

STUDENTS

Hazing/Assault and Battery or Fighting/Profane, Obscene or Abusive Language or Conduct/Bullying

The following conduct is prohibited and students violating this Regulation will be disciplined as set forth in the Code of Student Conduct or other applicable laws, policies or regulations.

A. Hazing

Students who haze or otherwise mistreat another student so as to cause bodily injury shall immediately be suspended from school under the provisions set forth in Policy 5-21 and Regulations 5-21.1 and 5-21.3.

B. Assault and Battery or Fighting

Assault and battery or fighting is prohibited. Violators may also be subject to prosecution as provided by state law.

Any student grabbing, striking, hitting, kicking, or otherwise physically abusing teacher or any other school personnel shall immediately be disciplined in accordance with the Code of Student Conduct and the Discipline Guidelines and recommended for appropriate disciplinary action, up to and including expulsion. Criminal action may be taken against such student.

C. Profane or Abusive Language or Conduct

Students who use language, a gesture, or engage in conduct that is vulgar, profane, obscene, or abusive, or which substantially and materially disrupts the educational or work environment shall automatically receive a discipline referral to the principal or assistant principal for appropriate disciplinary action including suspension and/or a recommendation for long-term suspension or expulsion.

D. Bullying

Bullying, including the bullying through electronic means, is prohibited.

1. >Bullying is defined as: 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, including on the basis of the actual or perceived membership of the victim in a group that is protected from discrimination pursuant to the Virginia Human Rights Act, as amended; and is repeated over time or causes severe emotional trauma.
2. "Bullying" includes cyber bullying. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict. Bullying may include, but is not limited to, verbal or written threats, or physical harm.
3. Cyberbullying is defined as "willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices."

4. Bullying will not be tolerated and students shall be referred to the principal or designee for appropriate. The principal or designee must notify the parent/legal guardian of a minor student involved in an alleged incident of bullying within twenty-four (24) hours of the allegation of bullying. Within five school days of receiving a complaint of alleged bullying, parents/legal guardians of minor students or the adult student alleged to be involved with the complaint, will be notified of the status of any investigation regarding the complaint.
5. The principal or designee will respond to the adult student(s) or the parent/legal guardian of a minor student(s) who are the alleged aggressors and victims stating: a) the results of the investigation; b) if the allegations were substantiate and there was a violation of policy; and c) the process for any party to challenge the findings.
6. Bullying incidents involving students with disabilities or that involve Title IX consideration may require the School Division to follow additional laws, policies, regulations or procedures.

Legal Reference

[Code of Virginia §2.2- 3900 et seq., as amended. Virginia Human Rights Act.](#)

[Code of Virginia §18.2-56, as amended.](#) Hazing unlawful; civil and criminal liability; duty of school, etc., officials.

[Code of Virginia §18.2-57, as amended.](#) Assault and battery.

[Code of Virginia §22.1-276.01, as amended.](#) Definitions.

[Code of Virginia §22.1-279.8, as amended.](#) School safety audits and school crisis and emergency management plans required.

[Code of Virginia §22.1-279.6, as amended.](#) Board of Education guidelines and model policies for codes of student conduct; school board regulations.

[Code of Virginia §22.1-291.4, as amended.](#) Bullying prohibited.

Related Links

School Board [Policy 5-21](#)

School Board [Regulation 5-21.1](#)

School Board [Regulation 5-21.3](#)

Approved by Superintendent: September 21, 1993 (Effective August 14, 1993)

Adopted by School Board: May 19, 1998

Amended by School Board: August 2, 2000

Amended by School Board: April 4, 2006

Amended by Superintendent: September 5, 2017

Amended by School Board: May 14, 2018

Amended by School Board: November 27, 2018

Revised by Superintendent: August 31, 2023

Revised by Superintendent: June 2024

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6/20/24

APPROVED AS TO
LEGAL SUFFICIENCY

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June 13, 2024