

Distracting	Any behavior that results in unwanted noise, conversation, or acts.
Distributing or Distribution	Includes, without limitation, giving, sharing, or selling, or intending or attempting to do so, as well as facilitating any of the above.
Division Superintendent	The Division Superintendent or assigned designee (that is, region assistant superintendent, hearing officer, or assistant superintendent or any other administrative staff member authorized to act in that capacity).
Drug & Tobacco Paraphernalia	All equipment, products, and materials of any kind that are either designed for use or that are intended by the person charged for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, strength testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body <u>tobacco products, electronic cigarette products, or</u> a controlled substance. (Code of Virginia, Section 18.2-265.1)
Exigent	Requiring immediate attention or action.
Expulsion	Any disciplinary action imposed by a school board or a committee thereof, as provided in school policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.
Faith-based Discrimination (religious discrimination)	Treating individuals differently because of their religious beliefs and practices, and/or their request for accommodations of their religious beliefs and practices. It also includes treating individuals differently because of their lack of religious beliefs or practices.
<u>Force</u>	<p><u>Any physical action used to compel, restrain, or harm another person or damage property, including but not limited to: (1) physical contact – any intentional touching that is aggressive, threatening, or harmful, such as hitting, kicking, pushing, shoving, grabbing, or retraining; (2) use of objects – using any object to hit, throw at, or otherwise harm another person or to damage property; (3) threats of physical harm – any verbal or non-verbal communication that conveys a credible intent to inflict physical harm; (4) restraint – physically limiting another person’s freedom of movement without lawful justification.</u></p> <p><u>Accidental contact or contact that is a normal part of a school activity (e.g., physical education, sports) is not considered “force” unless it exceeds the normal expectations of that activity.</u></p>

Frequency	The rate at which something occurs or is repeated over a particular period of time or in a given sample.
Functional Behavioral Assessment	Conducted by a team in order to develop a hypothesis about the function of the problem behavior when a student behaves in a way that significantly interferes with the student's learning and/or the learning of others. This leads to the development of a Behavioral Intervention Plan (BIP).
Gang	A group of two or more persons, whether formal or informal, and however identified, which individually or collectively engage in activities that are illegal, destructive, disruptive, or intimidating. Such does include, but is not limited to, a criminal street gang. The group may, but need not necessarily, have an identifiable name, sign, symbol, or colors.
Generative Artificial Intelligence	Generative artificial intelligence (GenAI) is a technology that can create new content such as text, images, or other media from a predetermined set of data sources.
<u>Group Assault</u>	<u>A group intending to cause physical injury to another person. Any collection or group of students assembled with the intention of committing an assault constitutes a group. Each and every student who is part of a group shall be held directly responsible for any assault committed by one or more members of the group.</u>
Hate Speech	Any form of expression, <u>including symbols</u> , intended to humiliate or incite hatred against a group or class of persons based upon their actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, <u>religion</u> , or disability.
Hazing	Recklessly or intentionally endangering the health or safety of a student or inflicting bodily injury on a student 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 so endangered or injured participated voluntarily in the relevant activity. The Code of Virginia prohibits hazing and imposes criminal penalties. (Code of Virginia, Section 18.2-56)
Hearings Office	The Hearings Office conducts discipline hearings and determines outcomes on behalf of the Division Superintendent; makes discipline recommendations to the School Board and represents the Division Superintendent at

School Board hearings; maintains records and statistics related to expulsion, exclusion, and reassignment recommendations and outcomes; decides suspension appeals; provides resource assistance and training to school-based and central office administrators; and conducts employee grievance hearings on behalf of the Division Superintendent.

Imitation Controlled Substance

A drug or substance in which the substance or container bears the name, markings, or likeness to, or is represented to be, a controlled substance (including a prescription drug).

Imitation Marijuana

A substance which bears a likeness to or is represented to be marijuana.

Individualized Education Plan

A written plan for every student receiving special education services that contain information such as the student's special learning needs and the special education services required by the student.

Inhalant

Any substance that gives off vapors or fumes and that is inhaled for a high.

Intensity

The strength of the behavior, such as an impulse or emotion.

Intent

A conscious and deliberate purpose to engage in a specific action or to achieve a particular result. Intent may be established through direct evidence, such as a student's own statements, or inferred from circumstantial evidence, such as the student's actions and the surrounding circumstances. Factors including but not limited to a student's age, developmental level, and any diagnosed cognitive or emotional impairments will be considered when determining intent.

Letter of Agreement

A written agreement which may be offered by the Division Superintendent's hearing officer to a student who the hearing officer is recommending for expulsion. If the agreement is signed by the student's [parent/guardian](#) and accepted by a School Board committee, the student is assigned to an alternative education program during the term of the expulsion, and the student's case is concluded without a further hearing.