

STANDARDS OF STUDENT CONDUCT

2020-2021 SCHOOL YEAR

~~Changes to the Student Code of Conduct for the 2020-2021 school year, including specific guidelines related to COVID-19, are outlined in the 2020-2021 Student Code of Conduct Addendum, available on the ACPS website. Unless specifically addressed in the Addendum, all other provisions of this regulation remain in effect.~~

The following are standards of student conduct established by the School Board for all students under its jurisdiction. Consequences shall be determined on the basis of the facts presented in each instance of misconduct in the reasonable discretion of the School Board, its designated committees, and other appropriate school officials.

1. Neglect of Studies

A student shall not persistently and continuously neglect his/her school work and fail to take advantage of the educational opportunities offered by the schools.

2. Student Dress

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with specific building dress regulations and of which students will be given prior notice.

3. Unexcused Absence or Tardiness

Students shall not be absent from or report late to class or school without appropriate parent/guardian permission, school permission, or an otherwise valid excuse.

Whenever any student fails to report to school for a total of five (5) scheduled school days for the school year, and no indication has been received by school personnel that the student's parent/guardian is aware of and supports the student's absence, and a reasonable effort to notify the parent/guardian has failed, the school principal or the school social worker shall make a reasonable effort to ensure that direct contact is made with the parent/guardian, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent/guardian the consequences of continued non-attendance.

The school principal or principal's designee, the school social worker, the student, and the student's parent/guardian shall jointly develop a plan to resolve and improve student's non-attendance. If the student is absent an additional day after the plan is made and the school social worker has received no indication that the student's parent/guardian is aware of and supports the student's absence, the school social worker should schedule an Attendance Panel Conference with the student, his/her parent/guardian and school personnel. The conference may include other community service providers to assist in resolving issues related to the student's non-attendance. Upon the next absence by such student, without indication that the parent/guardian is aware of and supports the student's

absence, the school principal or the school social worker may notify the court and initiate either or both of the following:

1. Filing a petition with the Juvenile and Domestic Relations Court alleging that the student is a child in need of supervision (CHINS), or
2. Filing a warrant against the parent/guardian for educational neglect.

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 in accordance with Policy JED: Student Absences/Excuses/Dismissals notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

4. Disruptive Conduct

Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function, or process of the school or is dangerous to the health or safety of students or others.

5. Profane, Obscene, or Abusive Language

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

6. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.

7. Assault and Battery

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

A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery.

Physical Assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting, and fighting.

Battery is the unlawful application of force to the person of another.

8. Bullying

A student, either individually or as part of a group, shall not harass or bully others either in person or by 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. Prohibited conduct includes verbal conduct consisting of comments regarding the race, gender, religion, physical abilities, sexual orientation, or characteristics or associates of the targeted person.

9. Gambling

A student shall not play or participate in any game in which the outcome is uncertain and a matter of chance, or bet for money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.

10. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs

A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, lookalike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD: Administering Medicines to Students.

A student shall not possess, procure or purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in this regulation or what is represented by or to the student to be any of the restricted substances listed in this regulation or what the student believes is any of the restricted substances in this regulation.

This regulation incorporates Policy JFCF: Drugs in School.

Restricted substances include alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any abusable inhalant materials, anabolic steroids and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package, and include anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

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.

11. 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 or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

12. 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.

13. 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 School Board policies and regulations.

14. 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: Weapons in School.

15. Theft

A student shall not intentionally take the personal property of another person without consent by applying duress, threat, or otherwise.

16. Behavior on School Bus

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.

17. Cheating

Students shall not cheat, plagiarize, or knowingly make false statements with respect to any assigned school work or tests.

18. Trespass

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.

19. Gang Activity

A student shall not engage in gang activities as defined in Policy JFCE: Gang Activity or Association, incorporated by reference.

20. 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 in violation of Policy JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin, Disability, Religion, Gender, Gender Identity, Gender Expression, and Sexual Orientation.

21. Possession of Beepers, Cellular Telephones, Other Electronic Devices, or Similar Communications Devices

Students may possess beepers, cellular telephones, or other communications devices on school property, including school buses, provided that the devices remain off and out of sight during the instructional day unless such use occurs under the direction of an instructor. If a student possesses 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/guardian.

22. Technology Use

Students are required to abide by the rules for the responsible use of technology. Use of hardware, software, network, or telecommunications in violation of these rules is prohibited.

Students shall abide by the ACPS Responsible Computer System Use Policy IIBEA and Regulation.

23. Reports of Conviction or Adjudication of Delinquency Pursuant to §16.1-305.1

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. Laser Pointers

Students shall not have in their possession laser pointers.

24. 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.

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. 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.

27. 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. Hazing, as defined above, is a Class I misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed under this policy. In addition, any person receiving

bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or infants. See Va. Code § 18.2-56.

Corrective Actions

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. Each offense shall be considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of certain privileges
5. Parental conferences
6. Tasks or restrictions assigned by the principal or principal's designee
7. Detention after school or before school (Parents/guardians must be notified of any before- or after-school detention.)
8. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
9. In-school suspension
10. Out-of-school suspension
11. Referral to an alternative education program
12. Notification of legal authority where appropriate
13. Recommendation for expulsion
14. Evaluation for alcohol or substance abuse.
15. Participation in a drug, alcohol or violence intervention, prevention, or treatment program
16. Petition filed with the juvenile and domestic relations court to declare the student a child in need of supervision.

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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, 18.2-433.1, 22.1-70.2, 22.1-78,

22.1-202, 22.1-253.13:7.B.3, 22.1-276.3, 22.1-277, 22.1.07:1, 22.1-277.2, 22.1-277.08, 22.1-279.1, 46.2-323, 46.2-334.001.

Student Conduct Policy Guidelines 2005 Update, Virginia Board of Education (VBOE), (September 21, 2005).

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

Recover, Redesign, Restart 2020, Virginia Department of Education (VDOE), (Revised July 2020).

Guidance for Schools, Centers for Disease Control and Prevention (CDC), (Updated May 2020), <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>.

Phase Guidance for Virginia Schools, Virginia Department of Health (VDH), (July 1, 2020), <https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/Final-Phase-Guidance-for-Virginia-Schools-6.9.20.pdf>.

Cross Ref:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	GAB/IIBEA	Responsible Computer System Use
	GAB-R/IIBEA-R	Responsible Computer System Use Regulation
	IEA	Pledge of Allegiance
	IGAG	Driver Education
	JED	Student Absences/Excuses/Dismissals
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability, Religion, Gender, Gender Identity, Gender Expression and Sexual Orientation
	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