STUDENTS

Code of Student Conduct/Expulsion for First Time Offenses

A. A Code of Student Conduct shall be distributed to all students at the beginning of each school year.

B. Each Code of Student Conduct shall have regulatory status and set forth the discipline practices of the school division, as well as the responsibilities of students and parents/guardians in the provision of safe school environments.

C. Expulsion recommendation required for certain offenses. Students may be disciplined as set forth in the appropriate Code of Student Conduct, the Discipline Guidelines and the regulations provided herein for any disturbance to the learning environment. However, any student committing any of the following offenses while on school property, during extra-curricular activities, or at school sponsored or related activities, or while coming to or from school, shall, except for a first time simple drug possession offense as provided in Division Regulation 5-45.1 (I)(A), be automatically recommended by the principal to the Superintendent for expulsion of at least one calendar year (365 calendar days) and, when appropriate, referred for criminal prosecution.

1. Arson or attempted arson;

2. Assault and Battery of an employee or student;

3. Possession, use or sale of a firearm, pneumatic weapon as defined in Code of Virginia § 15.2-915.4, as amended, a firearm muffler or a firearm silencer, a

destructive device as defined in Code of Virginia § 22.1-277.07(e), as amended, or dangerous weapon;

4. Use, possession, being under the influence of, selling, bringing, giving, distributing or passing to another individual or possessing with intent to sell, give, or distribute alcohol, marijuana as defined in Code of Virginia § 18.2-247, as amended, THC in any form, controlled substances or imitation controlled substances; and inhalants;

5. Extortion, attempted extortion, robbery, and/or larceny, burglary, motor theft;

6. Sex offenses, obscene phone calls, sexual assault, sexual battery, and inappropriate sexual behavior;

7. Hazing; Initiation of another student into a club, group, or any other organization through abuse and humiliation so as to cause bodily injury, Code of Virginia § 18.2-56, as amended~~;~~

8. Kidnapping or other serious criminal violations.

9. Possession, use, distribution, sale, lighting or discharge of explosive devices, except poppers;

10. Homicide;

11. And other good and just cause as determined by the Superintendent or designee.

D. Expulsion for 365 calendar days for certain firearm, pneumatic gun or destructive devices on school property or school sponsored events. The School Board shall expel for at least one (1) year (365 calendar days) any student who is determined to have brought to or possessed a

firearm or destructive device as defined in Code of Virginia § 22.1-277.07(e), firearm muffler or firearm silencer, or pneumatic gun as defined in Code of Virginia § 15.2-915.4(e), on school property, including a school bus, at extra-curricular activities or any school-sponsored or related activity, or coming to and from school. The School Board may, on a case-by-case basis, determine that other disciplinary action is appropriate.

E. The School Board may suspend or expel any student for whom the Superintendent has received a report pursuant to Virginia Code § 16.1-305.1, as amended, of an adjudication of delinquency or a conviction.

F. Alternative education placement may be required for certain conditions. The School Board may require any student who ~~has~~ meets any of the conditions set forth below to attend an alternative education program, including, but not limited to, night school, adult education or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. The School Board may require such student to attend such programs regardless of where the crime occurred.~~been:~~

~~(~~1.~~)~~ charged with an offense relating to the Commonwealth's laws, or with a violation of School Board policies on weapons, alcohol or drugs or intentional injury to another person;

~~(~~2.~~)~~ found guilty or not innocent of an offense relating to the laws on weapons, alcohol, or drugs, or of a crime which resulted in or could have resulted in injury to others, or of a crime for which the disposition ordered by a court is required to be disclosed to the Superintendent pursuant to ~~Virginia~~ Code of Virginia §§ 16.1-260, 16.1-305.1, as amended;

~~(~~3.~~)~~ found to have committed a serious offense or repeated offenses in violation of school board policies and/or regulations;

~~(~~4.~~)~~ suspended pursuant to Virginia Code § 22.1-277.05, as amended (written threats); or

~~(~~5.~~)~~ expelled pursuant to ~~Virginia~~ Code of Virginia § 22.1-277.06 or § 22.1-277.07, or § 22.1-277.08, or subsection B of § 22.1-277, as amended.~~to attend an alternative education program, including, but not limited to, night school, adult education or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. The School Board may require such student to attend such programs regardless of where the crime occurred.~~

As used in this regulation, "charged" means that a petition or warrant has been filed or is pending against a pupil.

G. Substance abuse related offenses may require evaluation and treatment program compliance. The School Board may require any student who has been found, in accordance with procedures set forth in this regulation to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or during extra-curricular activities or at a school sponsored activity, or coming from or going to school in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and if recommended by the evaluator and with the consent of the adult student or a minor student's parent, to participate in a treatment program.

~~Editor's Note~~

~~For Substance Abuse Intervention Program see Division Regulation 5-45.1.~~
~~For disciplinary hearing procedures see School Board Policy 5-21.~~
~~For Weapons/Explosives/Fireworks see Division Regulation 5-36.4.~~
~~Code of Student Conduct Disciplinary Guidelines~~

Legal Reference

Code of Virginia. § 22.1-277, as amended. Short-term suspension; procedures; readmission.

Code of Virginia. § 22.1-277.05, as amended. Long-suspensions; procedures; readmission.

Code of Virginia. § 22.1-277.06, as amended. Expulsions; procedures; readmission.

Code of Virginia. § 22.1-277.07, as amended. Expulsion of students under certain circumstances; exceptions.

Code of Virginia. § 22.1-277.08, as amended. Expulsion of students for certain drug offenses.

Code of Virginia. § 22.1-277.2:1, as amended. Disciplinary authority of school boards under certain circumstances; alternative education program.

Virginia Board of Education Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, June 2021, as amended.

~~Code of Va., § 22.1-277.04, as amended, *et seq*. Short-term and long-term suspension, and expulsion of pupils; generally.~~

Related Links

School Board **Policy 5-21**
School Division **Regulation 5-36.4**
School Division **Regulation 5-45.1**
Code of Student Conduct Disciplinary Guidelines

Approved by Superintendent: July 16, 1991
Revised by Superintendent: August 18, 1992
Revised by Superintendent: September 21, 1993 (Effective August 14, 1993)
Revised by Superintendent: October 17, 1995

Adopted by School Board: December 15, 1998

Amended by School Board: August 21, 2001

Amended by School Board: April 4, 2006

Amended by School Board: August 22, 2006

Amended by School Board: 2026