

## STUDENT CONDUCT

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 encourage good citizenship, reasonable standards of behavior, and a favorable atmosphere for learning and to discourage conduct that adversely affects the health and welfare of the students and staff.

Standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of Albemarle County. It is the responsibility of the Albemarle County School Board and the administration to provide rules of conduct for student behavior in order to protect the health, safety, welfare, and individual rights of its students. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this policy and the regulation. Principals are responsible for insuring that all students, staff members, and parents are provided the opportunity to become familiar with this policy and the regulation.

### Parent Responsibility

The superintendent issues Standards of Student Conduct, and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing 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. 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 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 signature acknowledging the receipt of 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 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 the School Board's 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.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

The school principal shall notify the parents of any student who violates a School Board policy when such violation could result in the student's suspension, whether or not the school administration has imposed any disciplinary action. 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

No suspended student shall be admitted to the regular school program until such student and his/her parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his/her designee determines that readmission, without parent conference, is appropriate for the student.

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 for willful and unreasonable refusal to participate in efforts to improve the student's behavior in accordance with the Code of Virginia.

### Expectations

Each student has the right to expect an educational environment in which he can strive to achieve his/her intellectual potential. The most important student responsibility is to avoid disruptive conduct which infringes on the rights of others. Students, parents and school personnel are expected to cooperate in efforts to insure a learning environment free of disruption.

- I. The student is expected to be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is required to know and conform to the rules and regulations of the school, to conform to the direction of the school staff, and to comply with provisions of law.

- II. Parents are expected to teach their children conduct that does not infringe on the rights of others, to cooperate with school authorities, and to support necessary disciplinary measures. It is the parent's responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.
- III. The teacher has primary responsibility for all matters of conduct and discipline in the classroom, in the school building, and on the school grounds. Teachers have the authority to use such reasonable measures as may be necessary to maintain discipline in the classroom.
- IV. The principal/designee has the following responsibilities:
  - A. to establish and implement rules and regulations for student conduct in school that are not covered by this policy;
  - B. to make these policies, rules, and regulations readily available to students and parents;
  - C. to supervise and support teachers in their obligation to maintain discipline and create an atmosphere conducive to student self-regulation;
  - D. to impose necessary corrective measures including but not limited to imposing suspension or recommending expulsion to the Superintendent; and
  - E. to defend every individual within the school against arbitrary and unfair treatment.
- V. All persons associated with the school have a responsibility in the maintenance of proper school discipline.

### Enforcement

The Albemarle County School Board supports the school administration and staff in enforcing the policies and regulations and insuring that all students have a sound, non-disruptive educational environment in which to learn. Principals have the final responsibility for discipline of the students in their jurisdiction.

The administration and staff shall take all reasonable steps to prevent and eliminate restricted substances in the schools. The schools shall cooperate freely with agencies involved in such programs to the extent that the Superintendent deems advisable and shall implement appropriate educational programs.

To maintain control of restricted substances within the schools and to insure the health and welfare of the students, the School Board requires any student who is taking a prescription or nonprescription medicine for illness or other medical needs during the school day to report this fact to the principal or other designated staff member. If the student so requests, this information will be held in professional confidence. Such medication will be placed in the care of the principal or their designee. (See JHCD, *Administering Medicines to Students*.)

Note: The term "restricted substance" includes alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any abusable glue, paint and similar materials, anabolic steroids, and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package. The term "restricted substance" also includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the Superintendent/Designee. Further, any student who has 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.

Students are subject to corrective action for any misconduct that occurs:

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school; and
- off school property, when the acts lead to: (1) notification pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260 or (2) a charge that would be a felony if committed by an adult or (3) disruption of the learning environment.

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including marijuana, and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats, including false threats, against school personnel or school property;
- use or possession of explosives (see Policy JFCD Weapons in School);
- possession of weapons or firearms (see Policy JFCD Weapons in School);
- extortion, blackmail, or coercion;
- driving without a license on school property;
- homicide;
- burglary;
- sex offenses (indecent exposure, obscene communications, sodomy and child molestation);
- malicious mischief;
- shooting;
- any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax

- explosive devices or chemical bombs;
- stabbing, cutting or wounding;
- unlawful interference with school authorities including threats;
- unlawful intimidation of school authorities; and
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the superintendent or superintendent's 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.

The superintendent issues regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

The School Board biennially reviews the model student conduct code developed by the Board of Education to incorporate into policy a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

#### School's Jurisdiction and Standards of Behavior

Students are subject to corrective action for any misconduct that occurs under the following circumstances:

- in school during school hours
- on school property
- on a school vehicle
- while participating in or attending any school-sponsored activity or trip
- on the way to and from school
- at other times as permitted by law, up to and including suspension or expulsion, for misconduct that occurs at any time off-school grounds where (1) there is a nexus (connection) between the conduct and school operations; (2) where the conduct has a detrimental or harmful effect on the welfare or safety of the school and its students; or (3) where the conduct has caused substantial or material disruption to the school's operations.

Coaches, teachers, and sponsors responsible for athletic teams, co-curricular activities, or other student groups may set additional standards related to dress, behavior, and training. Such standards must be appropriate to the purpose of the team or activity. Students must be given prior notice of the requirements.

Any behavior is unacceptable if it

- interferes with rights of others
- endangers the welfare and safety of the child or others
- is unlawful
- interferes with orderly conduct of any phase of the school program
- defies the reasonable exercise of authority
- results in destruction of property.

### Conduct Resulting in Corrective Action

Unlawful acts which may lead to police notification and will lead to suspension from classes, exclusion from activities, or expulsion include but are not limited to the following:

- possession or use of alcohol, illegal drugs, including marijuana, synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1. and anabolic steroids, or drug paraphernalia;
- selling drugs
- assault/battery
- sexual assault
- arson
- theft
- bomb threats
- use or possession of explosives
- possession of weapons
- extortion, blackmail, or coercion
- driving without a license on school property
- malicious mischief
- selling restricted substances
- smoking or possession of tobacco for students under the age of eighteen
- gambling
- sexual harassment, regardless of sexual orientation \*
- sexual acts
- interference with school authorities
- intimidation of school authorities
- bullying or harassment
- hazing
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Additional acts which will be grounds for corrective action (including suspension or expulsion) include but are not limited to:

- smoking or otherwise using tobacco on school property, on a school bus, or at a school-sponsored activity
- possession of tobacco substances or related paraphernalia

- unauthorized use of beepers, cellular telephones or other portable communications devices on school property and during the school day; however, this shall not be construed to prohibit use of such devices after school hours or at school functions or activities occurring after the school day
- possession of a laser pointer
- fighting
- threatening or verbal abuse
- profanity or obscene language
- disobedience or defiance
- refusal to identify self to school personnel
- truancy (see attendance policy)
- school parking or school driving violations
- defacing or destroying property
- inappropriate dress or appearance (dress or appearance must not present health or safety problems or cause disruption)
- possession of alcohol or drug related paraphernalia
- unauthorized sales
- plagiarism, honor code violations

### Standards of Student Conduct

The Standards of Student Conduct are listed in the regulation which follows. Also included within the regulation is a list of possible corrective actions for violation of the Standards of Conduct. The administrator should exercise reasonable judgment and consider the circumstances in determining the level of punishment to be used. In all cases, the rights of students will be protected, and in appropriate cases, parents or guardians will be informed as soon as possible.

### Administrative Responsibility

Since it would be impossible for this policy to take into account the severity of each offense, the principal or designee will have the authority to determine disciplinary actions. In each case, the school administrator should use reasonable judgment to insure that students who violate the Standards of Conduct will be given appropriate attention, such as counseling, to encourage future compliance with the Standards of Student Conduct and school rules.

In addition to the disciplinary action outlined in the regulation, any known violation of the criminal code will be referred to the legal authorities.

Adopted: July 1, 1993  
 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  
 Reviewed: December 12, 2013

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Legal Ref.: Code of Virginia, 1950, as amended, Sections 16.1-260, 18.2-308.7, 22.1-78, 22.1-200.1, 22.1-

253.13:7.C.(3, 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6.

Cross Refs.: ECAB, *Vandalism*  
JFHA/GBA, *Sexual Harassment/Harassment Based on protected classes as outlined in Albemarle County School Board Policies GB, Equal Employment Opportunities and JB, Equal Educational Opportunities*  
JGA, *Corporal Punishment*  
JGD/JGE, *Student Suspension/Expulsion*  
JGDA, *Disciplining Students With Disabilities*  
JN, *Student Fees, Fines and Charges*

\* Definition of Sexual Orientation: One's attraction to the same sex, opposite sex or both sexes, real or perceived. This definition is intended to describe the status of persons and does not render lawful any conduct prohibited by the laws of the Commonwealth of Virginia.



## STANDARDS OF STUDENT CONDUCT

These regulations are promulgated to help parents, 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 article which may be used as a weapon, regardless of whether it is commonly accepted as such. This regulation incorporates Policy JFCD.

- 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

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

Additionally, 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, 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, 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 and 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. Electronic Cigarettes

Students shall not possess electronic cigarettes on school premises, on school buses, or at school sponsored activities.

## 16. 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.

## 17. 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.

## 18. 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. 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.

## 19. 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 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic

relations court, which may take action to suspend the student's driver's license.

20. 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.

21. 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.

22. 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.)

23. Communication Devices

Students may possess a beeper, cellular telephone, smart phone, tablet, Personal Digital Assistant (PDA) 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 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.

24. 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.

25. 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.)

26. 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.

27. 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.

28. Extortion

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

29. Fighting

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

30. Stalking

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

31. 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 or 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.

Administrators should use judgment in selecting the consequence(s) depending on the severity of the offenses. The following consequences are not listed in any particular order.

- A. Counseling
- B. Admonition
- C. Reprimand
- D. Loss of privileges
- E. Parental conferences
- F. Tasks or restrictions assigned by the principal/designee
- G. Detention hall after school or before school
- H. Modification of student classroom assignment or schedule
- I. Student behavior contract
- J. Referral to student assistance services
- K. Removal from class
- L. Initiation of child study process
- M. Referral to in-school intervention, mediation, or community service programs
- N. Tasks or restrictions assigned by the principal or his designee
- O. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
- P. In-school supervision
- Q. Out-of-school suspension
- R. Referral for an alternative to the regular education program
- S. Notifying legal authority where appropriate
- T. Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event.
- U. Recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school sponsored activity
- V. Evaluation for alcohol abuse
- W. Participation in a drug, alcohol or violence intervention, prevention or treatment program
- X. Legal action where appropriate

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.

Adopted: July 1, 1993  
Amended: July 28, 1997; December 13, 2001; December 11, 2003; August 10, 2006; September 28, 2006; July 10, 2008; September 12, 2013; December 12, 2013; August 14, 2014; August 27, 2015

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7(C)(3), 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.6, 46.2-323, 46.2-334.001

Student Code of Conduct Policy Guidelines (Virginia Board of Education October 2013)

Cross Ref.: CLA, *Reporting Acts of Violence and Substance Abuse*  
ECAB, *Vandalism*  
IIBE, *Acceptable Use of Technology*  
GBECA, *Electronic Cigarettes*  
JFC, *Student Conduct*  
JFCD, *Weapons in School*  
JFCE, *Gang Activity or Association*  
JGA, *Corporal Punishment*  
JGD/JGE, *Student Suspension/Expulsion*  
JGDA, *Disciplining Students With Disabilities*  
JHCD, *Administering Medicines to Students*  
JGDA, *Suspension of Disabled Students*  
JBA, *Bullying and Harassment*  
GBAA, *Harassment*

\* Definition of Sexual Orientation: One's attraction to the same sex, opposite sex or both sexes, real or perceived. This definition is intended to describe the status of persons and does not render lawful any conduct prohibited by the laws of the Commonwealth of Virginia.

## 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.