

STUDENT CONDUCT

Generally

The Albemarle County School Board (“School Board”) establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards of Student Conduct and a list of possible actions for violations of those standards.

This policy and the Standards of Conduct apply to all ACPS students. They are enforced when the student’s conduct occurs when the student is

- on school property.
- traveling to school or from school.
- traveling, to, at, and from bus stop.
- in School Board vehicles.
- in attendance at any school-sponsored activity.
- off school property if the conduct disrupts the learning environment.

Every student has a right to a quality education in an environment that is conducive to learning and free of disruption. Conversely, every student has the responsibility not to deny that right to others. Accordingly, the School Board has adopted policies and regulations designed to communicate our values for fair equitable treatment of students in accordance with Policy ACC, *Anti-Racism*, and, to discourage conduct that adversely affects the health and welfare of the students and staff.

Because we acknowledge that students have multiple learning styles and bring multiple perspectives, the School Board and Superintendent/Designee biennially review the model student conduct code developed by the Virginia Board of Education in order to incorporate into policy and the Standards of Student Conduct a range of disciplinary options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Parent Responsibility

Each parent/guardian of a student enrolled in the ACPS has a duty to assist in enforcing this policy, 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. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is sent to all parents/guardians within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent’s/guardian’s signature acknowledging the receipt of this policy, the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents/guardians are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the

constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or his designee to review this policy, the 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. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

The school principal shall notify the parents of any student who violates a School Board policy, the Standards of Student Conduct, 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 any disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.; and (4) that a petition may be filed under certain circumstances with the juvenile and domestic relations court to declare the student a child in need of supervision. The principal or his/her designee notifies the parent of any student involved in an incident required to be reported to the Superintendent and Virginia Board of Education

The principal/designee notifies the parent of any student involved in an incident required to be reported to the Superintendent and the Virginia Board of Education as described in policy CLA, *Reporting Acts of Violence and Substance Abuse*.

If the parent fails to comply with this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

A parent, guardian, or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code §16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request, an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records.

Any student involved in a reportable drug or violent incident, as described in policy CLA, *Reporting Acts of Violence and Substance Abuse*, participates in prevention and intervention activities deemed appropriate by the Superintendent/Designee. Further, any student who been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

Prohibited Conduct

The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

Bullying and the Use of Electronic Means for Bullying

Bullying is prohibited. “Bullying” means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. “Bullying” includes cyber bullying. “Bullying” does not include ordinary teasing, horseplay, argument, or peer conflict.

Gang Activity

Gang activity, as defined in policy JFCE, *Gang Activity or Association*, is prohibited.

Harassment

As provided in Policy JFHA/GBA, *Prohibition Against Harassment and Retaliation*, students are prohibited from harassing other students, school staff, volunteers, student teachers, or any other person present in school facilities or at school functions.

Hazing

Hazing is prohibited. Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm 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.

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

Self-defense

Whether a student acted in self-defense is considered when the student’s conduct is evaluated for disciplinary action.

Threats: Intimidation

Students are prohibited from making any verbal, written, or physical threat of bodily injury to another person.

Trespassing

Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property.

Use and/or possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs.

Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

Students are prohibited from attempting to possess, use, consume, procure, and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

Students are prohibited from being under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH, *Tobacco Products and Nicotine Vapor Products*, nicotine vapor products as defined in Policy JFCH, *Tobacco Products and Nicotine Vapor Products*, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, Marijuana, imitation and look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug possessed in violation of School Board policy.

In addition to any other consequences that may result, a student who is a member of a school athletic team will be ineligible for two (2) school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

Use of Profane or Obscene Language and Conduct

Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

Vandalism

Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person.

The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property pursuant to Policy ECAB, *Vandalism*.

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 Amended: November 13, 1995; July 28, 1997; October 11, 1999; December 13, 2001; February 14, 2002; December 11, 2003; August 10, 2006; September 28, 2006; July 10, 2008; September 12, 2013; August 14, 2014; August 27, 2015; January 28, 2016
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Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, Virginia Board of Education, January 2019.

Cross Refs.: ACC, *Anti-Racism*
 CLA, *Reporting Acts of Violence and Substance Abuse*
 EBB, *Threat Assessment Teams*
 ECAB, *Vandalism*
 IIBE/GDA, *Acceptable Use of Technology*
 JFCE, *Gang Activity or Association*
 JFCF, *Drugs in School*
 JFG, *Search and Seizure*
 JFHA/GBA, *Prohibition Against Harassment and Retaliation*
 JGA, *Corporal Punishment*
 JGD/JGE, *Student Suspension/Expulsion*
 JGDA, *Disciplining Students with Disabilities*
 JN, *Student Fees, Fines and Charges*

STANDARDS OF STUDENT CONDUCT

These regulations are promulgated to help parents/guardians, students, and school personnel to know some of the more obvious types of misconduct and understand disciplinary consequences which may be imposed upon the student as a result of such misconduct. The list of types of misconduct is not exclusive nor a limitation upon the authority of the School Board or school officials to deal with conduct which interferes with the proper functioning of the schools.

While adopting these regulations, the Board reserves to itself, and when appropriate, the Superintendent/Designee, the authority to determine appropriate disciplinary consequences of any conduct, listed or otherwise, which interferes with the proper functioning of the schools. All disciplinary action shall be determined on the basis of the facts and evidence presented.

Standards of Student Conduct

The following are standards of student conduct established by the School Board for all students. The consequences of any act are determined on the basis of the facts presented in each situation in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Theft

A student shall not intentionally take or attempt to take the personal property of another person by force, fear or other means.

2. Possession or Use of Weapons or Other Dangerous Articles

Students shall not have in their possession any type of unauthorized firearm or other dangerous weapon or device (See Policy Policy JFCD, *Weapons in Schools*).

- a. any pistol, shotgun, rifle or other firearm, whether loaded or unloaded, operative or inoperative, or any object similar in appearance to a firearm, whether capable of being fired or not;
- b. any pneumatic gun, which includes pellet guns, BB guns, and CO2 air pistols;
or
- c. any knife, razor, slingshot, brass or metal knuckles, blackjacks, explosives, or other dangerous articles.

A student further shall not misuse an acceptable object (such as a pencil, baseball bat, etc.) in a manner which endangers a person's safety or health. Possession includes storage in a vehicle, locker, or other receptacle. Any weapon possessed in violation of this policy shall be forfeited to the Commonwealth. The provisions of this section shall not apply to persons who carry such weapon or

weapons as part of the curriculum or other programs sponsored by the school or any organization permitted by the school to use its premises.

3. Profane, Obscene, or Abusive Language or Conduct

Students shall not use vulgar, profane or obscene language or gestures or engage in conduct that is vulgar, profane, and obscene or disrupts the teaching and learning environment.

4. Assault and Battery

A student shall not assault or commit battery upon another person on school property, on school buses or during school activities on or off school property. An assault is a threat of bodily injury.

A battery is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

5. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events. (See Policy JN-R)

6. Trespassing

No student shall enter upon any school property at night without authorized consent. Any student directed to leave or refrain from entering school property and who fails to do so shall be subject to disciplinary action. The student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

7. Cheating

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- Cheating on a test or assigned work by giving, receiving, offering and/or soliciting information
- Plagiarizing by copying the language, structure, idea and/or thoughts of another
- Falsifying statements on any assigned schoolwork, tests or other school documents.

8. Student Dress and Displays

Students are expected to dress appropriately for a K-12 educational environment. Any clothing and/or displays that interfere with or disrupt the educational environment are unacceptable. Clothing and displays with language or images that are vulgar, discriminatory or obscene, or clothing and displays that promote illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco products, nicotine vapor products, or drug paraphernalia or clothing and displays that contain threats such as gang symbols are prohibited.

In addition, clothing and displays that demean or promote harassment or hatred toward an identifiable person or group based on race, color, religion, ethnicity, national origin, ancestry, gender, gender identity, sexual orientation, or disability, including, but not limited to, Confederate imagery and other symbols of hate and oppression, such as the swastika, cause substantial disruption to the educational environment and, therefore, are prohibited.

Disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students not complying with this policy will be asked to cover the noncomplying clothing, remove or cover the display, change clothes, or go home.

9. Bus-Related Offenses

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus.

10. Disruptive Conduct & Defiance of School Personnel

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance which interrupts or interferes with teaching and orderly conduct of school activities is prohibited.

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by Board policies and regulations. A student shall not interfere with the orderly process of instruction.

A student shall comply with the directions of a teacher or other school employee.

11. Leaving without Permission

A student is prohibited from leaving the school campus during the school day without authorization of designated school authorities.

12. Accessory to a Violation

A student who acts as an accessory or accomplice to another in violation of any provision of the Standards of Student Conduct will be subject to corrective action as outlined in the Standards of Student Conduct.

13. Distribution or Sale of Illegal Drugs or Possession or Distribution with Intent to Sell.

Students shall not manufacture, give, sell, distribute or possess with intent to give, sell or distribute marijuana, synthetic cannabinoids, or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

14. Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids and Other Drugs

A student shall not possess, use, and/or distribute any of the restricted substances listed below on school property, on school buses, or during school activities, on or off school property.

A student shall not attempt to possess, use, consume, procure, and/or purchase, any of the restricted substances listed below or what the student believes are any of the restricted substances listed below.

Restricted Substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH *Tobacco Products and Nicotine Vapor Products*, nicotine vapor products as defined in Policy JFCH *Tobacco Products and Nicotine Vapor Products*, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug possessed in violation of School Board policy.

The School Board may require any student who has been found in possession of, or under the influence of, drugs or alcohol in violation of School Board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic training team, unless such steroid was prescribed by a licensed physician for a medical condition.

15. Bullying

A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities.

"Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

The principal notifies the parent of any student involved in an alleged incident of bullying of the status of any investigation within five school days of the allegation of bullying.

16. Hazing

Students shall not engage in hazing.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm 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 local Commonwealth Attorney.

17. Harassment

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. (See Policy JFHA/GBA, *Prohibition Against Harassment and Retaliation*). Sexual harassment includes any unwelcome sexual advances regardless of sexual orientation *, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment.

18. Attendance; Truancy

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See Policy JED Student Absences/Excuses/Dismissals.)

If a student who is under 18 years of age has ten (10) or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may act to suspend the student's driver's license.

19. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

20. Gambling

A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property, on school buses or during any school related activity.

21. Gang Activity

Gang-related activity is not tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolized association, rituals associated with, or activities by an identified group of students). (See Policy JFCE, *Gang Activity or Association*.)

22. Communication Devices

Students may possess a cellular telephone, smart phone, tablet, or other communications device on school property, including school buses, provided that the device remain off and out of sight during instructional time unless it is being used for instruction purposes at the direction of the student's teacher. Additionally, the student must cease use of the device if a school bus driver directs the student to discontinue use of the device if it distracts or creates an unsafe environment while the student is on the school bus. At no time may any school-provided device be used with an unfiltered connection to the Internet. The

division is not liable for devices brought to school or school activities.

If a student possesses or uses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

23. Reports of Conviction or Adjudication of Delinquency

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled.

24. Acceptable Use of the Internet

Students shall abide by the Albemarle County Public School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBE Acceptable Use of Technology.)

25. Felony Charges

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/ intervention activities.

26. Bomb Threats

Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

27. Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

28. Fighting

Exchanging mutual physical contact between two or more persons by pushing, shoving or hitting with or without injury is prohibited.

29. Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

30. Other Conduct

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

Procedural Statement Concerning Restricted Substances

When an employee of the Board suspects a student of the illegal possession, use, or distribution of any controlled, illegal or restricted substance on the premises of any Albemarle County public school, it is the duty of the employee to notify the school principal immediately. Acting in accordance with the Board's policies in this manual and related policies and regulations, the principal should take possession of the suspect substance with the consent of the suspect student, if possible, or through a search procedure.

Minimum due process must be afforded the student prior to suspension. If the student admits the accusation when confronted, the student shall be suspended immediately. If the student denies the accusation, the student shall not be suspended unless there is evidence that he/she is in possession of, under the influence of, or distributing a restricted substance. In this case, the student shall be given into the custody of the parent or guardian and shall be suspended immediately. In any case, every effort should be made to have the parent or guardian come to the school before action is taken beyond the preliminary phase of the principal's investigation.

If an illegal substance is found in the student's possession, it will be turned over to law enforcement personnel. Drug violations will lead to disciplinary action, regardless of whether criminal charges are filed, or whether a criminal conviction is obtained. For first offenses of illegal possession, use or distribution of a restricted substance, a student will receive a ten (10) day suspension at minimum and be required to participate in any substance abuse prevention or education program deemed appropriate by the principal. For any second or subsequent offense of illegal possession, use or distribution of a restricted substance, the student will receive a ten (10) day suspension and be recommended for expulsion. All cases in which a student has brought a controlled substance, imitation controlled substance or marijuana as defined in Va. Code §18.2-247 onto school property or a school-sponsored activity shall be recommended for expulsion unless the Disciplinary Hearing Officer conducts a preliminary review of the case and determines that disciplinary action other than expulsion is appropriate. (See Policy JGD/JGE, Section V.B.)

A student for whom the Superintendent has received a report pursuant to Section 16.1-305.1 of the Code of Virginia of an adjudication of delinquency or a conviction for an offense involving the manufacture, sale, gift, distribution, or possession of marijuana or other controlled substances may be suspended or expelled from school, regardless of whether the adjudication or conviction resulted from an off-campus incident.

Other Criminal Offenses

Students charged with felony criminal offenses arising from conduct that occurs on or off- school grounds are subject to potential disciplinary action, up to and including suspension or expulsion, and may be suspended from school or required to attend an alternative education program while the criminal charge is pending. Students who are convicted or adjudicated guilty of felony offenses are also subject to potential suspension or expulsion from school, or placement in an alternative education setting, in accordance with applicable Virginia law.

Corrective Action

The goal of student corrective action shall be to encourage self-control and orderly conduct.

Each teacher is expected to establish satisfactory student behavior with positive and constructive methods. If the discipline problem continues after a teacher attempts to correct student behavior, it shall be referred to the appropriate building administrator.

The following corrective actions are among those available to the school administration for violation of the Standards of Student Conduct. This list is not to be considered as exhaustive or to be delimiting to school administrators or staff. Each offense will be considered fully in determining reasonable corrective actions.

Administrative responses and interventions should be designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and prevent further behavioral issues. The following level of administrator responses go hand-in-hand with tiered supports, which are more fully described in the *Guidelines for the Reduction of Exclusionary Practices*. Neither is intended to be the sole response to student discipline incidents. The following lists of leveled administrative responses to student behavior are provided as an example of a leveled system of discipline responses.

Level 1 Responses: Level 1 responses are intended to prevent further behavioral issues while keeping the student in school.

- Re-teaching or modeling of desired behavior
- Recognize/Reward appropriate behavior
- Administrator/Student conference and/or Administrator/Student/Teacher conference
- Written reflection or letter of apology
- Peer mediation or conflict resolution
- Behavior progress chart
- Community service (appropriate to correct the behavior)
- Restitution
- Seat change
- Loss of school privileges
- Confiscation by the administration

- Administrator/Teacher/Parent/Guardian conference
- Detention (before school, at lunch, after school)
- In-school suspension (Up to one-two days) with behavioral instruction and academic support

Level 2 Responses: Administrative responses and interventions at this level are designed to prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.

- Student conference
- Administrator/Teacher/Counselor/Student conference (includes re-teaching of expected behavior)
- Administrator/Teacher/Parent/Guardian conference
- Check-In/Check-Out
- Mediation or conflict resolution
- Detention (before school, at lunch, after school)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, and Problem-Solving Team (ex. VTSS), Substance Use and Intervention Program)
- Referral to Individualized Education Plan (IEP) team
- Schedule change
- Community service (appropriate to correct the behavior)
- Referral for community-based services
- Saturday school
- Restitution
- Confiscation
- Temporary loss of privileges
- In-school suspension with behavioral interventions and/or restorative practices (one-three days)

Level 3 Responses: Dependent upon the severity, chronic nature of the behavior and/or safety concerns, Level 3 behaviors may result in the student's short-term removal from school.

- Administrator/Teacher/Parent/Guardian Conferences
- Detention
- In-school suspension with restorative practices (three plus days not to exceed five days)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor program, Problem Solving Team, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
- Referral for community-based services
- Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Development (Special Education Students)
- Functional Behavioral Assessment (FBA) and Behavior Support Plan (BSP) Development (General Education Students)
- Community service
- Revocation of privileges

- Restitution
- Referral to alternative education programs
- Short-term out-of-school suspension (one (1) to -three (3) days for elementary students/one (1) to -five (5) days for secondary students) with restorative circle or conference upon return
- Behavior contract (developed with and signed by the student, parent/guardian, and school official)
- Referral to law enforcement where required

Level 4 Responses: Some level 4 behaviors require a report to the superintendent or superintendent's designee as outlined in the Code of Virginia § 22.1-279.3:1. A referral to the superintendent or superintendent's designee does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the superintendent or designee may return students to the comprehensive setting with additional supports and/or responses to be implemented.

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Parent-Administrator-Teacher-Student behavior contract
- Long-term revocation of privileges
- Restitution via written contract
- Referral for community-based services
- Schedule change
- Short-term out-of-school suspension (for preschool to grade three students one (1) to three (3) days, four (4) to ten (10) days for fourth- to sixth-grade students, or five (5) to ten (10) days for seventh- to twelfth-grade students)
- Recommendation for a long-term suspension as determined by the local policy or by Code.

Level 5 Responses: Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. A referral to the superintendent or designee may not automatically result in an expulsion, alternative placement, school reassignment, or long-term suspension.

Required School-based Administrative Responses to Level 5 Behaviors

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Referral to Superintendent or designee

Examples of superintendent or designee responses to Level 5 behavior

- Long term suspension
- Alternative placement
- Expulsion
- Return the student to the school setting with appropriate supports and interventions.

If an expelled student under this section of the regulation is under eighteen years of age, the authorities of the juvenile court shall be notified where appropriate.

Enrollment of Suspended/Expelled Students

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his/her regular school. Expelled students may apply to the School Board for readmission to the School Division in accordance with Policy JGD/JGE.

Any student who has been suspended/expelled from another division must petition for admission in accordance with policy JEC.

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Equity Review: September 9, 2021

HIGH SCHOOL ELIGIBILITY AND CODE OF CONDUCT: ATHLETICS AND OTHER EXTRACURRICULAR ACTIVITIES

Participation in athletics and other extracurricular activities is regarded as an important privilege for students. Participation in such activities supports students' personal growth and achievement and also gives students the opportunity to be representatives of and ambassadors for their school. Albemarle County Public Schools is committed to developing and maintaining a high level of confidence by the student body and the school community. Therefore, students who desire to participate in extracurricular activities are expected to meet standards in three major areas: academics, attendance, and conduct. Failure to meet appropriate standards in any one, or more, of these areas will result in a student losing the privilege of participating in extracurricular activities.

I. Policies related to this regulation

- School Board Policy JFC – Student Conduct
- School Board Policy JGD/JGE – Discipline
- School Board Policy JFCI - Substance Abuse
- School Board Policy JFCH - Possession and/or Use of Tobacco on School Premises

II. Definition of Extracurricular Activities

Extracurricular activities include, but are not limited to: participating in athletics and other competitive activities, event or activity practices, and other student activities; performing in public beyond the class culminating performances. Activities that are a part of a credit bearing class do not constitute extracurricular activities.

III. Introduction

- A. This regulation is in effect from the first day a student begins participation in a high school sport or other extracurricular activity throughout the remainder of the season or other extracurricular activity period.
- B. This regulation establishes a minimum code of conduct for student-athletes and other students who desire to participate in extracurricular activities offered by the Albemarle County Public Schools. This regulation shall be administered by each school through its principal/designee in conjunction with the athletic director, coach(es) or other sponsors. This regulation does not supersede the School Board's student discipline policies.
- C. Prior to participating in a school sport or other extracurricular activity, the student and his/her parents or guardian will be required to sign a statement acknowledging that the student shall comply with and abide by the terms and conditions of this regulation.

- D. This regulation applies to all high school students in grades 9-12 as well as 8th grade students who are permitted to participate in high school sports or other extracurricular programs.

IV. Academic and Behavioral Expectations

- A. General Standards, Guidelines and Information
- A student shall be enrolled as a full-time student in good standing under School Division policy and Virginia High School League rules and regulations in order to be eligible to participate in extracurricular activities.
 - Students who fail to meet appropriate academic, attendance or behavioral standards may be withheld or dismissed from participation in athletics or other extracurricular activities.
 - Any student who is ineligible but participates in a contest/activity while ineligible may cause the team/group to forfeit that contest/performance in accordance with this regulation.
 - A specific team membership, athletic position, performance role, leadership position, etc. may or may not be available for the student to resume, upon regaining eligibility.
 - Each elementary and middle school may have specific guidelines and requirements for one or more extracurricular activities offered at that school.
- B. Students participating in athletics and other extracurricular activities are expected to pass and successfully meet the academic and attendance goals and objectives established by the School Division in order to be eligible. Students are also expected to meet the behavioral standards of their school and School Division. This requirement is in addition to the Virginia High School League rules and regulations.
- C. Students are ineligible to participate in practice or in a contest, competition or other activity if they have been placed on suspension. Students must be in school all day in order to participate. Exceptions are prearranged absences, doctor appointments, school-related absences or in other cases as authorized by school administration.
- D. If a student tries out for a sport or other activity and quits or is dismissed because of disciplinary reasons, he/she is ineligible to try out for another sport or activity without approval from the athletic director and/or principal/designee.

V. Misbehavior

- A. The admission of facts involving student misconduct, whether on-campus or off-campus, which constitute a criminal offense or conviction of a criminal offense, either felony or misdemeanor (excluding minor traffic violations) may result in suspension from athletic or other extracurricular activities for a period of time to be determined by the principal/designee after investigation and consultation with

the Division Superintendent/designee.

- B. Disciplinary action may result in denial of participation in athletic competition or other extracurricular events.
- C. Students who have received out-of-school suspension shall be prohibited from participation in all athletic or other extracurricular or interscholastic practices, events, activities or competitions for the duration of such out-of-school suspension.

VI. Alcohol, Drugs and Tobacco

- A. No student involved in a sport or other extracurricular program shall knowingly possess, use, distribute, transmit or be under the influence of alcohol, performance enhancing drugs, inhalants or controlled substances of any kind (except as prescribed by a medical professional or as otherwise authorized by this regulation) during the athletic season or other extracurricular program.
- B. The unauthorized possession, use, distribution, transmittal or being under the influence of alcohol, performance enhancing drugs, inhalants or controlled substances of any kind (except as prescribed by a medical professional) by a student during the athletic season or other extracurricular program will subject the student to the following consequences (in addition to any school disciplinary and/or other applicable sanctions):
 - 1. First offense in student's high school-level participation:
 - a. A minimum of two (2) weeks suspension from participation in athletics or other extracurricular program, including practice and competition, from the date the knowledge of the possession, use, transmittal, distribution or being under the influence became known to a school official;
 - b. A student who agrees (with parental consent) to participate in a drug/alcohol counseling and/or assessment program offered at school or at a school-approved community agency may be reinstated to the athletic team or other extracurricular program at the end of the two (2) week period. Any student who does not agree to participate in such counseling and/or assessment program shall be suspended from all athletic teams or other extracurricular programs for thirty (30) days of participation or for the remainder of the season or program, whichever is longer.
 - c. Reinstatement of the student to the athletic or other extracurricular program is contingent upon the student complying in all material respects with the recommendations made by an alcohol or other

substance abuse counselor or other appropriate person as well as the approval of the principal/designee for reinstatement to the team or program; and

- d. Successful completion of any recommendations by an alcohol or other substance abuse counselor or other appropriate person will be evaluated by the principal/designee.
2. Second offense in student's high school-level participation:
 - a. A minimum of four (4) weeks suspension from participation in athletics or other extracurricular program, including practice and competition, from the date the knowledge of the possession, use, transmittal, distribution or being under the influence became known to a school official;
 - b. A student who agrees (with parental consent) to participate in a drug/alcohol counseling and/or assessment program offered at school or at a school-approved community agency may be reinstated to the athletic team or other extracurricular program at the end of the four (4) week period. Any student who does not agree to participate in such counseling and/or assessment program shall be suspended from all athletic teams or other extracurricular programs for thirty (30) days of participation or for the remainder of the season or program, whichever is longer.
 - c. Reinstatement of the student to the athletic or other extracurricular program is contingent upon the student complying in all material respects with the recommendations made by an alcohol or other substance abuse counselor or other appropriate person as well as the approval of the principal/designee for reinstatement to the team or program; and
 - d. Successful completion of any recommendations by an alcohol or other substance abuse counselor or other appropriate person will be evaluated by the principal/designee.
 3. Third or subsequent offense in student's high school level participation:
 - a. Full suspension from all athletic activities and competitions and other extracurricular program for a 365-day period;
 - b. The student may be required to undergo a current drug/alcohol assessment at school or at a community agency offering such assessments. Prior to reinstatement at a future date, the student will follow and comply with all recommendations from the

assessment report, including participation in an approved school-based or community alcohol or other drug education program; and

- c. The student may petition for reinstatement after the end of the 365-day period. The decision whether to reinstate the student shall be at the sole discretion of the principal/designee after consultation with the Division Superintendent/designee.
4. In cases involving a first or second offense only, students who voluntarily request assistance from school officials in connection with an alcohol, drug or tobacco incident may receive reduced disciplinary consequences under this regulation at the discretion of the principal, provided that the request must come from the student or his/her parents/guardian no later than the first school day after the incident involving the unauthorized use of alcohol, performance enhancing drugs, inhalants or controlled substances of any kind or tobacco.
 - C. This regulation shall not be construed to prohibit students from participating in a bona fide religious ritual, ceremony or other religious activity in which alcohol is served under the supervision of their parents or guardians. In such cases, the use or consumption of small amounts of alcohol as part of a bona fide religious ritual, ceremony or activity, such as a Passover Seder, Communion or other religious service or observance, shall not constitute a violation of this regulation.
 - D. This regulation shall not be construed to prohibit parents from providing alcohol to their children in a supervised setting as authorized by Va. Code § 4.1-200(7), as amended, or other applicable law. However, it is the hope and desire of the Albemarle County Public Schools that, notwithstanding the permissive authority given to parents to provide alcohol to their children in such limited, supervised settings, parents will agree not to do so in order that their children may remain free of alcohol use during the school year.
 - E. In accordance with Va. Code § 22.1-276.3, as amended, or other applicable law and Virginia High School League rules and regulations, any student who is a member of a school athletic team shall be deemed ineligible for two school years to compete in interscholastic athletic competition, if it has been determined by the Division Superintendent and principal that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.