

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 355

*An Act to amend and reenact §§ 22.1-277.02 and 22.1-277.1 of the Code of Virginia, relating to suspension and expulsion of students.*

[S 362]

Approved April 11, 1998

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 22.1-277.02 and 22.1-277.1 of the Code of Virginia are amended and reenacted as follows:**

§ 22.1-277.02. Suspension and expulsion upon receipt of certain reports.

Any student for whom the division superintendent of the school division in which such student is enrolled has received a report pursuant to § 16.1-305.1 of an adjudication of delinquency or a conviction ~~for an offense involving the manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana~~ may be suspended or expelled from school attendance pursuant to § 22.1-277.

§ 22.1-277.1. Disciplinary authority of school boards under certain circumstances.

A school board may, in accordance with the procedures set forth in § 22.1-277, require any student who has been (i) 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; (ii) found guilty or not innocent 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 of the school division pursuant to § 16.1-305.1; or (iii) expelled pursuant to § 22.1-277.01 *or* § 22.1-277.02, 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. A school board may require such student to attend such programs regardless of where the crime occurred.

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