

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.

Botetourt County Public Schools Student Conduct Philosophy

The School Board recognizes that students have rights which must be both respected and protected. These rights shall be recognized without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. The Superintendent is responsible for developing and distributing information on the rights and responsibilities of students. The School Board expects a high standard of student conduct in an effort to ensure that education is provided in an atmosphere conducive to learning, free of disruption and threat to person or property, and supportive of individual rights. The School Board recognizes its responsibility to ensure that instructional mandates are carried out through learning experiences for students while providing mutual protections for student and staff rights. To achieve these goals, it is the policy of the School Board that the Superintendent, with the concurrence of the School Board, develop and maintain uniform written regulations stating the system's standards for student conduct with applicable disciplinary procedures. The standards are to be consistent with the current laws and reflective of the rights and responsibilities of students. The standards as set forth in this regulation, Standards for Student Conduct, are to be provided to each student, parent/guardian, teacher, and staff person who works directly with students.

The School Board expects a high standard of student conduct in an effort to ensure an atmosphere conducive to teaching and learning, free of disruption and threat to person or property, and supportive of individual rights. Students and staff have a primary responsibility for creating a climate of mutual respect, honesty, and trust in each school in order that the dignity of the individual is protected and the potential of each student may be realized. These standards will apply to students while in or on school property including on any school bus or other school vehicle, when at any school-sponsored activity or field trip regardless of location, and when going to and returning from school. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the safety of the school or the well-being of students or staff, adversely affects school climate or discipline, or disrupts the learning environment. These standards shall also apply to conduct off school property, when the act leads to: (1) notification pursuant to Va. Code Sec. 16.1-305.1 or a conviction for an offense listed in Va. Code Sec. 16.1-260; or (2) a charge that would be a felony if committed by an adult.

The principal of the school and those to whom he or she delegates the authority for the discipline of students, including teachers, are responsible for the consistent and uniform

application of all School Board policies and regulations, and the rules of the individual school, which together set forth the standards for student conduct.

The principal or his/her designee shall determine the appropriate disciplinary measures for each case of misconduct by a student, except where consequences are predetermined by specific School Board policy or by law. Determinations of disciplinary measures shall include, but not be limited to:

- consideration of the nature and seriousness of the offense;
- degree of danger to the school community;
- the student's age and grade level;
- results of any mental health, substance abuse, or special education assessments;
- student's attendance and academic records;
- relative impact of a violation on the entire student body as well as on the individual;
- school and county-wide regulations and rules;
- appropriateness and availability of an alternative education placement or program;
- student's cumulative discipline record to include the seriousness and number of previous infractions; and
- such other matters as the principal or his/her designee deems appropriate.

Principals shall inform, consult with, or refer to the Superintendent's designee any discipline matters that involve situations of extreme danger, acts of violence, threats to the school, and any discipline matters that involve unusual circumstances or need special handling. The principal shall notify the parent or legal guardian of each suspension and may require a conference with the parent or legal guardian prior to readmission. All disciplinary actions shall be taken in accordance with due process requirements.

1. 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.

Courts use these terms to describe behavior. They do not take into account the developmental age of children and therefore should not be used to describe student behavior that does not rise to the level of delinquency. Within the leveled system of student behaviors, age and development should be considered in any instance of physical contact between students. Behavior that is developmentally expected should not be labeled as assault or battery.

2. 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.

3. 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. Threats to bomb or damage buildings and giving false information as to danger to such buildings are prohibited by § 18.2-83. of the *Code of Virginia*. Definitions of "explosive material," "fire bomb," and "hoax explosive device" are defined in § 18.2-85. of the *Code*. Bomb threats must be reported to law enforcement. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

4. 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", as defined by § 22.1-276.01 of the Code of Virginia, 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 or principal's designee notifies the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying.

5. 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. Rules governing student conduct apply

not only at school, but also on a school vehicle, while on a school-sponsored trip, and on the way to and from school, including at the bus stop. § 22.1-279.3:1.

6. 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

7. Defiance of the Authority of School Personnel

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.

8. Disruptive Conduct

Students are entitled to a learning environment free of unnecessary disruption. "Disruptive behavior" is defined in § 22.1-276.01. of the *Code of Virginia* as conduct that interrupts or obstructs the learning environment. Any physical or verbal disturbance which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

9. Extortion

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

10. 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.

11. Fighting

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

12. Gambling

Section 18.2-325. of the *Code of Virginia* defines illegal gambling as the “making, placing, or receipt, of any bet or wager of money or other thing of value, made in exchange for a chance to win a prize, stake or other consideration or thing of value.” A gambling device includes any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in illegal gambling operations or activity. 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.

13. Gang Activity

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

14. Harassment

A student shall not 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).

15. Hazing

The Botetourt County School Board’s code of student conduct, in accordance with § 22.1-279.6.B. of the *Code*, prohibits hazing and cite “the provisions of § 18.2-56., which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations; i.e., confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.” The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

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.

16. Internet Use

Students shall abide by the Botetourt County School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA Acceptable Computer System Use.)

17. Laser Pointers

Students shall not have in their possession laser pointers.

18. 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.

19. 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 JFCD Weapons in School.)

20. 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, obscene or disrupts the teaching and learning environment.

21. 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.

22. Stalking

Stalking is defined in § 18.2-60.3. of the *Code of Virginia* as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury. The principal shall report the stalking to the local law enforcement for investigation.

23. 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 products, nicotine vapor products, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

Clothing should fit, be neat and clean, and conform to standards of safety, good taste and decency. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back, clothing constructed of see-through materials and head coverings unless required for religious or medical purposes.

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.

24. Theft

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

25. 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.

26. Trespassing

Students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

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

A student shall not possess, use, 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 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.

A student shall not be 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.

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 in 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 team, unless such steroid was prescribed by a licensed physician for a medical condition.

28. 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. Destruction of property: § 22.1-280.4. School boards are authorized to seek reimbursement from a pupil or the pupil's parent for any "actual loss, breakage, or destruction of or failure to

return property, owned by or under the control of the school board, caused or committed by such pupil in pursuit of his studies.”

CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. The facts and circumstances of each offense are considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of privileges, including access to the School Division's computer system
5. Parental conferences
6. Modification of student classroom assignment or schedule
7. Student behavior contract
8. Referral to student assistance services
9. Removal from class
10. Initiation of child study process
11. Referral to in-school intervention, mediation, or community service programs
12. Tasks or restrictions assigned by the principal or his designee
13. Detention after school or before school
14. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
15. In-school suspension
16. Out-of-school suspension
17. Referral to an alternative education program
18. Notification of legal authority where appropriate
19. 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 and recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school sponsored activity
20. Evaluation for alcohol or drug abuse
21. Participation in a drug, alcohol or violence intervention, prevention or treatment program

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 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).

Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008).

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	GAB/IIBEA	Acceptable Computer System Use
	GAB-R/IIBEA-R	Acceptable Computer System Use Regulation
	IEA	Pledge of Allegiance
	IGAG	Teaching About Drugs, Alcohol and Tobacco
	JED	Student Absences/Excuses/Dismissals
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFCH/GBEC/KBC	Tobacco Products and Nicotine Vapor Products
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JHCD	Administering Medicines to Students
	JN	Student Fees, Fines and Charges