that the driver is aware of your location.
  - Never run beside, try to touch or cross behind the bus as it leaves. Remember the Danger Zone.



**C. Drivers**

Motorized vehicles of any type are not permitted as means of transportation to and from school when driven by students enrolled in the elementary or middle schools of Henrico County. High school students who meet the requirements and accept the responsibilities of driving vehicles to school are permitted to do so. This privilege depends upon the student's compliance with the parking and vehicle regulations as prescribed by the individual high school, including consent to search. Students are assumed to have knowledge of and will be held responsible for all items in their vehicles. Failure to adhere to these regulations could result in disciplinary action as listed in the recommended dispositions of the *Code of Student Conduct*, including loss of driving privilege and having one's vehicle booted or towed from the premises at the operator's expense.

**D. Bicycle Riders**

Bicycles may be ridden to elementary, middle, and high schools. The safety of the riders and the securing of their bicycles is the responsibility of the riders. Improper use of bicycles, such as riding in bus-loading areas, constitutes grounds for the loss of bicycle parking privileges at school. Bicycle riders are prohibited from violating the rights of homeowners, apartment dwellers, and businesses on their way to and from school.

**E. Walkers**

Students in elementary, middle, and high schools who live within the designated non-transportation zones are required to arrive promptly at school. Parents are encouraged to identify and assist in the choice of a safe route. Student walkers are prohibited from violating the rights of others including homeowners, apartment dwellers, and businesses on their way to or from school.

**Recommended Dispositions - one or more may apply**

- |                            |   |
|----------------------------|---|
| Student Conference         | Restricted Use or Loss of Transportation Privileges         |
| Parent Contact             | School Resource Officer/Law Enforcement Agencies            |
| Conference with Parent     | Court Referral  |
| Detention                  | Restitution   |
| Alternative School Program | Community Service   |
| Suspension                 | <b>RECOMMENDATION TO THE SCHOOL BOARD<br/>FOR EXPULSION</b> |

# 8

## Tobacco Products

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- TC1 Tobacco Use**
- TC2 Tobacco Possession**
- TC3 Tobacco Sales/Distribution**
- T4B Bringing Tobacco Paraphernalia to School or School Event**

The law requires all school buildings to be smoke-free.

All students are PROHIBITED from the use and possession of tobacco products, matches, and lighters on school property. Possession includes bringing the product onto school property or to a school-sponsored event. This prohibition includes all related activities (i.e., bus stops, school buses, extracurricular activities, etc.).

### **First Offense**

Student Conference  
Parent Conference  
Referral to School Resource Officer  
Alternative School Program (three school days)

### **Subsequent Offense**

Student Conference  
Parent Conference  
Referral to School Resource Officer  
Suspension

# 9 Trespassing

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## TR1 Trespassing

Students, patrons, and school personnel are expected to have the appropriate authorization to be on School Board property.

- A. Any student who has been suspended or expelled from attendance may be considered a trespasser if he/she appears on any Henrico County Public School property, or at any Henrico County Public School activity, during the suspension/expulsion period. Violation of this section will be considered an additional infraction and will require a separate disposition.
- B. Students who arrive at school before school opens or remain after the close of their school day without specific need or appropriate authorization and supervision may be considered trespassers.
- C. Any student who is requested by an administrator to leave school property is expected to do so immediately. Failure to do so may be considered trespassing.
- D. No student or other person may attend or visit a Henrico County school as a guest during the regular school day without authorization from the school's administration.

### **Recommended Dispositions - one or more may apply**

Student Conference

Parent Contact

Conference with Parent

Additional Suspension Time

School Resource Officer/Law Enforcement Agencies

Court Referral

Suspension

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 10 Vandalism

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**VN1 Vandalism of School Property**

**VN2 Vandalism of Private Property**

**VN3 Graffiti**

Members of the school community are entitled to enjoy property free from the abuse of others.

Vandalism is the willful marring, defacing, or destruction of School Board property, including leased property or any employee's or other person's property. This section includes, but is not limited to, the buildings, both exteriors and interiors thereof, books, computer equipment and software, school buses, private automobiles, school grounds, and property as designated above. Causing, intent to cause, or attempt to cause damage to school or personal property of others is prohibited.

**Recommended Dispositions - one or more may apply**

Student Conference

Parent Contact

Conference with Parent

Alternative School Program

Suspension

School Resource Officer/Law Enforcement Agencies

Court Referral

Restitution

Community Service

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 11

## **Sexual Harassment/Inappropriate Sexual**

<b>SB1 Sexual Battery Against Staff</b>	<b>SX4 Sexual Offenses Against Student/ Forcible Assault/Rape</b>
<b>SB2 Sexual Battery Against Student</b>	<b>SX5 Sexual Offenses Against Staff/ Attempted Forcible Assault/Rape</b>
<b>SX0 Sexual Harassment</b>	<b>SX6 Sexual Offenses Against Student/ Attempted Forcible Assault/Rape</b>
<b>SX1 Offensive Sexual Touching Against Staff</b>	<b>SX7 Sexual Offenses Without Force</b>
<b>SX2 Offensive Sexual Touching Against Student</b>	<b>SX8 Aggravated Sexual Battery</b>
<b>SX3 Sexual Offenses Against Staff/Forcible Assault/Rape</b>	

It is the policy of the Henrico County School Board to maintain a working and learning environment which provides for fair and equitable treatment, including freedom from sexual harassment, for all its employees and students.

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronic, or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment. A student shall not sexually harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions.

It is prohibited for any student or employee, male or female, to harass another student or employee by making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal, written, electronic, or physical conduct of a sexual nature. Conditions may include, but are not limited to:

- (1) submission to or rejection of such conduct is used as a basis for academic decisions affecting the student,
- (2) such conduct creates an intimidating, hostile or offensive working or learning environment, or
- (3) submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or participation in school programs.

Examples of activities which could constitute sexual harassment/inappropriate sexual behavior include, but are not limited to:

- (1) unwelcome leering, sexual flirtations or propositions,
- (2) unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions,
- (3) graphic comments about an individual's body, or overly personal conversation,
- (4) sexual jokes, stories, drawings, pictures, or gestures,
- (5) spreading sexual rumors,
- (6) inappropriate or suggestive sexual gestures,
- (7) touching an individual's body or clothes in a sexual way,
- (8) cornering or blocking of normal movements,
- (9) displaying sexually suggestive objects in an educational environment, or
- (10) displaying sexually explicit behavior.

Any student who believes that he or she has been subjected to sexual harassment should file immediately a complaint of the alleged act with the principal. The principal shall request that the complaint be in writing. The principal shall investigate the complaint and work towards a resolution of the matter. The principal must immediately report the complaint of the alleged incident to the Disciplinary Review Hearing Officer. If the complaint is against the principal, the student shall file the complaint with the School Counseling Director at the school, who will

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immediately contact the appropriate instructional director (elementary, middle, or high), who will contact the Director of Human Resources. The student may make direct contact with the instructional director if he/she is uncomfortable going to the School Counseling Director. Refusal to put the complaint in writing shall not preclude an investigation of the complaint. The complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. A thorough investigation of all reported incidents to determine the nature and extent of any alleged sexual harassment will be undertaken.

False charges of sexual harassment shall be treated as a serious offense, and those persons making false charges shall be subject to disciplinary action.

The question of whether a particular action or incident is prohibited behavior requires a determination based on all the available facts in the matter. A written report summarizing the investigation and stating any conclusions or recommendations shall be filed at the conclusion of any investigation of sexual harassment regardless of the outcome of that investigation.

Any student who has knowledge of the occurrence of sexual harassment of a student by an adult should contact the principal. Any employee with knowledge of the occurrence of sexual harassment involving one or more students should notify the principal or the Director of Human Resources. The principal must immediately report the complaint of the alleged incident to the Disciplinary Review Hearing Officer.

Any administrator, teacher, other employee or student who is found after an investigation to have engaged in sexual harassment of another employee or student will be subject to disciplinary action appropriate to the offense from a warning up to expulsion or dismissal.

**Recommended Dispositions - one or more may apply**

- Student Conference
- Parent Contact
- Conference with parent
- Alternative School Program
- Suspension
- School Resource Officer/Law Enforcement Agencies
- Court Referral

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 12 Technology and the Internet

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## **T1C Unauthorized Use of Technology or Information**

## **T2C Causing/Attempting to Cause Damage to Computer Hardware, Software or Files**

## **T3C Violations of Acceptable Usage Policy**

## **T4C Violations of Internet Policy**

Students should use technology and the Internet in an appropriate manner. Technology is an integral part of a student's educational experience and must be used in support of education and research consistent with the educational objectives of HCPS. Students are required to bring a fully charged computer to school daily as well as electronic media, and or files required for class. Technology includes, but is not limited to, computers, other hardware, electronic devices, software, Internet, e-mail, all other networks, etc. Student use of technology is a privilege. Students are responsible for appropriate use of all computers to which they have access. Obscene, pornographic, threatening, or other inappropriate use of technology, including, but not limited to, e-mail, instant messaging, web pages, and use of hardware and/or software which disrupts or interferes with the safety and welfare of the school community, is prohibited, even if such uses take place off school property (i.e., home, business, private property, etc.). Altering the pre-set HCPS software image is prohibited. Henrico County Public Schools adheres to the provisions of the Children's Internet Protection Act (CIPA).

### **A. General Terms and Conditions of Use**

1. Henrico County Public Schools provides all students access to the Internet and also in some cases, laptop computers, as a means to enhance their education. There are limitations imposed on student use of technology and Internet resources, which are included herein.
2. An activity fee of \$50 to cover laptop fee usage is required each school year. The laptop that is issued for student use is the property of Henrico County Public Schools and must be returned at the end of the academic year, within three (3) school days after withdrawal from an Henrico school, or immediately at the request of a teacher or administrator. Failure to return the student-issued laptop in accordance with the stated conditions may result in disciplinary action and/or prosecution for all applicable crimes to include, but not be limited to, grand larceny.
3. Transmission of any material in violation of Federal, State, or local law, ordinance, School Board policy, regulation or the *Code of Student Conduct* is prohibited. This includes, but is not limited to, the following: copyrighted material, cyber bullying, inappropriate use of blogs and/or wiki pages, threatening, violent, obscene, or pornographic communication and/or material, material protected by trade secret, and uploaded or created computer viruses.
4. To protect students while at school and home, and to meet the Children's Internet Protection Act (CIPA) requirements, access to the Internet is filtered through a commercial filtering system.
5. Use of technology for commercial activities is prohibited unless explicitly permitted by the School Board. Commercial activity includes, but is not limited to, the following:
  - a. any activity that requires an exchange of money and/or credit card numbers;
  - b. any activity that requires entry into an area of service for which the school will

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be charged a fee;

- c. any purchase or sale of any kind; and
- d. any use for product advertisement or political lobbying.

**B. Acceptable Use and Internet Safety Policy (in accordance with Children’s Internet Protection Act (CIPA))**

The following rules are in effect for all Henrico County Public School computers *unless otherwise directed by a teacher or administrator*:

1. It is the responsibility of each student that student-loaded files and programs do not consume hard drive space needed for instructional or educational requirements.
2. Teachers may authorize students to use Internet communication that includes filtered e-mail, discussion boards and chat rooms, for instructional purposes only.
3. Downloading, uploading, importing music and videos are allowed outside of school hours, so long as it does not violate copyright law or contain words or images that are pornographic, obscene, graphically violent or vulgar.
4. File sharing must be approved and directed by the teacher.
5. Headphones may be used during the instructional day with teacher permission as long as the use does not interfere with the instructional program.
6. Laptops are to be used in study halls for instructional purposes only.
7. Upon request by an administrator or teacher, students should make messages or files, either sent or received, available for inspection.

Prohibited Acts

1. Students are prohibited from accessing or attempting to access instant messages, chat rooms, forums, e-mail, message boards, or hosting personal web pages during the instructional day unless authorized by a teacher or administrator for instructional purposes.
2. Students are prohibited from using proxies to bypass Internet filters.
3. Students shall not attempt to locate or make use of files that are unacceptable in a school setting. This includes, but is not limited to pornographic, obscene, graphically violent or vulgar images, sounds, music, video, language, or materials, including screensavers, backdrops, and/or pictures.
4. Students shall not download, upload, or import games, screen animations, or programs or files that can be run or launched as a stand-alone program. These programs or files are sometimes known as “executable files.”
5. Illegal use or transfer of copyrighted materials to a school owned computer, including laptops, is prohibited. Students should only download/import music or materials (files) that they are authorized or legally permitted to reproduce, or for which they have the copyright.
6. Students are prohibited from playing games during the instructional day unless otherwise directed by a teacher or administrator.

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7. Students are not allowed to connect a laptop to Ethernet jacks in the school unless instructed by the teacher or administrator.
  8. Additions, modifications or deletion of files, except in the student's 'directory' or 'home directory,' are prohibited.
  9. Students shall not save, transfer or load non-school related material (files) on a school file server.
  10. USB storage devices can only be used for file storage and shall not be used to launch software.
  11. Students are prohibited from creating or using unauthorized networks including, but not limited to, voice, data, IP, peer to peer, or proxy networks.

**C. Personal Responsibility and Integrity**

All students are expected to behave responsibly and with integrity when using technology. These responsibilities include, but are not limited to, the following:

1. All who use HCPS technology resources must recognize that the work of all users is valuable; therefore, every user must respect the privacy of others. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent or assume the identity of other users.
2. Students shall not reveal unauthorized personal information about themselves or others.
3. Students shall not share passwords with one another for any reason and should make every effort to keep all passwords secure and private.
4. Students shall use his or her real name in all educational activities that incorporate technology or the Internet (e.g., distance learning, online distance learning, etc.). Students shall use their full names in school sanctioned discussion boards or e-mails and follow proper grammatical rules. Students shall not use Internet slang, such as "lol" or "bff" to disguise or otherwise mask inappropriate communication, and shall refrain from typing in all capital letters, which indicates yelling or bullying of the recipient, when communicating in this forum.
5. Students should understand when communicating electronically that their screen name, posted photographs and language represents them online and must meet acceptable use standards.
6. Students should use technology for school-related purposes only during the instructional day.
7. Students should use the resources available through the Internet and other electronic media to supplement material available through the classroom, media center or through any other resource provided by the school.
8. Students are expected to maintain their instructional files and media in a responsible manner, which includes backing up at regular intervals.
9. Students should not copy, change, read or use files in another user's storage area (such as hard disk space, disks, mail, server space, personal folders, etc.) without the user's permission.
10. Students should not participate in cyber bullying: the act of making personal attacks or threats against anyone using this resource. Students should report to a teacher or

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administrator any personal electronically transmitted attacks in any form made by others over the Internet or Local Area Network (LAN).

11. Students shall respect the privacy of others. Students should re-post (to make appear online again) communications only after obtaining the original author's prior consent.
12. Students shall not deface the laptops in any way. This includes, but is not limited to, marking, painting, drawing, marring, or placing stickers on any surface of the laptop.
13. Students shall not knowingly introduce or knowingly allow the introduction of any computer virus to any HCPS computer.

#### **D. Security**

Security on any computer system is a high priority. Remote monitoring of students' HCPS-issued laptops to determine appropriate use during the instructional day will occur at each school site.

Students are required to report any security problem to a teacher or administrator.

To maintain a safe and secure technology environment, the following actions are prohibited:

1. Attempting to log on to the HCPS network using another's identity.
2. Bypassing or attempting to bypass HCPS filtering, security and/or monitoring software.
3. Attempting to conceal the identity of one's computer or user information on the HCPS network.
4. Connecting a personal, non-school-district-owned desktop computer, laptop computer, wireless personal digital assistant (PDA), smart phone or any other network (wireless or directly plugged) device to any part of the HCPS network (local area network "LAN", wide area network "WAN", or metropolitan area network "MAN".)
5. Creating or using unauthorized networks, including, but not limited to, voice, data, IP, peer-to-peer or proxy networks.
6. Using Henrico equipment for any illegal activity. Downloading, uploading, importing or viewing files or websites that promote the use of illegal drugs, alcohol, pornography, or illegal and/or violent behavior.
7. Tampering with computer hardware or software, unauthorized entry into computers, and vandalism or destruction of any computer or files.

#### **E. Privacy/Copyright**

The illegal use, distribution or transfer of copyrighted material on HCPS computers is prohibited.

#### **F. Alteration of Pre-set Software Image**

Altering/modifying the original HCPS pre-set software image is prohibited. Examples include, but are not limited to, the following:

1. Loading/installing any software applications
2. Changing the desktop picture
3. Changing the computer name
4. Changing or removing operating system extensions

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5. Altering security, filtering, and/or monitoring software
  6. Altering the pre-loaded operating system or applications
  7. Taking apart the computer for access to internal parts
  8. Attempting to or changing the configuration of the software or hardware that controls access to the network and Internet; or any other electronic media which includes the use of proxies.

Failure to honor all of the regulations listed above may result in the denial of Internet and other electronic media accessibility, disciplinary action and recall of the student's laptop computer.

Violations of these regulations will result in serious disciplinary action and may also result in criminal charges if the violation of the regulation is also a violation of Federal, State, or local law or ordinance. Examples of such dual violations are (i) computer hacking or trespassing, (ii) harassment, threats, or cyber bullying via computer, and (iii) computer fraud (See, Title 18.2 of the *Code of Virginia*). Ignorance of these regulations will not excuse an infraction.

Any student found responsible for reconfiguring the pre-loaded software image, and/or the use of proxies, will receive an out-of-school suspension. Other actions may include long-term suspension, expulsion, or any action deemed appropriate by the Disciplinary Review Hearing Officer in accordance with the *Code of Student Conduct*. Where Virginia law is violated, legal action may be taken.

**Recommended Dispositions - one or more may apply**

Student Conference  
Parent Contact  
Conference with Parent  
Removal of unauthorized files and folders  
Detention  
Alternative School Program  
Suspension  
School Resource Officer/Law Enforcement Agencies  
Court Referral  
Restitution  
Community Service  
Revocation of Computer Access and Use

**RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# 13 Arson - Actual/Attempted

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- AS1 Arson: Actual**
- AS2 Arson: Attempted**
- AS3 Lighted Firecrackers, or Cherry Bombs, Stink-Bombs (That Contribute to a Damaging Fire)**
- BO1 Bomb Threat**
- BO2 Chemical/Biological Threat**
- BO3 Terrorist Threat**
- WP6 Possession of Explosive Device**
- WP7 Use of a Bomb or Explosive Device**
- W2P Possessing or Bringing to School or a School-Sponsored Event any Substance Used as a Weapon (Mace, Tear Gas, or Pepper Spray)**
- W9P Bringing Fireworks, Firecrackers or Stink Bombs to School or School Event**

All items confiscated in a case of recommended expulsion should be safely and properly secured and may be turned over to the school's resource officer. Photographs and/or a descriptive statement of the confiscated item should be included in the suspension/expulsion packet.

- A.** The use, intent to use, or threat to use an explosive, including, but not limited to, fireworks, cherry bombs, smoke/stink bombs, or any device contributing to a fire or representation of an explosive device, including a bomb threat, is prohibited. These actions include bringing the items on school property or to a school-sponsored event.
- B.** The use or intent to use any material (matches, lighters, etc.) which may result in a fire on school property or setting fire to the property of students, staff, or volunteers, is prohibited, unless specifically authorized by school officials.

### **Recommended Dispositions - one or more may apply**

- Student Conference
- Parent Contact
- Conference with Parent
- Instructional Support Services Intervention
- Alternative School Program
- School Resource Officer
- Suspension
- Law Enforcement Agencies/Fire Marshal
- Court Referral
- Confiscation
- Community Service
- Restitution
- RECOMMENDATION TO THE SCHOOL BOARD FOR EXPULSION**

# Definitions

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After consideration of circumstances surrounding the incident, the student's previous record, the age and developmental stage of the student, in addition to the safety of the school community, disposition of the case will be determined through review by appropriate staff.

Definitions of terms related to the disciplinary process follow:

**Alternative Placements/Suspensions/Expulsions** - Upon finding that a student has been (1) charged with an offense relating to the Commonwealth's laws regarding weapons, alcohol or drugs, or intentional injury to another person, or (2) found guilty or not innocent of an offense relating to the Commonwealth's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Superintendent pursuant to subsection G of section 16.1-260 of the *Code of Virginia*, the Disciplinary Review Hearing Officer ("DRHO"), at the direction of the Superintendent, shall determine whether the student shall be required to attend an alternative education program in lieu of a regular education program with the general student population. This section applies regardless of the location of the incident. Refer also to policy and regulation 6-06-008, "Reassignment of Students in Alternative Education Program Following a Criminal Charge or Conviction."

**Alternative School Program** - An instructional program on school site for students who require an administrative intervention for certain violations of the *Code of Student Conduct*. This allows for the continuation of the academic program while counseling and/or other interventions may be employed.

**Appeal** - To make a request to a higher authority for the review of a disciplinary case.

**Arson** - Deliberately setting a fire on school property which endangers life, limb, or property.

**Assault** - The willful use of physical violence which is intended to result in bodily injury or the use of a dangerous object in an effort to cause bodily injury to an individual.

**Bodily Injury** - (A) a cut, abrasion, bruise, burn, or disfigurement; (B) physical pain; (C) illness; (D) impairment of the function of a body part or mental faculty; or (E) any other injury to the body, no matter how temporary.

**Bomb/Explosive Device** - Any weapon that is designed to explode with the use of a triggering device or by a chemical reaction that causes an explosion in accordance with §22.1-279.3:1 of the *Code of Virginia*.

**Bullying** - Repeated or single incidents of prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, insults, exclusion, threatening body posture and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments regarding the race, gender, religion, physical abilities or characteristics or associates of the targeted person or group.

**Community Service** - Authorized work in the building, grounds, and/or other appropriate services provided by the student to the school or the community.

**Confiscation** - Any item prohibited by the *Code of Student Conduct* or the law will be removed from the student's possession.

**Court Referral** - The student is taken to court in the case of a drug offense, assault, weapon possession, truancy, or other violation of the *Code of Virginia*. The School Resource Officer will initiate appropriate legal action.

**Criminal Street Gang** - 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.

**Detention** - An intervention (not to exceed an hour) employed by any teacher or administrator

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to keep a student before or after school hours or on Saturdays in hope of correcting inappropriate behavior. Parents must be notified.

**Disciplinary Review Hearing Officer (DRHO)** - The Disciplinary Review Hearing Officer (DRHO) is the Superintendent's designee. He/she coordinates and enforces the school division's efforts to maintain safe, healthy learning environments in each school. The DRHO conducts interviews and hearings that are required due to the severity of a student's behavior.

**Dispositions** - Recommended actions administrators are to use in handling alleged infractions of the *Code of Student Conduct*.

**Drug Paraphernalia** - Those items described in Section 18.2-265.1 of the *Code of Virginia*, including items such as pipe fittings, stems, bowls, bongs.

**Expulsion** - The termination of a student's privilege to attend school within the school division by a vote of the Henrico County School Board. A student is ineligible for readmission for 365 calendar days, in accordance with the Code of Virginia, Sections 22.1-277, 22.1-277.07.

**Habitual Offender** - A student should be considered for habitual offender status if the student commits five or more violations of the *Code of Student Conduct* excluding Section 1: Attendance, and the school has addressed behaviors (e.g., in-school suspension, Saturday detention, after-school detention, etc.) with no marked improvement. The student will have had at least one (1) ten-day out-of-school suspension and there will have been a minimum of two (2) formal face-to-face conferences between the principal/designee and the parent/guardian.

**Habitual Offense** - A habitual offense shall include, but not be limited to, situations when a student violates multiple sections of the *Code of Student Conduct* (excluding attendance) and the school has addressed these behaviors with the student with no marked improvement in the student's behavior. Refer also to policy and regulation 6-05-004, "Disorderly Conduct/Disruptive Behavior," and policy and regulation 6-05-005, "Fighting/Assault/Threats."

**Harassment** - Repeatedly annoying or attacking a student or a group of students or other personnel which creates an intimidating or hostile educational or work environment.

**Hazing** - Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the Superintendent, or DRHO, who shall report it to the local Commonwealth's Attorney.

**Instructional Support Services Intervention** - When a student experiences repeated problems in school, the school personnel may refer this student to the child study team. The student is counseled and, if necessary, evaluated for alternative placement and educational program modifications.

**Jurisdiction** - The *Code of Student Conduct* and these related policies apply to any Henrico County Public School student. It is enforced when he/she is on school property, while traveling to school or from school, to, from and at bus stops, in School Board vehicles, in attendance at school or at any school-sponsored activity. In addition, the *Code of Student Conduct* applies to incidents off school property as referred to in *Definitions - Alternative Placements/Suspensions/Expulsions*. The *Code* also applies to a student's conduct which interferes with or obstructs the orderly operation of the school system or the safety or welfare of students, employees, or volunteers. Students who observe or are subjected to inappropriate actions as described in the *Code* are expected to report such incidences 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.

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**Law Enforcement Agencies** - In cases of serious violations of the *Code of Virginia*, the Henrico County Police, Child Protective Services, and Juvenile Probation Departments may be included in the disposition. The School Resource or DARE Officer usually serves as a liaison for these activities.

**Long-Term Suspension** - A disciplinary action whereby a student is not permitted to attend school for a period of more than ten (10) school days but less than 365 days.

**Look-alike Imitation Drugs** - A pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit, appearance, including color, shape, size, marking or package, or by representations made, is intended to lead or would lead a reasonable person to believe that such a pill, capsule, tablet, or other item is a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana.

**Mediation/Conflict Resolution** - Mediation/Conflict Resolution is a process led by either student and/or staff mediators in which disputants in a conflict are encouraged to meet and resolve their dispute.

**Parent/Guardian** - A parent is considered a natural parent, parent by legal adoption, or court appointed legal custodian. Teachers, counselors, and administrators are expected to contact parents by phone or letter in an effort to keep them informed of their child's conduct.

**Restitution** - The replacement of or payment for property taken, damaged, or destroyed will be required.

**School Conference with Parent** - Parents are encouraged to set up an appointment with any teacher, school counselor, or administrator to discuss their son's or daughter's progress or problems. If a student is suspended, a parent/guardian may be asked to come to school to initiate reinstatement of the student.

**School Property and Activities** - Includes real and personal property owned, leased or operated by or on behalf of the School Board. It also includes any school-sponsored event, bus stops, and activity to and from school and bus stops.

**School Resource & DARE Officers** - A Henrico County Police Officer is assigned to each middle and high school to assist with the maintenance of safe school environments and to support the administration and staff whenever assistance is required. DARE (Drug Abuse Resistance Education) officers are Henrico County police officers assigned to elementary schools and are responsible for preventive drug education programs. They also assist with the maintenance of a safe environment.

**Serious Bodily Injury** - Bodily injury which involves (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a body part or mental faculty.

**Shortened School Day** - The school administrator may recommend shortening a student's day if such a move is deemed beneficial to the school and/or student.

**Short-term Suspension** - A disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten (10) school days per violation of the *Code of Student Conduct*.

**Student Conference** - The first line of discipline is with the classroom teacher. Formal and informal conferences are held between the student and teacher. If problems become more serious, the grade level administrator will hold a conference with the student in an attempt to improve behavior. The student's school counselor often will be included in the conference.

**Suspension** - According to adopted School Board policy, a student may be suspended from school attendance for violations of the *Code of Student Conduct*. Suspensions of students with disabilities shall be consistent with federal and state law and regulations as well as School Board policy.

A principal or his/her designee may suspend a student up to 10 school days. (A "school day" is defined as any day that schools are open and students are expected to be in attendance.) Prior to

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suspension, the principal and/or designee should meet with the student. A letter shall promptly be mailed informing the parent of the violation of the *Code of Student Conduct* and the details of the suspension. Suspensions to a disciplinary hearing and recommendations for expulsion may be issued by the principal. Refer also to policy and regulation 6-06-003, "Suspension and Expulsion."

**Suspension Intervention Program** - Under codes 4 (Disorderly Conduct/Disruptive Behavior) and 5 (Fighting/Assault/Threats) of the *Code of Student Conduct* for suspensions of three school days (elementary) and five or more school days (secondary), students in grades K-12 may participate in this program. This allows the maintenance of the core academic subjects in addition to providing anger/conflict management and other problem-solving strategies. This is considered an in-school disciplinary action and may be appealed accordingly. Refer also to policy and regulation 06-06-003, "Suspension and Expulsion."

**Technology-Related Terms** -

**Application** - A program that helps the user accomplish a specific task. Examples include word processing programs or spreadsheet programs.

**Cyber Bullying** - Abusive behavior including, but not limited to, taunting, threatening, stalking, intimidating, and/or coercing by one or more individuals against other students or staff, perpetrated with computers, cellular phones, Internet websites, and/or any other electronic devices.

**Extensions** - Small programs that add to or extend the capabilities of the computer's system software.

**Hacker** - One who uses programming skills to gain illegal or unauthorized access to computers, computer networks, or files.

**Preferences** - Settings that are altered by the user to personalize the computer. Examples include track pad, date, time, internet settings, and network settings.

**Proxy** - Proxy is a computer system or router that can be used to bypass firewall rules, web filters, and/or security policies.

**Sexting** - The act of sending and receiving sexually explicit messages or photos electronically, primarily through use of cellular phones. This includes consensual and nonconsensual exchange, distribution, or possession of graphic images or messages.

**Software Image** - The pre-set software image is defined as the configuration of the system software, preferences, and extensions that reside on the computer.

**System Software** - The programs and routines that control the functioning of the hardware and direct its operation.

**Truancy Sweep** - An activity that is performed routinely in a predetermined school zone that involves identifying, locating, picking up and processing truant students in the community. Truancy sweeps are performed by authorized county personnel from the schools, police and courts.

**Verbal Assault** - The act of cursing, threatening, or using abusive language or written remarks, intended to demean or harm a student, staff member, or visitor.

**Web Space** - A series of best practices oriented toward assisting people to create dynamic websites. These websites serve as online platforms to allow individuals to use various methods of communication as well as easily connect various services, personal information, and social activities which utilize web tools. (Example of web tools include: blogs, music, hosting, photo sharing, instant messaging, bulletin boards, online chat rooms, etc.)

# Procedures in the Disciplinary Process

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**Appeal** - A decision to suspend a student may be appealed by the student or parent/guardian. An appeal of any suspension shall not hold the suspension in abeyance. A student shall remain on out-of-school suspension while awaiting the appeal. Failure to file a written notice of appeal within the prescribed time will constitute a waiver of the right to appeal. A student or parent/guardian may appeal a suspension to the principal of the school, then to the Superintendent's designee, the Disciplinary Review Hearing Officer (DRHO), in the following manner:

**In-School Suspensions/Bus Suspensions** - In-school disciplinary actions and bus suspensions taken by a school administrator other than the principal may be appealed in writing, following the appeal process, to the principal, whose decision shall be final. If the initial action is taken by the principal, parents may appeal in writing to the DRHO, whose decision shall be final.

**Procedure for appealing out-of-school suspensions of ten (10) days or less:**

1. A student or parent/guardian shall submit a written letter of appeal, which should include all supporting documentation, to the principal of the school within two (2) working days of notification of the suspension. The student or parent/guardian should state specifically the reason(s) for the appeal and consider the following before appealing a suspension: (A) whether the facts warrant the suspension; (B) if the consequences were appropriate for the behavior; and (C) whether school and county procedures were followed. The principal shall review the suspension and all the evidence and render a written decision as soon as possible and within three (3) working days.
2. To appeal further, the student or parent/guardian shall submit written notice to the principal within two (2) working days of the principal's decision to uphold the suspension, requesting that the principal forward the letter of appeal and all documentation to the DRHO for review. The DRHO shall review the information, gather additional information, and/or conduct a hearing if necessary, and render a decision. For suspensions of ten (10) days or less, the decision of the DRHO shall be final.

**Procedure for appealing out-of-school suspensions of more than ten (10) days:**

The DRHO may suspend students from school in excess of ten (10) school days after the principal has provided to the student or the parent/guardian written notice of the proposed action, the reason therefore, and of the right to a hearing. A decision to suspend a student in excess of ten school days may be appealed by the student or the student's parent/guardian. A student shall remain on out-of-school suspension while awaiting the appeal. A student or parent/guardian may appeal a suspension in excess of ten days to the School Board in the following manner:

1. When a student has been suspended more than ten (10) days by the DRHO, the student or his parent/guardian may appeal that decision to the School Board. Such an appeal must be in writing and must be filed within ten (10) calendar days of the decision to suspend in excess of ten (10) days. Failure to submit a letter within ten (10) calendar days will constitute a waiver of the right to appeal. The student or parent/guardian should state specifically the reason(s) for the appeal and consider the following before appealing a suspension: (A) whether the facts warrant the suspension; (B) if the consequences were appropriate for the behavior; and (C) whether school and county procedures were followed. The written appeal may also include a request for a hearing before the School Board.

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2. The School Board shall, at its monthly meeting or work session, render a decision based on the record, the written appeal, and any information presented in a hearing before the Board.

Reference: *Code of Virginia 22.1-277*.

**Appeals to the School Board (Long-Term Suspensions and Recommendations for Expulsion):**

Any appeal to the School Board shall be in writing and shall be directed to the DRHO within ten (10) calendar days after notification of the DRHO's decision. Failure to submit a letter within ten (10) calendar days will constitute a waiver of the student's or parent's/guardian's right to appeal.

The written appeal should briefly explain any facts, which are in dispute and why the decision should be reversed or modified, and should have attached any documents that explain or support the appeal. The written appeal may also include a request for a hearing before the School Board. The DRHO shall record the date that the appeal is received and provide copies of the appeal to the Superintendent.

When a student or parent/guardian has requested a hearing before the School Board, in his/her written appeal, the student or parent/guardian shall call the School Board Clerk for the date, time, and place of the meeting or work session when the School Board will be acting on the appeal.

The School Board shall consider the written appeal and any information presented in the hearing at its monthly meeting or work session and shall inform all parties of its decision within five (5) administrative days of the final vote.

**Enrollment Hearing**

**A. Detention, long-term suspension, expellable offense, charge or violation of the law -** A hearing must be initiated with the Disciplinary Review Hearing Officer for any student seeking enrollment in Henrico County Public Schools who has been discharged from a detention facility; long-term suspended, who committed an expellable offense while attending another school, public or private; or been charged or found guilty of a violation of the law. The hearing will determine if the student will be allowed to enroll in HCPS. The DRHO's decision will be final unless the parent files a written request for review by the School Board within ten (10) calendar days of the DRHO's written decision. The School Board will make a determination based on the record.

**B.** Students currently enrolled in HCPS will only need an enrollment hearing by the DRHO if the time served in a detention facility is thirty-one (31) days or more. The enrollment hearing will be held by the building principal or his designee for 30 days or fewer.

**Readmission** - A hearing must be initiated with the Disciplinary Review Hearing Officer for any student who has been expelled and seeks readmission. The parent may initiate contact with the Disciplinary Review Hearing Officer to schedule the hearing 60 calendar days prior to the expiration of the 365-calendar-day expulsion time frame. The review will be based on written information only unless otherwise requested by the School Board. In the event approval for readmission is granted, the Superintendent/designee will determine appropriate school placement and the date of reentry. Refer also to policy and regulation 6-06-003, "Suspension and Expulsion."

**Search and Seizure** - School authorities reserve the right to conduct random searches of lockers, desks, computers, computer hardware and software, and other property, as well as individuals and their personal belongings. This action will be taken to protect the safety and security of the school environment. School authorities may also conduct a search when there is

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reasonable suspicion for believing that items will be found that violate the law or school policy, rules, and regulations. The search should be reasonable in scope, duration, and intensity in relation to the item being sought. Students shall be held responsible for all items in their lockers and vehicles. The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored activity. If articles violate school policy, rule, regulation, or the law, they will be taken by an administrator. Illegal articles will be turned over to a police officer.

1. **Automobiles** - Parking on school grounds is a privilege. All personal vehicles parked on school property may be searched as a part of a random search or with reasonable suspicion. Parking on school property shall be deemed a consent to such search.
2. **Canines** - In an effort to ensure that each school maintains a safe environment, police dogs may be brought onto school property to inspect school premises, including, but not limited to, students, lockers, desks, backpacks, instrument cases, hand bags and vehicles.
3. **Metal Detectors** - School officials may conduct random metal detector searches at any regular or extracurricular school event. School authorities may also use metal detectors for searches when there is reasonable suspicion that the search will disclose the possession of items which violate law or school policy, rules, and regulations. A uniform procedure described in School Board regulation will be used for all metal detector searches. Refer to policy and regulation 6-04-003, "Search and Seizure."
4. **Surveillance Cameras** - Surveillance cameras may be used in buses, in school facilities, and around school grounds in order to monitor and maintain order, discipline, and school safety.

## Code of Virginia

§ 22.1-254. **Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.**—A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent, or provide for home instruction of such child as described in § [22.1-254.1](#).

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

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by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

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

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of § [22.1-253.13:1](#) and in § [22.1-254.01](#). The requirements of this section shall not apply to (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing a general educational development (GED) certificate but is not enrolled in an individual student alternative education plan pursuant to subsection D, and (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a GED certificate, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

B. A school board shall excuse from attendance at school:

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or

2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

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D. Local school boards may allow the requirements of subsection A of this section to be met under the following conditions:

For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
- c. Counseling on the economic impact of failing to complete high school; and
- d. Procedures for reenrollment to comply with the requirements of subsection A of this section.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

E. A school board may, in accordance with the procedures set forth in Article 3 (§ [22.1-276.01](#) et seq.) of Chapter 14 of this title and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § [16.1-260](#); (iii) suspended pursuant to § [22.1-277.05](#); or (iv) expelled from school attendance pursuant to § [22.1-277.06](#) or § [22.1-277.07](#) or subsection B of § [22.1-277](#), require the child to attend an alternative education program as provided in § [22.1-209.1:2](#) or § [22.1-277.2:1](#).

F. Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

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The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime that resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students, as provided in §§ [22.1-277.04](#), [22.1-277.05](#), [22.1-277.06](#), [22.1-277.07](#), and [22.1-277.2](#). As used in this subsection, the term "charged" means that a petition or warrant has been filed or is pending against a pupil.

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

H. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;

2. Children whose immunizations against communicable diseases have not been completed as provided in § [22.1-271.2](#);

3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;

4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and

5. Children excused pursuant to subsections B and C of this section.

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

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(Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251; 2006, c. 335.)

## Code of Virginia

**§ 22.1-279.3. Parental responsibility and involvement requirements.** — A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section and (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct, the notice of the requirements of this section, and the compulsory school attendance law. Each school shall maintain records of such signed statements.

D. The school principal may request the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or his designee to review the school board's standards of student conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

E. In accordance with the due process procedures set forth in this article and the guidelines required by § 22.1-279.6, the school principal may notify the parents of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compulsory school attendance compliance; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (iv) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

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

G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance, as follows:

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

2. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also required participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision G 2. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court. (1995, c. 852; 1996, c. 771; 2000, c. 538; 2001, cc. 688, 820; 2004, c.573.)

## ELEMENTARY SCHOOLS

		Telephone No.
Jacob L. Adams	600 S. Laburnum Ave., 23223	226-8745
Arthur Ashe	1001 Cedar Fork Rd., 23223	343-6550
George F. Baker	6651 Willson Rd., 23231	226-8755
Ruby F. Carver	1801 Lauderdale Rd., 23233	750-2640
Chamberlayne	8200 St. Charles Rd., 23227	261-5030
Colonial Trail	12010 Bacova Dr., Glen Allen, VA 23059	364-0055
Crestview	1901 Charles St., 23226	673-3775
Jackson Davis	8801 Nesselwood Dr., 23229	527-4620
Cashell Donahoe	1801 Graves Rd., Sandston, 23150	328-4035
Dumbarton	9000 Hungary Spring Rd., 23228	756-3030
Echo Lake	5200 Francistown Rd., Glen Allen, 23060	527-4672
Fair Oaks	201 Jennings Rd., H. Springs, 23075	328-4085
Gayton	12481 Church Rd., 23233	360-0820
Glen Allen	11101 Mill Rd., Glen Allen, 23060	756-3040
Glen Lea	3909 Austin Ave., 23222	228-2725
Greenwood	10960 Greenwood Rd., Glen Allen, 23059	261-2970
Harvie	3401 Harvie Rd., 23223	343-7010
Highland Springs	600 W. Pleasant St., H. Springs, 23075	328-4045
Elizabeth Holladay	7300 Galaxie Rd., 23228	261-5040
Charles M. Johnson	5600 Bethlehem Rd., 23230	673-3735
Laburnum	500 Meriwether Ave., 23222	228-2720
Lakeside	6700 Cedar Croft St., 23228	261-5050
R. C. Longan	9200 Mapleview Ave., 23294	527-4640
Longdale	9500 Norfolk St., Glen Allen, 23060	261-5095
Maybeury	901 Maybeury Dr., 23229	750-2650
Mehfoud	8320 Buffin Rd., 23231	795-7020
Montrose	2820 Williamsburg Rd., 23231	226-8765
Nuckols Farm	12351 Graham Meadows Dr., 23233	364-0840
Pemberton	1400 Pemberton Rd., 23238	750-2660
Raymond B. Pinchbeck	1225 Gaskins Rd., 23238	750-2670
Harold M. Ratcliffe	2901 Thalen St., 23223	343-6535
Ridge	8910 Three Chopt Rd., 23229	673-3745
Rivers Edge	11600 Holman Ridge Rd., Glen Allen 23059	364-0896
Sandston	7 N. Naglee Ave., Sandston, 23150	328-4055
Seven Pines	301 Beulah Rd., Sandston, 23150	328-4065
Shady Grove	12200 Wyndham Lake Dr., Glen Allen 23059	360-0825
Short Pump	3425 Pump Rd., 23233	360-0812
Skipwith	2401 Skipwith Rd., 23229	527-4650
Springfield Park	4301 Fort McHenry Parkway, Glen Allen 23060	527-4630
Three Chopt	1600 Skipwith Rd., 23229	673-3755
Maude Trevvett	2300 Trevvett Dr., 23228	261-5060

**ELEMENTARY SCHOOLS continued...**

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Tuckahoe	702 Forest Avenue, 23229	673-3765
Twin Hickory	4900 Twin Hickory Lake Dr., Glen Allen 23059	360-4700
Varina	2551 New Market Rd., 23231	795-7010
Henry D. Ward	3400 Darbytown Rd., 23231	795-7030

**MIDDLE SCHOOLS**

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Brookland	9200 N. Lydell Dr., 23228	261-5000
Harry F. Byrd	9400 Quioccasin Rd., 23233	750-2630
Elko	5901 Elko Rd., Sandston, VA 23150	328-4110
Fairfield	5121 Nine Mile Rd., 23223	328-4020
Hungary Creek	4909 Francistown Rd., Glen Allen, VA 23060	527-2640
George H. Moody	7800 Woodman Rd., 23228	261-5015
Pocahontas	12000 Three Chopt Rd., 23233	364-0830
John Rolfe	6901 Messer Rd., 23231	226-8730
Short Pump	4701 Pouncey Tract Rd., Glen Allen, 23059	360-0800
Tuckahoe	9000 Three Chopt Rd., 23229	673-3720
L. Douglas Wilder	6900 Wilkinson Rd., 23227	515-1100

**HIGH SCHOOLS**

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Deep Run	4801 Twin Hickory Rd., Glen Allen 23059	364-8000
Douglas S. Freeman	8701 Three Chopt Rd., 23229	673-3700
Mills E. Godwin	2101 Pump Rd., 23238	750-2600
Henrico	302 Azalea Ave., 23227	228-2700
Hermitage	8301 Hungary Spring Rd., 23228	756-3000
Highland Springs	15 S. Oak Ave., Highland Springs, 23075	328-4000
Virginia Randolph Community	2204 Mountain Rd., Glen Allen, 23060	261-5085
John Randolph Tucker	2910 Parham Rd., 23294	527-4600
Varina	7053 Messer Rd., 23231	226-8700

## **HIGH SCHOOLS**

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Deep Run	4801 Twin Hickory Rd., Glen Allen 23059	364-8000
Douglas S. Freeman	8701 Three Chopt Rd., 23229	673-3700
Mills E. Godwin	2101 Pump Rd., 23238	750-2600
Henrico	302 Azalea Ave., 23227	228-2700
Hermitage	8301 Hungary Spring Rd., 23228	756-3000
Highland Springs	15 S. Oak Ave., Highland Springs, 23075	328-4000
Virginia Randolph Community	2204 Mountain Rd., Glen Allen, 23060	261-5085
John Randolph Tucker	2910 Parham Rd., 23294	527-4600
Varina	7053 Messer Rd., 23231	226-8700

## **CENTERS AND ALTERNATIVE PROGRAMS**

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Adult Education Center (2 locations)	201 E. Nine Mile Rd., 23075	328-4095
	2202 Mountain Rd., Glen Allen, 23060	261-5070
Nontraditional Programs	5915 Nine Mile Rd., Richmond 23223	328-4280
Center for Diversified Studies	2204 Mountain Rd., Glen Allen, 23060	261-5058
Henrico Suspension Intervention Program	2204 Mountain Rd., Glen Allen, 23060	261-5085
Hermitage Technical Center	8301 Hungary Spring Rd., 23228	756-3020
Highland Springs Technical Center	100 Tech Dr., Highland Springs, 23075	328-4075
Mt. Vernon Middle School	7850 Carousel Lane, 23294	527-4660
New Bridge Evening School	5915 Nine Mile Rd., 23223	328-6520
New Bridge Middle School	5915 Nine Mile Rd., 23223	328-6125
New Start/Intercept/BASIC Programs	2204 Mountain Rd., Glen Allen, 23060	553-8236
Safe and Drug-Free Schools Program	2204 Mountain Rd., Glen Allen, 23060	261-0681
Virginia Randolph Education Center	2206 Mountain Rd., Glen Allen, 23060	261-5090

## **CENTRAL OFFICE CONTACT PERSONNEL**

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Disciplinary Review Hearing Officer	652-3713
Superintendent	652-3720
Legal Counsel	652-3712
Clerk of the School Board	652-3808

**Acknowledgement of Receipt and Review of the Code of Student Conduct**

I certify:

1. receipt of the Henrico County School Board’s *Code of Student Conduct* and understand that printed therein are Sections 22.1-254 and 22.1-279.3 of the *Code of Virginia*, and the HCPS Acceptable/Safe Use of Technology and the Internet (on page 28 ).
2. that my signature indicates my permission to allow my son or daughter to have access to the Internet under the conditions set forth.
3. that I have reviewed the content of the *Code of Student Conduct*, including school bus rules, with my child.
4. that signing below only signifies receipt and review, and, furthermore, that by signing this statement of receipt, I am not waiving, but expressly reserving, my rights protected by the constitutions or laws of the United States or Commonwealth of Virginia, and my right to express disagreement with a school’s or school division’s policies or decisions.

Cut along this line.

\_\_\_\_\_  
Student’s Name and Grade

\_\_\_\_\_  
Student Signature/Date

\_\_\_\_\_  
School

\_\_\_\_\_  
Parent/Legal Custodian Signature/Date

\_\_\_\_\_  
Principal Signature

**Please return this page to your child’s teacher within two (2) weeks of enrollment of each new school year.**

**HENRICO COUNTY PUBLIC SCHOOLS**

**SCHOOL BOARD**

Linda L. McBride  
Brookland District

Lamont Bagby  
Fairfield District

Diana D. Winston  
Three Chopt District

Lisa A. Marshall  
Tuckahoe District

John W. Montgomery, Jr.  
Varina District

**ADMINISTRATIVE STAFF**

Dr. Patrick J. Russo  
Superintendent of Schools

Carolyn W. Young  
Director of Disciplinary Review



3820 Nine Mile Road • P. O. Box 23120 • Henrico, VA 23223  
[www.henrico.k12.va.us](http://www.henrico.k12.va.us)