

**Falls Church Education Community: Rights and Responsibilities And Student Code of Conduct**

**I. PHILOSOPHY**

School is a learning community where students share ideas and develop intellectually, physically, socially, and emotionally. All members of the FCCPS learning community (students, parents/guardians, the school staff, the administrators and the School Board) have the mutual obligation to promote and maintain a safe and secure school environment for everyone. The student code of conduct is designed to clarify student rights developmentally appropriate to students' ages and levels of maturity.

**II. ROLES, RIGHTS AND RESPONSIBILITIES**

**System Wide Coordination**

The School Board policy, the Superintendent's regulations, the school principals' school rules, and the teachers' classroom expectations should all coordinate to provide clear, predictable guidance for student conduct. The discipline approach throughout the division should provide age appropriate guidance for behavioral choices, set reasonable limits and encourage students to learn to be responsible by owning their behavior and their choices.

**Students**

Each student has all the rights expressed and guaranteed by the United States and Virginia Constitutions and by all federal, state and local laws. Each student has the right to a public education without regard to gender, race, religion, national origin, age, color, marital status, disability, sexual orientation or any reason not related to his/her individual capacities.

Each student has the right to expect an orderly educational environment which allows optimum learning and reflects the values of integrity, responsibility, kindness, fairness, safety and respect.

Each student owes to each member of the education community an obligation to contribute to the respectful, positive educational environment and in return is owed that obligation from each member of the community. Each student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur. Individual rights do not include infringement upon the rights of others in the school community.

Students who are 18 years of age or older may exercise certain rights, including access to records, permissions for field trips, and questioning by police. Such students should follow the steps outlines in regulation. Students who are 18 years of age or older remain subject to all rules and regulations of the school.

Students have an obligation to contribute to an open, engaging, learning environment. Therefore, students are expected to:

- Attend school regularly and be present and on time for all scheduled activities.
- Actively and positively participate in the learning process.
- Be prepared with all necessary materials and by completing class assignments and/or requirements in a timely fashion.
- Know and comply with all school rules and applicable School Board policies and regulations.
- Cooperate in the creation and maintenance of a healthy learning environment with a climate of mutual respect for all members of the school community.
- Conduct themselves in a safe and orderly manner consistent with all behavior standards identified in regulation.
- Respect the rights of others during both curricular and extracurricular school programs.
- Abstain from behavior which interrupts or obstructs the learning environment.

**Parents and Guardians**

Parents/guardians have the right to expect an engaging, positive, safe learning environment for their students where parental partnership is welcomed. In turn, parents/guardians are expected to support the education community and serve as role models for student conducts.

Parents/guardians are responsible for:

- Teaching their students the behavior(s) required to function in school and society
- Promoting learning by ensuring regular attendance.
- Communicating with teachers and administrators about factors that may be affecting student behavior.
- Helping to build and maintain open lines of communication with school staff.
- Signing and returning all required papers.
- Assisting the schools in enforcing the standards of student conduct and all school rules
- Obtaining the materials required for effective participation in school programs.

**School Staff**

Administrators, teachers, classroom and school-wide support personnel, coaches and activity sponsors are role models for student conduct. These school staff are responsible for:

- Supporting the Code of Conduct by providing an orderly school environment, physically and psychologically favorable to learning.
- Fostering an atmosphere of mutual respect.
- Encouraging self-discipline and individual accountability for conduct that emphasizes honesty, integrity, justice, and compassion.
- Treating each student as an individual in accordance with his/her needs.
- Building and maintaining open lines of communication with parents/guardians.

The building principals are authorized to establish age and grade appropriate systems of progressive discipline. Such systems should ensure a positive educational environment, establish clear rules of behavior in addition to the code of conduct, allow the earliest intervention in misbehavior to prevent escalation of difficulties, and provide fair and consistent administration of the rules. Establishing the rules specific to each school is the responsibility of the school principal in collaboration with the school staff. Rules will be approved by the Superintendent and distributed widely, including being published in the student handbook/agenda. Each school principal has the responsibility and authority to exercise reasonable judgment in fairly enforcing the code of conduct and school rules. Principals are responsible for ensuring that all students, staff members, and parents/guardians are provided the opportunity to become familiar with this policy and regulation.

Teachers will establish classroom expectations for academic performance and student behavior, and have the primary responsibility to maintain discipline and order in the classroom. Teachers and classroom support personnel are responsible for supervision of students during the instructional day and during school sponsored activities. Teachers are encouraged to maintain close communications with parents/guardians regarding student behavior. When serious or repetitive behavior poses a problem for classroom discipline, teachers should involve parents/guardians in seeking improvements of their students' behavior. Teachers have the right and responsibility to remove disruptive students from the classroom, following the procedures in the regulation. Teachers may also impose other sanctions for student misbehavior, as outlines in the regulation. Teachers may and should seek the principal or designee's action where a student's behavior warrants such intervention. Teachers will attend professional development activities designed to improve classroom management and disciplinary skills when needed.

**School Board and Superintendent**

It is the School Board's role to adopt policy which sets the broad parameters of student behavior to protect the health, safety and welfare of the students. The Superintendent is authorized to issue standards of student conduct, to provide procedural steps to achieve compliance with the standards and consequences for non-compliance, in order that education may be conducted in a safe and secure environment, free of disruption and supportive of individual rights.

**III. CONSEQUENCES****Jurisdiction**

Standards of student conduct apply to all students under the jurisdiction of the School Board. Students are subject to corrective action for any misconduct that occurs:

- in school or on school property
- on or in a school-owned or leased vehicle
- while participating in or attending any school-sponsored activity or trip
- on the way to and from school
- at school bus stops
- off school property when the acts lead to (1) an adjudication of delinquency pursuant to Virginia Code § 16.1-305.1 or a conviction for an offense listed in Virginia Code §16.1260 G, or (2) a charge that would be a felony if committed by an adult. (see Policy 9.26)

Students who commit unlawful acts will be reported to law enforcement authorities, and may also have disciplinary consequences including suspension, expulsion or exclusion from the regular school program, and/or revocation of privileges to participate in extracurricular activities.

The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who violate conduct rules on the bus or otherwise endanger the health, safety and welfare of other riders. Parents/guardians of such students shall be notified that their child/children face the loss of bus riding privileges. If a student's riding privileges are suspended or revoked, the student's parents/guardians are responsible for seeing that the student gets to and from school safely. Conduct rules also apply while students are passengers in other school owned or operated vehicles. Misconduct may result in suspension of riding privileges.

**Discipline of Students with Disabilities**

Students who have been identified as students with disabilities are subject to all school rules and may be disciplined in compliance with the Virginia Board of Education regulations governing Special Education Programs for Children with Disabilities and federal law. Those regulations, 8 VAC20-81-160, can be found at the Department of Education website, <http://www.pen.k12.va.us> and are available at each school and the School Board central office. See Policy 9.35 Discipline of Students with Disabilities.

**Suspension, Expulsion and Exclusion**

School Board Policy and Regulation 9.26 govern the procedure for suspensions and expulsions. Expulsion remains the prerogative of the School Board, upon recommendation from the Superintendent. Exclusion of students is the prerogative of the School Board, under Policy 9.17 Admissions; Exceptions.

**IV. NOTICES AND COMMUNICATION****Generally**

The principal or designee shall determine the appropriate disciplinary measures to be taken in the case of student misconduct or violation of the rules or regulations, except when policy or law requires action by the Superintendent or School Board. Students who commit repeat offenses of any nature will face increasingly more stringent disciplinary action. The principal may suspend a student and/or recommend expulsion in any case involving prohibited conduct by following procedures outlines in policy and regulations.

**Communication to School Staff**

School staff will be provided an annual review of the student code of conduct policy and regulation. This review could include in-service training on the purpose and intent of the student conduct policy, staff roles and responsibilities for implementation, the standards for student conduct; disciplinary procedures; requirements for reporting offenses to local law enforcement; relationship of student conduct policy to other policies and procedures.

**Communication to Students and Parents/Guardians**

Within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time, parents/guardians will be given the FCCPS student conduct policy and regulation, a notice of the requirements of VA Code §22.1-279.3 and a copy of the compulsory school attendance law. Transfer students will be given a copy of these documents as part of the registration process. Parents/guardians will be asked to sign an acknowledgment of receipt of the Standards of Student Conduct, the requirements of VA Code § 22.1-279.3, and the compulsory school attendance law. The acknowledgement will make clear that by signing the statement of receipt, parents/guardians are not deemed to waive, but expressly reserve, their rights protected by the Constitution and laws of the United States and Virginia. Each school shall maintain records of the signed statements.

Each year, during the first week of school, all students will be provided instruction on the Standards of Student Conduct, and the Standards will be reinforced throughout the school year.

**Violation Notices to Parents/Guardians**

When student misbehavior violates the Code of Conduct, the school principal may request the student's parents/guardians to meet with the principal or his/her designee to review the School Board's Standards of Student Conduct; and the parents'/guardians' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with attendance, and educational progress. If both parents have joint physical custody and the school has notice of such court order, both parents will be notified at their last known addresses.

The school principal shall notify the parents/guardians of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violations; (2) the obligation of the parents/guardians to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that if the student is suspended, the parents/guardians may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

When it is determined necessary to enhance the safety of the school environment and after consultation with the Superintendent, school principals may notify the parent/guardian community of violations(s) of the student code of conduct and the response of the school. Such community notifications will comply with the requirements of FERPA (Family Educational Rights Protection Act) and FOIA (State Freedom of Information Act).

**Violation Reporting To and From Law Enforcement Authorities**

School personnel will report actions which are unlawful to law enforcement authorities. Under Policy 3.21, the principals and the Superintendent must report certain student misbehaviors to law enforcement authorities and to the Virginia Department of Education. Further, law enforcement authorities will report certain criminal offenses to school principals and the Superintendent. Student misbehavior may result in school disciplinary consequences as well as criminal law enforcement consequences.

**Policy Review**

The policy will be reviewed biennially and revised as necessary. The School Board shall review the model student conduct code developed by the Board of Education to incorporate into policy a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

**V. COMPLAINTS AND APPEALS PROCEDURES**

A student and/or his/her parent or guardian may file a complaint regarding the perceived violation of a student's rights as identified in this policy. Such complaint should be filed first with the school principal. If the complaint is unresolved, the student/parent/guardian may appeal to the Superintendent. If unresolved at the Superintendent level, an appeal may be filed with the School Board by the student, parent, or guardian.

Additionally, the School Board has adopted procedures for handling complaints of sexual harassment (Policy and Regulation IB.4) and discrimination (Policy and Regulation IB.2). The School Board has defined the procedural guarantees afforded to students in the event of suspension and/or expulsion (Policy and Regulation 9.26), or exclusion (Policy and Regulation 9.17).

**Cross References**

Policy and Regulation IB.2 Equality in the Educational and Employment Environment

Policy and Regulation IB.4 Freedom from Sexual Harassment

Policy 9.17 Admissions; Exceptions

Policy and Regulation 9.22 Student Absences/Excusals/Dismissals

Policy and Regulation 9.26 Student Suspension/Expulsion

Policy 9.35 Discipline of Students with Disabilities

Policy and Regulation 9.36 Substance Abuse Prevention and Sanctions

Policy and Regulation 9.37 Tobacco and Tobacco Products

Policy and Regulation 9.40 FCCPS Internet Safety and Acceptable Use of Electronic Media

Policy 9.57 Search and Seizure

Legal Reference: Code of Virginia, 1950, as amended, Section 22.1-276.2, 22.1-279.3 22.1-279.6, 22.1-277.7