

Amherst County Public Schools

Parental Statement of Receipt of Notice of Requirements of VA Code §22.1-279.3 and School Board's Standards of Student Conduct

I am the parent of the below named child and, by my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled "Parental Responsibility and Involvement Requirements," and a copy of the Amherst County Public School Board's Standards of Student Conduct.

By signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitution or laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school's or school division's policies or decisions.

Date: _____

Signature of Parent

School: _____

Name of Child

NOTICE TO PARENT

By signing the above statement of receipt, you shall not be deemed to waive, and you expressly reserve, your rights protected by the constitutions or laws of the United States and the Commonwealth, and you have the right to express disagreement with the school's or school division's policies or decisions.

PARENTAL RESPONSIBILITY

Excerpted from the Code of Virginia (1950), as amended

§ 22.1-279.3. Parental responsibility and involvement requirements.

A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section and (ii) a copy of the school board's standards of student conduct. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct and the notice of the requirements of this section. Each school shall maintain records of such signed statements.

D. The school principal may request the student's parent to meet with the principal or his designee to review the school board's standards of student conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress.

E. In accordance with § 22.1-277 and the guidelines required by ~ 22.1-278, the school principal may notify the parents of any student who violates a school board policy when such violation could result in the student's suspension whether or not the school administration has imposed such disciplinary action. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.

F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student

G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior, as follows:

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

2. If the court finds that the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order (i) the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or (ii) the student or his parent to be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision 3 of subsection G. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.

STANDARDS OF STUDENT CONDUCT

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 Board, its designated committees and other appropriate school officials.

1. 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.

2. Unexcused Absence or Tardiness

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

3. 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.

4. 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.

5. Threats or Intimidation

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

6. Assault and Battery

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.

7. Bullying

A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to, physical 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 or characteristics or associates of the targeted person.

8. Gambling

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 or during any school related activity.

9. 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, look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD.

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.

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 glue, paint and similar 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 includes 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. Theft

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

15. 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.

16. Cheating

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

17. 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.

18. Gang Activity

A student shall not engage in gang activities as defined in Policy JFCE, incorporated by reference.

19. 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 and Religion.

20. Possession of Beepers, Cellular Telephones, Personal Digital Assistants (PDAs), or Similar Devices

Students shall not have in their possession a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device. If a student possesses such a device, 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.

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

Students convicted or adjudicated delinquent of an offense listed in the Code of Virginia, 1950 as amended, § 16.1-305.1, may be suspended or expelled.

22. Laser Pointers

Students shall not have in their possession laser pointers.

23. Acceptable Use of the Internet

Students shall abide by the Amherst County School Division's Acceptable Computer Use Policy and Regulation.

24. 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.

25. 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.

26. 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 1 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.

27. 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.

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 privileges, including access to the School Division's computer system
5. Parental conferences
6. Tasks or restrictions assigned by the principal or his designee
7. Detention after school or before school

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. Notify legal authority where appropriate
13. Recommendation for expulsion
14. Mandatory expulsion for bringing a firearm onto school property or to a school-sponsored activity or use or possession of a controlled substance, imitation controlled substance or marijuana, as defined in Chapter 34 of Title 54.1 and § 18.2-247 of the Code of Virginia on school property or at a school sponsored activity
15. Evaluation for alcohol or drug abuse
16. Participation in a drug, alcohol or violence intervention, prevention or treatment program

Adopted: August 17, 1995

Revised: August 5, 1997

Revised: June 18, 1998

Revised: February 4, 1999

Revised: August 19, 1999

Revised: June 1, 2000

Revised: August 24, 2000

Revised: August 16, 2001

Revised: October 4, 2001

Revised: August 21, 2003

Revised: June 17, 2004

Revised: August 12, 2004

Revised: May 5, 2005

Revised: August 4, 2005

Revised: May 18, 2006

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-310, 18.2-322.1, 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, 22.1-277.07:1, 22.1-277.1, 22.1-277.2, 22.1-279.1

Student Conduct Policy Guidelines 2005 Update, Virginia Board of Education, September 21, 2005

File: JFC-R
Option 1
(Page 7)