

REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

I. Purpose

The School Board is committed to the health and well-being of all Alexandria City Public Schools (ACPS) students and staff. ACPS will take proactive measures to create a school climate that is safe, equitable and conducive to learning. The school division will report acts of violence and substance abuse to law enforcement as required by Virginia law while also supporting students with interventions that meet their individual and unique needs and encourage behavior change.

The purpose of reporting acts of violence and substance abuse is to develop a program of preventative and restorative activities to provide a safe environment conducive to learning. To fulfil this purpose, ACPS partners with child serving agencies throughout Alexandria City to provide wrap around services that are preventative and restorative and that contribute to an environment that is conducive to learning.

II. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student shall be required to participate in prevention and intervention activities as deemed appropriate by the Superintendent or designee.

The School Board develops, in cooperation with parents/guardians, the community at large, local law-enforcement agencies, and juvenile and domestic relations court judges and personnel, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing and bullying. These programs are in alignment with Policy JFC Student Code of Conduct and include activities designed to prevent the recurrence of violence and crime, including hazing and bullying, may include such interventions as education relating to Virginia’s criminal law, school crime lines, peer mediation, conflict resolution, restorative practices, social/emotional learning, community service requirements and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a tiered system of support and a network of volunteer services in implementing prevention activities.

III. Acts Reported to the Superintendent and Principal

A. Reports are made to the superintendent and the principal or principal’s designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;

- 48 3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person,
49 abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking
50 of any person as described in Va. Code § 18.2-60.3, on a school bus, on school
51 property, or at a school-sponsored activity;
- 52 4. any written threats against school personnel while on a school bus, on school
53 property, or at a school-sponsored activity;
- 54 5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school
55 property;
- 56 6. any illegal conduct involving firebombs, explosive materials or devices, or hoax
57 explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary
58 devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in
59 Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored
60 activity;
- 61 7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made
62 against school personnel or involving school property or school buses;
- 63 8. the arrest of any student for an incident occurring on a school bus, on school
64 property, or at a school-sponsored activity, including the charge therefore; or
- 65 9. any illegal possession of weapons, alcohol, drugs or tobacco products.

66 The principal of each school collects and maintains information on the above listed acts
67 which occur on school property, on a school bus, or at a school-sponsored activity.
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70 B. The Superintendent and the principal or designee shall receive reports from local law
71 enforcement authorities on offenses, wherever committed, by students enrolled at the school if
72 the offense would be a felony if committed by an adult or would be a violation of the Drug
73 Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property,
74 or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents
75 described in clauses (1) through (8) of subsection III.A. of this policy, and whether the student
76 is released to the custody of the student’s parent/guardian or, if 18 years of age or more, is
77 released on bond. The Superintendent may request that the reports include information
78 regarding terms of release from detention, court dates and terms of any disposition orders
79 entered by the court. When the Superintendent receives notification that a juvenile has
80 committed an act that would be a crime if committed by an adult pursuant to subsection G of
81 Va. Code § 16.1-260, the Superintendent reports such information to the principal of the school
82 in which the juvenile is enrolled.
83

84 **IV. Reporting Duties of the Principal and Superintendent**

85
86 Except as may otherwise be required by federal law, regulation, or jurisprudence, each
87 principal:

- 88 ● immediately reports to the local law-enforcement agency any incident described in clause
89 III.A.1 of this policy that may constitute a felony offense;
- 90 ● immediately reports to the local law-enforcement agency any incident described in clauses
91 III.A.3 through 7 of this policy except that a principal is not required to but may report to

92 the local law-enforcement agency any incident described in clause III.A.4 committed by a
93 student who has a disability;

- 94 ● may report to the local law-enforcement agency any other incident described in clauses
95 III.A.1 through 8 of this policy that is not required to be reported by the previous two
96 bullets; and
- 97 ● immediately reports any act enumerated in clauses III.A.1 through 5 of this policy that may
98 constitute a criminal offense to the parents of any minor student who is the specific object
99 of such act. The principal also reports whether the incident has been reported to local law
100 enforcement pursuant to this policy and, if the incident has been so reported, that the
101 parents may contact local law enforcement for further information.

102
103 The principal or designee reports all incidents required to be reported pursuant to clause III.A.
104 of this policy to the Superintendent. The Superintendent annually reports all such incidents to
105 the Department of Education for the purpose of recording the frequency of such incidents on
106 forms that are provided by the Department and makes such information available to the public.

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108 In submitting reports of such incidents, principals and the Superintendent or designee
109 accurately indicate any offenses, arrests or charges as recorded by law-enforcement authorities
110 and required to be reported by such authorities pursuant to subsection III.B. of this policy.

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115 The principal or designee notifies the parent/guardian of any student involved in an incident
116 required to be reported pursuant to this policy, regardless of whether disciplinary action is
117 taken against such student or the nature of the disciplinary action. Such notice relates to only
118 the relevant student's involvement and does not include information regarding other students.

119
120 The principal or designee follows all current ACPS/APD MOU requirements when law
121 enforcement contact is made with a school. All incidents reported to Safety and Security
122 Services should be in line with this policy.

123
124 Adopted: October 24, 1996

125 Amended: July 6, 2000

126 Amended: June 2, 2002

127 Amended: April 6, 2006

128 Amended: April 26, 2007

129 Amended: December 20, 2018

130 Amended: December 17, 2020

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133 Legal Refs: Code of Virginia, 1950, as amended, §§ 8.01-47, 22.1 279.3:1,
134 22.1-279.9.

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136 8 VAC 20-560-10.

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138	Cross Refs.:	JM	Restraint and Seclusion of Students
139		KNAJ	Relations with Law Enforcement Authorities
140			

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Commented [1]: Summary of the code change causing the policy change: <https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB36>

Commented [MS2]: Added a board belief statement

Commented [3]: partner with other child serving agencies throughout Alexandria City to provide wrap around services that are preventative and restorative and that contribute to an environment that is conducive to learning.

Commented [MS4R3]: Added

Commented [MS5]: Added to better reflect practices

II. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student shall be required to participate in prevention and intervention activities as deemed appropriate by the Superintendent or designee.

The School Board develops, in cooperation with ~~the local law enforcement agencies, juvenile and domestic relations court judges and personnel,~~ parents/guardians, and the community at large, local law-enforcement agencies, and juvenile and domestic relations court judges and personnel, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing and bullying. ~~These programs are in alignment with Policy JFC Student Code of Conduct and include -a-~~ activities designed to prevent the recurrence of violence and crime, including hazing and bullying, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, restorative practices, social/emotional learning, community service requirements and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a tiered system of support and a network of volunteer services in implementing prevention activities.

III. Acts Reported to the Superintendent and Principal

- A. ~~Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the Superintendent and to the principal or designee on all incidents involving:~~
- ~~1. The assault, or assault and battery, without bodily injury of any person on a school bus, on school property, or at a school sponsored activity;~~
 - ~~2. The assault and battery, which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person~~

- as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at school-sponsored activity;
- ~~3. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;~~
 - ~~4. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;~~
 - ~~5. The illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;~~
 - ~~6. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;~~
 - ~~7. Any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses; and~~
 - ~~8. The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor; and~~
 - ~~9. Any illegal possession of weapons, alcohol, drugs, or tobacco products.~~

A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
4. any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;
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7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;

- 8. the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor~~therefor~~
or
- 9. any illegal possession of weapons, alcohol, drugs or tobacco products.

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

~~A.B.~~ The Superintendent and the principal or designee shall receive reports from local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (1) through (8) of subsection III.A. of this policy, and whether the student is released to the custody of the student’s parent/guardian or, if 18 years of age or more, is released on bond. The Superintendent may request that the reports include information regarding terms of release from detention, court dates and terms of any disposition orders entered by the court. When the Superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260, the Superintendent reports such information to the principal of the school in which the juvenile is enrolled.

IV. Reporting Duties of the Principal and Superintendent

Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

- immediately reports to the local law-enforcement agency any incident described in clause III.A.1 of this policy that may constitute a felony offense;
- immediately reports to the local law-enforcement agency any incident described in clauses III.A.3 through 7 of this policy except that a principal is not required to but may report to the local law-enforcement agency any incident described in clause III.A.4 committed by a student who has a disability;
- may report to the local law-enforcement agency any other incident described in clauses III.A.1 through 8 of this policy that is not required to be reported by the previous two bullets; and
- immediately reports any act enumerated in clauses III.A.1 through 5 of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident has been so reported, that the parents may contact local law enforcement for further information.

The principal or designee reports all incidents required to be reported pursuant to ~~section clause~~ III.A. of this policy to the Superintendent. The Superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such

Commented [6]: Again subjective

Commented [7R6]: Yes, the code gives the Principal discretion for certain offenses.

Commented [8]: Do we have a list of what does and does not get reported?

Commented [9]: Do parents always have to be called AFTER law enforcement?

Commented [10R9]: This doesn't prevent the principal from contacting the parent during their investigation process.

Commented [11]: Are principals aware of this?

Commented [12R11]: We will need to review these updates with principals.

Commented [13]: So this is left to the principal's discretion? That leaves room for bias. What is the criteria for reporting or not reporting when a student has a disability. Are there specific disabilities that would suggest not reporting?

Commented [14R13]: I believe this language was a compromise in the state legislature in that it allows divisions that want to require such incidents to be reported to do that, but allows other jurisdictions the flexibility not to mandate reporting for certain incidents. Matt, can you clarify if this is correct? If so, we may want to decide which approach to take since this language is very confusing. We could also create our own criteria for when to report, to remove the subjectivity?

Commented [15R13]: While it looks like a new section in the ACPS policy it's almost identical to what existed before (redlined below) and is a direct copy/paste from the Code of Virginia.

Here's the summary of the change:

<https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB36>

It's my understanding the legislature has removed the Principal's discretion to report or not. They also lowered the bar from felony to criminal.

incidents on forms that are provided by the Department and makes such information available to the public.

In submitting reports of such incidents, principals and the Superintendent or designee accurately indicate any offenses, arrests or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection III.B. of this policy.

~~Except as may otherwise be prohibited by federal law, regulation or jurisprudence, the principal immediately reports to local law enforcement officials any of the acts listed in clauses (2) through (7) of subsection III.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection III.A.~~

~~In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection III.A. of this policy that may constitute a criminal offense to the parents/guardians of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident is so reported, that the parents/guardians may contact local law enforcement for further information, if they so desire.~~

The principal or designee notifies the parent/guardian of any student involved in an incident required to be reported pursuant to this policy, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information regarding other students.

The principal or designee follows all current ACPS/APD MOU requirements when law enforcement contact is made with a school. All incidents reported to Safety and Security Services should be in line with this policy.

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ALEXANDRIA CITY PUBLIC SCHOOLS

File: CLA