STUDENTS

Long-Term Suspension or Expulsion of Students

The rules and procedures governing the long-term suspension or expulsion of students from Prince William County Public Schools (PWCS) are set forth in this regulation and are summarized in the PWCS “Code of Behavior.” In addition, a student may be suspended upon adjudication of delinquency or conviction of certain crimes as specified in the Virginia Code and Regulation 681-1, “Nontraditional Education Programs.”

For purposes of this regulation, the term “school day” means any day that school is in session for instructional purposes, and the term “business day” means any day that the Office of Student Management and Alternative Programs (OSMAP) is open. Where this regulation calls for a request to be made in writing or a paper to be filed with any agent, employee, or department of the School Division by a specific day, such writing or paper must be transmitted to such agent, employee, or department prior to 4 p.m. on said school or business day.

General Provisions Relating to Long-Term Suspensions and Expulsions

Conduct viewed as sufficient cause for long-term suspension or expulsion is identified in the policies and regulations of PWCS, the Virginia Code, and the PWCS “Code of Behavior,” but is not limited to such conduct. School administrators have the authority to impose and/or recommend disciplinary consequences for a wide range of student conduct if that conduct has a negative impact on the operation of the school, the health, safety, or security of students, staff, or school property, or the educational opportunities of other students.

The provisions of the PWCS “Code of Behavior” apply whenever students are involved, such as:

- At school activities on property owned by the School Board;
- When going to and from school and bus stops;
- On school buses and at bus stops;
- In cases involving off-site, school-sponsored activities such as field trips, sporting events, and club activities; and
- When conduct by a student occurring off school grounds or school property has a material effect on the operation or general welfare of the School Division; impacts the integrity of the educational process; threatens the health, safety, and welfare of students and staff; or impacts school property; occurs when the student is under the school’s authority in loco parentis; invades the rights of students or staff; or negatively impacts the educational opportunities of other students.
I. Long-Term Suspensions

A. The length of suspension shall be related to the specific breach of conduct. Short-term suspensions for minor breaches of conduct range from one to 10 school days as delineated in Regulation 744-1, “Short-Term Suspension of Students.” Long-term suspensions for more serious breaches of conduct are for 11 to 45 school days. A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (1) the offense is one described in §§ 22.1-277.07 or 22.1-277.08 of the Virginia Code or involves serious bodily injury; or (2) the School Board or Division Superintendent (“Superintendent”) or designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education. (Principals, assistant principals, and any teacher acting in the absence of the principal or assistant principal and with necessary authority, may initially suspend a student. As used throughout this regulation, principal is defined as principal, assistant principal, or any teacher serving as the principal’s designee with the principal’s authority.)

As delineated in the Superintendent of Public Instruction’s Memorandum #291-18 dated October 12, 2018, aggravating circumstances shall mean:

1. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or

2. That a student’s presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or

3. That a student engaged in a serious offense that is:
   a. Persistent (repeated similar behaviors are documented on the student’s disciplinary record), and
   b. Unresponsive to targeted interventions as documented through an established intervention process.

B. As set forth in § 22.1-277.06(C) of the Virginia Code, the following factors, or special circumstances, shall be considered by school administrators and the School Board in any recommendation for long-term suspension or expulsion:

1. The nature and seriousness of the violation;

2. The degree of danger to the school community;
3. The student’s disciplinary history, including the seriousness and number of previous infractions;

4. The appropriateness and availability of an alternative education placement or program;

5. The student’s age and grade level;

6. The results of any mental health, substance abuse, or special education assessments;

7. The student’s attendance and academic records;

8. Any aggravating circumstances, as defined by the Virginia Department of Education; and

9. Such other matters as deemed appropriate.

C. Students who are long-term suspended or expelled from school are prohibited from school property and school-related activities (teams, clubs, and all other school-sponsored activities, including practices) for the duration of their long-term suspension or expulsion, and may be arrested for trespassing, unless the student is a student with disabilities involved in on-site computer-based instruction, is a general education student found eligible to participate in computer-based instruction (see Regulation 681-1, “Nontraditional Education Programs”), or has written permission from school officials to be on school property or at a school-sponsored activity.

D. As referenced in Regulation 747-1, “Office of Student Management and Alternative Programs (OSMAP),” in the event the principal decides to recommend a student for possible further disciplinary action beyond a short-term suspension, with the agreement of the appropriate Level Associate Superintendent, the principal may extend the suspension for an additional five school days. Pending final outcome of disciplinary action by the School Board or until a long-term suspension or expulsion is imposed, students are eligible to receive educational services after the 10th day of suspension. In addition, a student may be reassigned, placed on long-term suspension, or expelled upon adjudication of certain felonies, as outlined in Regulation 681-1, “Nontraditional Education Programs.”
II. Expulsions

A. The Prince William County School Board may expel students for sufficient cause. Students who are expelled from school shall not be permitted to attend school and shall not be eligible for readmission for 365 calendar days after the date of the decision of the School Board Disciplinary Committee or the School Board, unless the School Board Disciplinary Committee or the School Board, after reviewing the recommendation for expulsion, stipulates that the student may petition for early readmission.

B. As set forth in § 22.1-277.07(A) of the Virginia Code, nothing in this section shall be construed to require a student’s expulsion, regardless of the facts of the particular situation.

C. It should be noted that only the School Board has the authority to expel a student from school. The School Board may consider factors in addition to the special circumstances listed above at Section I.B., which factors are relevant to any expulsion determination, including, but not limited to, the demeanor and credibility of the student and other witnesses during the disciplinary process; the degree of cooperation of the student in the disciplinary investigation; any criminal or court-mandated consequences of the student’s action; participation in psychological, anger management, rehabilitation, or other therapeutic programs; and, in cases involving prohibited substances, the student’s voluntary submission to drug testing or participation in substance abuse treatment or counseling programs.

D. Substance Abuse Offenses

1. As set forth in § 22.1-277.08 of the Virginia Code, school boards shall expel from school attendance any student whom such school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana onto school property or to a school-sponsored activity. However, the Superintendent, or designee (the appropriate Level Associate Superintendent, the Director of OSMAP, or an OSMAP hearing officer), or the School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate. Special circumstances include, but are not limited to, those statutory factors set forth at § 22.1-277.06(C) of the Virginia Code (cited above at Section I.B. of this regulation).

2. As set forth in § 18.2-255.2 of the Virginia Code, it is unlawful for any person, on school property, at school functions, at school bus stops, on a school bus, or on public property or property open to public use within 1,000 feet of a bus stop, to manufacture, sell, or distribute (by sale, attempted or intended sale,
gift, or otherwise) or possess with intent to sell, give, or distribute, any controlled substance, imitation controlled substance, or marijuana. Students who violate the law regarding substance abuse offenses shall be referred to local authorities for appropriate action in the criminal justice or juvenile court system.

3. In addition to those substance abuse offenses which are unlawful or for which the law mandates expulsion, PWCS prohibits other substance abuse offenses, including possession, use, being under the influence, receipt or attempted receipt, purchase or attempted purchase, distribution or attempted distribution, of drugs (illegal, prescription and/or over-the-counter, alcohol, inhalant intoxicants, look-alike placebos, or paraphernalia). Students may also be expelled for prohibited substance offenses which violate Regulation 735-1, “Prohibited Substances,” or the PWCS “Code of Behavior.”

E. Weapons Offenses

1. In accordance with the federal Gun-Free Schools Act of 1994, and as provided by § 22.1-277.07 of the Virginia Code, a school board is required to expel from school attendance for a period of not less than 365 days any student who is determined to have brought certain firearms on school property or to any school-sponsored activity.

2. However, in any case involving a firearm (as defined by the Virginia Code), the Superintendent’s designee (the appropriate Level Associate Superintendent, the Director of OSMAP, or an OSMAP hearing officer) or the School Board may determine that special circumstances exist and that no disciplinary action, another disciplinary action, or another term of expulsion is appropriate. Special circumstances include, but are not limited to, those factors set forth in § 22.1-277.06(C) of the Virginia Code (cited above at Section I.B. of this regulation).

3. Virginia law also prohibits the possession of certain weapons, real or look-alike, on school property, at school-sponsored activities, or on a school bus, and prohibits the discharge of firearms on school property or within 1,000 feet of the property line of a school.

4. In addition to those weapons offenses which are unlawful or for which the law mandates expulsion, PWCS prohibits the possession, use, receipt or attempted receipt, purchase or attempted purchase, distribution or attempted distribution, of other weapons or objects which are used as a weapon, attempted to be used as a weapon, or are reasonably perceived as a weapon. Students may also be expelled for weapons offenses which violate Regulation 775-1, “Weapons and Other Prohibited Objects,” or the PWCS “Code of Behavior.”
5. Students may be expelled for weapons offenses which occur on school property, going to or from school, or at any school-sponsored activity. Students may also be expelled for weapons offenses occurring off school grounds, if those offenses threaten the safety or security of the school, cause a material disruption to the orderly operation of the school; negatively impact the health, safety, security, and educational opportunities of other students; if the offense is planned at school or school-sponsored activities; if the offense occurs when the student is under the school’s authority in loco parentis; or is otherwise connected to the school. Students who violate the weapons policy shall be referred to local authorities for appropriate action in the criminal justice or juvenile court system.

F. Group Assaults and Assaults on Staff

In any case involving a group assault or involving a verbal or physical assault on a teacher, administrator, or other staff member, at school or a school-related activity, a student shall be recommended for expulsion. As with any expulsion recommendation, the Superintendent’s designee (the appropriate Level Associate Superintendent, the Director of OSMAP, or an OSMAP hearing officer) or the School Board may determine that special circumstances exist and that no disciplinary action or other disciplinary action is appropriate.

G. Guidelines regarding the procedures for long-term suspensions and recommendations for expulsion to the School Board are outlined in Regulation 745-6, “Long-Term Suspension and Expulsion Appeals,” and Regulation 747-1, “Office of Student Management and Alternative Programs (OSMAP).”

If any part, section, subsection, sentence, clause, or phrase of this regulation is for any reason declared to be unconstitutional or invalid, or otherwise in violation of law, that declaration shall not affect the validity of any other portion of this regulation, it being the express intent of the School Board that each provision stand independently and that severability be enforced to the maximum extent permitted by law.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.