

STUDENT SUSPENSION/EXPULSION

Suspension

The following violations of the Code of Student Conduct and School Board policy are grounds for suspension:

- (1) Physical or sexual assault or battery upon any person, including improper touching. Assaulting or threatening to assault a staff member shall result in suspension, and the principal may recommend expulsion of the student. Any middle or high school student who willfully and physically assaults a school staff member, in a way that results in bodily injury to that staff member, shall be excluded from school for a ten day suspension and recommended for expulsion.
- (2) Any collection or group of students assembled with the intention of committing an assault constitutes a mob. Each and every student who is part of a mob shall be held directly responsible for any assault committed by the group.
 - (A) For any involvement in a mob assault by any student, a principal shall exclude each student from school for a ten-day suspension and shall recommend expulsion from school.
 - (B) The principal or principal's designee shall report the assault to the Bristol Virginia Police Department.
- (3) Using, possessing, distributing, manufacturing, or being under the influence of a controlled substance, including anabolic steroids, an imitation controlled substance including nonalcoholic beer, illegal drugs including marijuana, intoxicants including alcohol, inhalants, and any prescription or nonprescription drug not authorized as medication, or using, possessing, manufacturing, or distributing drug paraphernalia. As employed herein, the term "distributing" shall be deemed to include, without limitation, giving, sharing, or selling, or intending or attempting to do so, as well as facilitating any of the above.

Use by a student of a drug authorized by a medical prescription from a registered physician in accordance with the instructions for use of the drug as prescribed for the student shall not be considered a violation of this policy.

- (A) The principal or principal's designee shall immediately notify the student's parent or guardian of the suspension and the recommendation for expulsion from school.
- (B) The principal or principal's designee shall report the violation to the Bristol Virginia Police Department. In instances in which material is found that is suspected of being a controlled substance, it shall be turned over to the police department.

- (4) Unauthorized use or possession of any gun, knife, or other weapon, including the use or possession of explosives.
 - (A) Weapons include, but are not limited to, any gun or object designed to propel a missile; a look-alike gun; ammunition; any knife such as a Bowie knife, a switchblade knife, or a razor or razor blade; a slingshot; any flailing instrument consisting of two or more rigid parts that can be swung freely (such as a nun-check or fighting chain); any studded accessory or article of clothing such as a studded collar or chain belt; Mace, pepper spray, or any other similar propellants; or any object (for example, an object with points or pointed blades) that can be used with the intent of threatening or harming any individual.
 - (B) For unauthorized use or possession of a gun, or unauthorized use of any weapon, a principal shall exclude a student from school for a ten day suspension and shall recommend expulsion in any situation involving unauthorized possession of a weapon.
- (5) Hazing or otherwise mistreating another student so as to cause bodily injury. Any student who subjects another student to assault, pranks, or other disagreeable tasks that result in the other student's bodily injury shall be excluded from school for a ten day suspension and recommended for expulsion. A report of the incident shall be made to the Commonwealth Attorney in accordance with Section 18.2-56 of the Code of Virginia.
- (6) Bomb threats, including false threats, against school personnel or school property. Biological/chemical threats, including false threats or hoaxes against school personnel, other students, or property. Any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs. The principal or his/her designee will report to the Bristol Virginia Police Department any student involvement in these unlawful acts. For any involvement in these unlawful acts by a student, the principal will exclude the student from school for a ten-day suspension and shall recommend expulsion from school.

The decision of the superintendent or his/her designee regarding a suspension for 10 days or less may not be appealed to the School Board. The decision of the superintendent or designee is final.

In the case of a suspension for more than 10 days or an expulsion, if the School Board's regulations provide for review of the suspension by a three-person Review Committee, the regulations shall also provide for an appeal of the decision by the three-person Review Committee to the Superintendent or his Designee. If the School Board's regulations provide for an appeal to the Superintendent or his Designee, the regulations shall also provide for an appeal of the decision by the Superintendent or his Designee to the full School Board. Such appeals shall proceed in accordance with the regulations of the School Board.

Expulsion

The following violations of the Code of Student Conduct and School Board policy are grounds for expulsion:

- (1) Physical or sexual assault or battery upon any person, including improper touching. Assaulting or threatening to assault a staff member shall result in suspension, and the principal may recommend expulsion of the student. Any middle or high school student who willfully and physically assaults a school staff member, in a way that results in bodily injury to that staff member, shall be excluded from school for a ten day suspension and recommended for expulsion.
- (2) Any collection or group of students assembled with the intention of committing an assault constitutes a mob. Each and every student who is part of a mob shall be held directly responsible for any assault committed by the group.
 - (A) For any involvement in a mob assault by any student, a principal shall exclude each student from school for a ten-day suspension and shall recommend expulsion from school.
 - (B) The principal or principal's designee shall report the assault to the Bristol Virginia Police Department.
- (3) Using, possessing, distributing, manufacturing, or being under the influence of a controlled substance, including anabolic steroids, an imitation controlled substance including nonalcoholic beer, illegal drugs including marijuana, intoxicants including alcohol, inhalants, and any prescription or nonprescription drug not authorized as medication, or using, possessing, manufacturing, or distributing drug paraphernalia. As employed herein, the term "distributing" shall be deemed to include, without limitation, giving, sharing, or selling, or intending or attempting to do so, as well as facilitating any of the above.

Use by a student of a drug authorized by a medical prescription from a registered physician in accordance with the instructions for use of the drug as prescribed for the student shall not be considered a violation of this policy.

- (A) The principal or principal's designee shall immediately notify the student's parent or guardian of the suspension and the recommendation for expulsion from school.
- (B) The principal or principal's designee shall report the violation to the Bristol Virginia Police Department. In instances in which material is found that is suspected of being a controlled substance, it shall be turned over to the police department.

- (4) Unauthorized use or possession of any gun, knife, or other weapon, including the use or possession of explosives.
 - (A) Weapons include, but are not limited to, any gun or object designed to propel a missile; a look-alike gun; ammunition; any knife such as a Bowie knife, a switchblade knife, or a razor or razor blade; a slingshot; any flailing instrument consisting of two or more rigid parts that can be swung freely (such as a nun-check or fighting chain); any studded accessory or article of clothing such as a studded collar or chain belt; Mace, pepper spray, or any other similar propellants; or any object (for example, an object with points or pointed blades) that can be used with the intent of threatening or harming any individual.
 - (B) For unauthorized use or possession of a gun, or unauthorized use of any weapon, a principal shall exclude a student from school for a ten day suspension and shall recommend expulsion in any situation involving unauthorized possession of a weapon.
- (5) Hazing or otherwise mistreating another student so as to cause bodily injury. Any student who subjects another student to assault, pranks, or other disagreeable tasks that result in the other student's bodily injury shall be excluded from school for a ten day suspension and recommended for expulsion. A report of the incident shall be made to the Commonwealth Attorney in accordance with Section 18.2-56 of the Code of Virginia.
- (6) Bomb threats, including false threats, against school personnel or school property. Biological/chemical threats, including false threats or hoaxes against school personnel, other students, or property. Any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs. The principal or his/her designee will report to the Bristol Virginia Police Department any student involvement in these unlawful acts. For any involvement in these unlawful acts by a student, the principal will exclude the student from school for a ten-day suspension and shall recommend expulsion from school.

In the case of expulsion, the School Board shall confirm or disapprove the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

Adopted: by the Bristol Virginia School Board on May 1, 2017.