



Virtual Preparatory Academy of Oklahoma Student Conduct and Discipline Policy

Behavior Guidelines

Virtual Preparatory Academy of Oklahoma expects positive behavior from all students, teachers, staff, and parents. Effective learning occurs with an approach to student behavior that stresses self-discipline, consistent with the maturity level of the students. Discipline, which reflects the School's policy of non-violence, exists to promote an atmosphere favorable to concentration, attention, and creativity. In addition, discipline is a positive attempt to help all students realize that they are important, worthwhile, and capable of learning. In classroom management, teachers shall be fair, firm, consistent, and impartial, displaying sensitivity to the needs of the individual child.

The following are the main ideas essential to the School's discipline system. Students will be successful by:

- Knowing and obeying the rules,
- Accepting responsibility for their behavior, and
- Engaging in their learning daily.

The code below applies to student conduct on school property, on live web conferencing, and while in the control or custody of the School, regardless of whether on or off school premises or at a school-related activity. The types of conduct prohibited by this code are listed below.

Students and parents shall be provided annually (at the beginning of the school year or upon entering the School) written information on the rules and regulations to which students are subject while in School and participating in any school-related activity or event. The information provided shall include the types of misconduct for which a student is subject to suspension or expulsion from School or other forms of disciplinary action. The Board directs the administration to make all students aware of this student Code of Conduct and that any violations of the student code of conduct are punishable.

Code of Conduct

To maximize student learning for all students, the Virtual Preparatory Academy of Oklahoma will provide a virtual school environment that promotes appropriate behavior and minimizes disruptions. The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their behavior and the consequences of their actions. All students are expected to have a clear and consistent understanding of the Student Code of Conduct and comply with all School policies and procedures.

The Code of Conduct requires students to:

- conform to reasonable standards of socially acceptable behavior;
- respect the person and property of others;
- respect the rights of others;
- preserve the degree of order necessary to the educational program in which they are engaged, and
- comply with the School, Head of Schools, teachers, and staff requests.

The Code of Conduct designates sanctions for student noncompliance with the code, which shall:



- relate in kind and degree to the noncompliance;
- help the student learn to take responsibility for their actions; and
- be directed, where possible, to reduce the effects of any harm which the student's misconduct may have caused.

Before being enrolled and as a condition of enrollment, parents and students must:

- Acknowledge receipt of the Code of Conduct; and
- Agree to comply with all expectations and procedures contained therein.

The Virtual Preparatory Academy of Oklahoma shall not discriminate on the basis of a protected class, including but not limited to race, color, national origin, age, religion, disability, or sex, in its discipline policy and practices.

The Code of Conduct applies to any conduct that occurs on or off the school property and at any School activity, function, or event, or during travel to or from said activity, function, or event.

The Code of Conduct also applies to conduct that occurs via the internet if it is directed at School students, officials, or personnel or to the extent it affects the learning environment. The following infractions are examples of prohibited behavior and will be subject to consequences, including but not limited to potential suspension or expulsion. The list of infractions is not intended to be exhaustive, and every incident will be evaluated individually. If a student leaves The School for any reason, whether through voluntary withdrawal, engagement/attendance based withdraw, or expulsion, he/she must return all school property including, but not limited to, the computer, hardware, software, textbooks, workbooks, and other materials and supplies loaned by The School or its Management Company. In addition to the consequences enforced by the School, law enforcement will be contacted in instances where criminal acts are committed:

- Cheating –to act dishonestly; copying or using someone else's work.
- Plagiarism –to use another's work without proper citation; to pass off another's work as your own.
- Insubordination –not accepting directions; refusing to cooperate with school employees, agents, and/or other representatives.
- Theft –to take the property of another without right or permission.
- Fighting –to participate in physical contact with one or more students, faculty, or staff of the School or any other person with the intent to injure.
- Possession or intake of a controlled substance or alcohol.
- Vandalism –purposeful destruction, misuse, or defacing of the School's property or other's personal property (including the computer) and/or hardware on loan to the student.
- Profane/obscene language or gestures toward students/staff/teacher/others –inappropriate, disrespectful words, terms, or gestures intended to embarrass or insult.
- Inappropriate use of internet access, as detailed later in this Handbook.
- Wrongful conduct –any action or inaction not explicitly referenced in the listing above that, in the opinion of the Superintendent, impedes, obstructs, interferes, or violates the mission; philosophy, policies, procedures, rules, and/or regulations of the School and/or is disrespectful, harmful, or offensive to others or property.
- Intimidation/interference/hazing of student or staff –threatening to physically or verbally harm, interfere, or degrade another student or staff.
- False alarms/bomb threat –purposefully engaging in a false alarm.

- Use/possession/sale/transmission/concealment of any drug, look-alike drug, or other illegal or controlled substance (other than tobacco or alcohol).
- Use/possession/sale/transmission of tobacco of any kind, as well as vaporizers and e-cigarettes.
- Use, possession, sale, or distribution of a firearm (or look like firearm) –a firearm is any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; or possession of a 'weapon' may result in immediate suspension or expulsion.
- Use, possession, sale, or distribution of a dangerous weapon (or look-alike) other than a firearm of explosive, incendiary, or poison gas –a weapon, device, instrument, material, or substance that is used for or is readily capable of causing death or serious bodily injury.
- Use, possession, sale, or distribution of any explosive, incendiary, or poison gas and any destructive device (or look-alike), which includes a bomb, a grenade, or a rocket.
- Unwelcome sexual conduct –unwelcomed sexual advances, requests for sexual favors, other physical or verbal conduct, or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment, i.e., pinching, grabbing, suggestive comments, gestures, jokes, or pressure to engage in sexual activity.
- Harassment, intimidation, or bullying behavior (including by an electronic act) as defined herein and in the School's Policy on Harassment, Intimidation, and Bullying.
- Gang involvement –participation in gang-related actions, dress, and/or activities; and
- Abuse or misuse of any school property or materials

Positive Behavior Intervention and Supports

Students are supported by Positive Behavior Intervention and Support (PBIS), an approach to discipline that targets desired outcomes with teachable moments and prevention of poor choices rather than focusing on punitive measures and reactive punishment. The research-based PBIS model teaches positive behavior choices alongside and embedded within SEL lessons to ensure that students understand behavioral expectations. Once this is taught, student behavior is also seen as a form of communication, and teachers strive to see through the behavior to see what the student might need and offer proactive support and guidance. Student Success Plans are created with the goal of both behavioral and academic success, and intervention strategies are tiered based on a multi-tiered level of support system.

Student Success Plans

The Student Success Plan is an essential part of the Student Services model. The success plan outlines the individual student's needs and specific actions for a student to become successful with the goal of academic achievement. Student Services, teachers, students, and learning coaches develop the Student Success Plan together. The assigned Student Services team member facilitates the process, monitors the plan, and provides ongoing follow-up.

Suspension and Expulsion Procedures

The School recognizes that exclusion from the educational program is a severe sanction and that suspension and expulsion must follow due process mandates. Additionally, the School will comply with all state and federal laws about students with disabilities.

A student may be disciplined for any violation of the student code of conduct, even if the violation occurs on property not owned or controlled by the School, if the violation occurred during activities connected with the School or if the behavior is directed at a school official.



Any student suspended or expelled under this policy will not be permitted to participate in any extracurricular activities.

Suspension

The Head of School or designee may suspend a student from the School for not more than ten school days. Students suspended out-of-school for more than ten (10) days and suspended pursuant due to possession of a firearm on any public school property may request a review of the suspension with the district's administration. If the administration does not withdraw the suspension, the student shall have the right to appeal the administration's decision to the VPA of Oklahoma Board of Education. Except for suspensions due to possession of a firearm, no out-of-school suspension shall extend beyond the current semester and the succeeding semester. Students or teachers shall be suspended out-of-school for a period of not less than one (1) year, to be determined by the district board of education. The term of the suspension may be modified by the district Head of School on a case-by-case basis. Upon full investigation of the matter, the Board shall determine the guilt or innocence of the student and the reasonableness of the term of the out-of-school suspension. The VPA of Oklahoma Board of Education may conduct the hearing and render the final decision or may appoint a hearing officer to conduct the hearing and render the final decision. If applicable, the decision of the district board of education or the hearing officer shall be final. 70 OK Stat § 70-24-101.3

Students who are guilty of any of the following acts may be suspended out-of-school by the administration of the School or district:

- a. Violation of a school regulation,
- b. Possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected of having been taken from a student, a school employee, or the School during school activities, and
- c. possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public school property or at a school event, as defined in the Uniform Controlled Dangerous Substances Act. Possession of a firearm shall result in out-of-school suspension.

Any student in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or a person volunteering for a school as prohibited according to Section 6-146 of 70 OK Stat § 70-24-101.3 shall be suspended for the remainder of the current semester and the next consecutive semester, to be determined by the VPA of Oklahoma Board of Education. The term of the suspension may be modified by the district Head of School on a case-by-case basis.

At its discretion, a school district may provide an education plan for students suspended out-of-school for five (5) or fewer days. The following provisions shall apply to students who have been suspended out-of-school for more than five (5) days and who are guilty of a violation of a school regulation or possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected of having been taken from a student, a school employee, or the School during school activities. Upon the out-of-school suspension, the parent or guardian of a student suspended out-of-school shall be responsible for providing a supervised, structured environment in which the parent or guardian shall place the student and bear responsibility for monitoring the student's educational progress until the student is readmitted



into School. The school administration shall provide the student with an education plan designed for the eventual reintegration of the student into the School, which provides only for the core units in which the student is enrolled. A copy of the education plan shall also be provided to the student's parent or guardian. The core units shall consist of the minimum English, mathematics, science, social studies, and art units required by the State Board of Education for grade completion in grades kindergarten through eight and for high school graduation in grades nine through twelve. The plan shall set out the education procedure and address academic credit for work satisfactorily completed.

The School may allow students to complete any classroom assignments missed because of an in-school or out-of-school suspension. Students may receive at least partial credit for a completed assignment; however, a reasonable grade reduction may be made because of a student's suspension. The School may not assess a failing grade for a completed assignment solely because of the student's suspension.

A student who has been suspended out of School from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state. No public school shall be required to enroll the student until the terms of the suspension have been met or the time of suspension has expired.

No public school of this state shall be required to provide education services in the regular school setting to any student who has been:

- a. adjudicated as a delinquent for an offense defined as a violent crime in Section 571 of Title 57 of the Oklahoma Statutes,
- b. convicted as an adult of an offense defined as a violent crime in Section 571 of Title 57 of the Oklahoma Statutes,
- c. who has been removed from a public or private school in the State of Oklahoma or another state by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students,
- d. Any student in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or a person volunteering for a school as prohibited according to Section 6-146 of Title 70 of the Oklahoma statutes, or
- e. has been removed from a public or private school in the state or another state by administrative or judicial process for an act of using electronic communication, as defined in Section 24-100.3 of Title 70 of the Oklahoma statutes, with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or other students.

The School where a student is subsequently enrolled may elect not to provide education services in the regular school setting until the School determines that the student no longer poses a threat to self, other students, or school district faculty or employees. Until the School in which such student subsequently enrolls or re-enrolls determines that the student no longer poses a threat to self, other students, or school district faculty or employees, the School may provide education services through an alternative school setting, home-based instruction, or other appropriate settings. Suppose the School provides educational services to the student at a district facility. In that case, the School shall notify any student or school district faculty or employee victims of the student, when known, and shall ensure that the student will not be allowed in the general vicinity of or contact with a victim of the student, provided the victim notifies the School of the victim's desire to refrain from contact with the offending



student.

Students suspended out-of-school who is on an individualized education plan pursuant to the Individuals with Disabilities Education Act, P.L. No. 101-476, or those on an individualized education plan shall be provided the education and related services following the student's individualized education plan.

A student who has been suspended for a violent offense that is directed toward a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

At its discretion, a school district may require a student guilty of acts of violation of a school regulation, possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes or missing or stolen property if the property is reasonably suspected of having been taken from a student, a school employee, or the School during school activities to complete intervention and prevention programs as provided by designated Youth Service Agencies, if available.

No school board, Head of School, or teacher may be held civilly liable for any action taken in good faith which is authorized by this section.

Expulsion

The Head of School may expel a student from the School for a period not to exceed 365 calendar days. No student shall be expelled under this policy unless the Head of School provides written notice of the student's potential expulsion before the student's expulsion. The written notice will include the opportunity to request and/or participate in a due process hearing and confirmation of the time, date, and location if such hearing has already been scheduled. The notice will contain the following basic information:

- A statement of the allegations leading to the extended suspension and/or potential expulsion;
- A statement of the nature of the evidence supporting the charges;
- A statement offering the student and parent/guardian a hearing regarding the potential expulsion or extended suspension;
- A statement that the student may be present at the hearing during the presentation of all information shall have an opportunity to present relevant information, and may be accompanied and represented by the parent/guardian and/or an attorney, and
- A statement that failure to attend or the submission of a hearing waiver constitutes the waiver of further rights in the matter.

Upon expulsion, a student will be withdrawn from School. The principal of the expelling school shall determine what, if any, academic credit may be awarded and under what conditions for the grading period in progress at the time of the expulsion. Expulsions will be recorded on a student's enrollment and discipline history. Expulsions will not be recorded on a student's academic transcript. Educational alternatives available to expelled students include private or parochial schools or homeschooling. For students under 17 who are expelled for the remainder of the school year, the parent/guardian ensures the student complies with statutory compulsory attendance requirements.

Due process hearings may be conducted by the Head of School or their designee, including contracted hearing officers. The hearings are closed except to participants and witnesses unless otherwise agreed by all parties. The Head will decide who may participate in a due process hearing of the School.



Testimony and information will be presented under oath; however, technical rules of evidence will not be applicable. The Head of School or their designee may consider and give appropriate weight to such information or evidence as he/she deems appropriate. The student or his/her representative may question individuals presenting the information. A good record of the proceedings will be maintained so a transcript can be prepared in the event either party requests. Preparation of the transcript will be at the expense of the party requesting the same.

The Head of School will render a written opinion within five (5) calendar days after the hearing. By mutual agreement between the Head of School or administrative designee and the student or student's representative, this policy's time limits and other conditions may be waived.

Right to Appeal to Board

Within two business days after the time of a student's expulsion or suspension, the Head of School or principal shall notify in writing the parent, guardian, or custodian of the student and the Board of Directors of the School of the expulsion or suspension. The notice shall include the following reasons for the expulsion or suspension and notification:

- 1) the right of the student or the student's parent, guardian, or custodian to appeal the expulsion or suspension to the Board of Directors of the School or to its designee;
- 2) the right to be represented in all appeal proceedings;
- 3) the right to be granted a hearing before the Board of Directors of the School or its designee in order to be heard against the suspension or expulsion;
- 4) and the right to request that the hearing be held in executive session.

The notice shall specify the manner and date by which the student or the student's parent, guardian, or custodian shall notify the VPA of Oklahoma Board of Directors of the student's, parent's, guardian's, or custodian's intent to appeal the expulsion or suspension to the Board or its designee. Suppose the Head of School expels a student under this section for more than twenty school days or for any period. In that case, if the expulsion will extend into the following semester or school year, the notice shall provide to the student, and the student's parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the appropriate public and private agencies' names, addresses, and phone numbers.

Suppose the student or the student's parent, guardian, or custodian intends to appeal the expulsion or suspension to the Board of Directors of the School or its designee. In that case, the student or the student's parent, guardian, or custodian shall notify the Board of Directors of the School in the manner and by the date specified in the notice. The student or the student's parent, guardian, or custodian may be represented in all appeal proceedings and shall be granted a hearing before the School's Board of Directors or its designee to be heard against the suspension or expulsion. At the request of the student or the student's parent, guardian, custodian, or attorney, the Board of Directors of the School or its designee may hold the hearing in executive session. However, it shall act upon the suspension or expulsion only at a public meeting. The Board of Directors of the School, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order of suspension or expulsion. The School's Board of Directors or its designee shall make a verbatim record of hearings held under this division.



This policy shall not be construed to require notice and hearing in the case of standard disciplinary procedures in which a student is removed from a curricular activity for less than one school day and is not subject to suspension or expulsion.

Denial, Revocation of Transfer.

According to 70 O.S. 24-101.3 and OVCA Board Policy, the School may deny a transfer or revoke a transfer required to attend the School for the acts and reasons provided for in Oklahoma law and Board Policy. The VPA of Oklahoma Board may also deny a transfer or revoke a transfer required to attend the School should the student have a history of absences as defined by Oklahoma law.

Discipline for Students with Disabilities

The VPA of Oklahoma Code of Student Conduct shall apply to all children unless a child's individualized education program provides explicitly otherwise. VPA of Oklahoma will ensure that the parents/guardians and the child with a disability receive notice of the rules and regulations applicable to children with disabilities with respect to child management, discipline, and suspension/expulsion upon the child's entry into a special education program or at the annual IEP review.

VPA of Oklahoma will consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of federal and state law and Oklahoma Statewide Virtual Charter School Board rules, is appropriate for a child with a disability who violates the code of student conduct. VPA of Oklahoma may remove a child with a disability who violates the code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days and for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct.

After a child with a disability has been removed from his or her current placement for ten school days in the same school year, during any subsequent days of removal, VPA of Oklahoma will provide services to the extent required. VPA of Oklahoma will conduct manifestation determination reviews as necessary.

For disciplinary changes in placement that would exceed ten consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, VPA of Oklahoma will apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities except as outlined below.

Services

A child with a disability who is removed from his or her current placement for more than ten consecutive school days must:

- Continue to receive educational services to enable the child to continue participating in the general education curriculum in another setting and progress toward meeting the goals set out in the child's IEP.
- Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications outlined in the behavioral intervention plan and IEP, where appropriate, that are designed to address the behavior violation so it does not recur.
- VPA of Oklahoma will provide services during periods of removal to a child with a disability who has been removed from his or her current placement for ten school days or less in that school

year if services are provided to a child without disabilities who has been similarly removed.

- After a child with a disability has been removed from his or her current placement for ten school days in the same school year, if the current removal is not for more than ten consecutive school days and is not a change in placement because of disciplinary removals, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed in order to provide a free, appropriate public education, to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.
- Suppose the removal is for more than ten consecutive school days or is a change in placement because of disciplinary removals. In that case, the child's IEP Team determines appropriate services needed in order to provide a free, appropriate public education to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.
- The services required may be provided in an interim alternative educational setting.

VPA of Oklahoma will comply with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA"), the Individuals with Disabilities Education Act ("IDEA"), as well as the Oklahoma Special Education Rules. The proposed school administrative office will be ADA-compliant.

Manifestation Determination

Within ten school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the VPA of Oklahoma, the parent, and the relevant members of the child's IEP Team (as determined by the parent/guardian and the LEA) will review all relevant information in the child's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine:

- If the conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
- If the conduct in question was the direct result of the LEA's failure to implement the IEP.

If VPA of Oklahoma staff, the parent/guardian, and relevant members of the child's IEP Team determine the conduct in question was a direct result of the failure of the LEA to implement the IEP, VPA of Oklahoma will take immediate steps to remedy those deficiencies.

Determination that the Behavior was a Manifestation

If VPA of Oklahoma staff, the parent/guardian, and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the IEP Team will either:

- Conduct a functional behavioral assessment, unless VPA of Oklahoma had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
- If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior, and except as provided in special circumstances below, return the child to the placement from which the child was removed, unless the parent/guardian and VPA of Oklahoma agree to a change of placement as part of the modification of the behavioral intervention plan.



Special Circumstances

VPA of Oklahoma may remove a child to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if the child:

- Carries a weapon to or possesses a weapon at School, on school premises, or at a school function under the jurisdiction of the State or the LEA;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at School, on school premises, or to a school function under the jurisdiction of the State or the LEA; or
- Has inflicted serious bodily injury upon another person while at School, on school premises, or at a school function under the jurisdiction of the State or the LEA.

The IEP Team determines the interim alternative educational setting.

Notification

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of child conduct, VPA of Oklahoma will issue a Prior Written Notice to notify the parents/guardians of that decision and provide parents/guardians the procedural safeguards notice described by Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, as amended (Section 504).

Appeal

The parents/guardians of a child with a disability who disagrees with any decision regarding placement or the manifestation determination under this Rule, or an LEA that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others, may appeal the decision by requesting a hearing.

Denial of Admissions

New students to VPA of Oklahoma shall be enrolled conditionally until educational records, including discipline records, are received from the student's previously attended School (s). If the student's records indicate a reason to deny admission, the student's conditional enrollment status may be revoked.

The Head of School or their designee may deny admission to the School following applicable law and Board Policy.

Grounds for Denial of Admission include but are not limited to:

- Having been expelled from any school district during the preceding twelve months;
- Behavior in another school district during the preceding twelve months that is detrimental to the welfare or safety of other students or school personnel;
- Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;
- Failure to meet age requirements (students must be between the ages of 5 and 21 on or before September 1).