

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-276.01 of the Code of Virginia, relating to student bullying;*
3 *definition; characteristics of victim.*

4 [H 536]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-276.01 of the Code of Virginia is amended and reenacted as follows:**8 **§ 22.1-276.01. Definitions.**

9 A. For the purposes of this article, unless the context requires a different meaning:

10 "Alternative education program" includes night school, adult education, or any other education
11 program designed to offer instruction to students for whom the regular program of instruction may be
12 inappropriate.13 "Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or
14 humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors
15 and victim, *including on the basis of the actual or perceived membership of the victim in a group that is*
16 *protected from discrimination pursuant to the Virginia Human Rights Act (§ 2.2-3900 et seq.); and is*
17 repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying"
18 does not include ordinary teasing, horseplay, argument, or peer conflict.19 "Disruptive behavior" means a violation of school board regulations governing student conduct that
20 interrupts or obstructs the learning environment.21 "Dress or grooming code" means any practice, policy, or portion of a code of student conduct
22 adopted by a school board that governs or restricts the attire, appearance, or grooming, including
23 hairstyle, of any enrolled student.24 "Exclusion" means a Virginia school board's denial of school admission to a student who has been
25 expelled or has been placed on a long-term suspension of more than 30 calendar days by another school
26 board or a private school, either in Virginia or another state, or for whom admission has been withdrawn
27 by a private school in Virginia or another state.28 "Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as
29 provided in school board policy, whereby a student is not permitted to attend school within the school
30 division and is ineligible for readmission for 365 calendar days after the date of the expulsion.31 "Long-term suspension" means any disciplinary action whereby a student is not permitted to attend
32 school for 11 to 45 school days.33 "Short-term suspension" means any disciplinary action whereby a student is not permitted to attend
34 school for a period not to exceed 10 school days.35 B. For the purposes of §§ 22.1-277.04, 22.1-277.05, 22.1-277.2, and 22.1-277.2:1, "superintendent's
36 designee" means a (i) trained hearing officer or (ii) professional employee within the administrative
37 offices of the school division who reports directly to the division superintendent and who is not a
38 school-based instructional or administrative employee.