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## SENATE BILL NO. 610

Offered January 26, 1998

*A BILL to amend and reenact § 22.1-278 of the Code of Virginia, relating to codes of student conduct.*

Patrons—Saslaw, Barry, Couric, Howell, Lucas, Mims, Whipple and Woods

Referred to the Committee on Education and Health

**Be it enacted by the General Assembly of Virginia:****1. That § 22.1-278 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-278. Codes of student conduct; guidelines for school board policies; school board regulations governing student conduct; Board standards for compliance with federal law requiring expulsion under certain circumstances by school board.

A. The Board of Education shall establish guidelines and develop model student conduct policies to aid local school boards in the implementation of such policies. The guidelines shall include, but not be limited to, (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes; (ii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others and dissemination of such policies to students, their parents, and school personnel; and (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies. In the case of suspension and expulsion, the procedures set forth in § 22.1-277 shall be the minimum procedures that the school board may prescribe.

School boards shall adopt and revise, in accordance with the requirements of this section, regulations governing student conduct which are consistent with, but may be more stringent than, the guidelines of the Board. School boards shall include, in the regulations governing student conduct, proceedings for suspension, expulsion, and exclusion decisions. *School boards shall include, in these student conduct regulations, disciplinary actions for any substance abuse offenses; however, mere possession, with the oral or written consent of the parent, of a nonprescription, over-the-counter drug for medically necessary reasons shall not be included in any student conduct code in the public schools of this Commonwealth as an offense warranting disciplinary action.*

B. The Board of Education shall establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-"Gun-Free Schools Act of 1994"), in accordance with § 22.1-277.01, to be effective on July 1, 1995.

This subsection shall not be construed to diminish the authority of the Board of Education or the Governor concerning decisions on whether, or the extent to which, Virginia shall participate in the federal Improving America's Schools Act of 1994, or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government.

INTRODUCED

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