

Section 3-1.9. Certain acts to be reported to the Superintendent and Principal; authority of principal to receive reports; principal to report acts of violence and substance abuse; when report by principal to law enforcement required. — A. ~~Except as may otherwise be required by federal law or regulation, reports are made to the superintendent and to the principal or designee on all incidents involving:~~

- ~~(i) — assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;~~
- ~~(ii) — the assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;~~
- ~~(iii) — any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;~~
- ~~(iv) — any threats against school personnel while on school bus, on school property or a school-sponsored activity;~~
- ~~(v) — the illegal carrying of a firearm onto school property;~~
- ~~(vi) — any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices as defined in Virginia Code § 18.2-433.1, or chemical bombs as described in Virginia Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;~~
- ~~(vii) — any threats or false threats to bomb, as described in Virginia Code § 18.2-83, made against school personnel or involving school property or school buses; and~~
- ~~(viii) — any illegal possession of weapons, alcohol, drugs, or tobacco products as set forth in School Board Policy.~~

A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
4. any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;

6. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
8. the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor; or
9. any illegal possession of weapons, alcohol, drugs or tobacco products.

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

B. The superintendent and the principal or principal's designee receive reports from law-enforcement authorities relative to offenses, wherever committed, when committed by students enrolled at the school, if the offense:

- (1) would be a felony if committed by an adult or,
- (2) would be in violation of the Drug Control Act having occurred on a school bus, on school property, or at a school-sponsored activity or
- (3) would be an adult misdemeanor involving any of the incidents listed in subparts ~~(i) through (viii)~~ 1-8 of subsection A above.

The report should also indicate whether the student ~~has been~~ is released to the custody of ~~his~~ the student's parent or, if 18 years of age or more, is released on bond. The superintendent may request that the reports include information regarding terms of release from detention, court dates, and terms of any disposition orders entered by the court. When the division superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to state law, the superintendent will report such information to the principal of the school in which the juvenile is enrolled.

C. Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

- (1) immediately reports to the local law-enforcement agency any incident described in clause I.A.1 of this policy that may constitute a felony offense;
- (2) immediately reports to the local law-enforcement agency any incident described in clauses I.A.3 through 7 of this policy except that a principal is not required to but may report to the local law-enforcement agency any incident described in clause I.A.4 committed by a student who has a disability;
- (3) may report to the local law-enforcement agency any other incident described in clauses I.A.1 through 8 of this policy that is not required to be reported by the previous two bullets; and

- (4) immediately reports any act enumerated in clauses I.A.1 through 5 of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident has been so reported, that the parents may contact local law enforcement for further information.

G. D. The principal or principal's designee will report all incidents required to be reported pursuant to section of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that are provided by the Department and makes such information available to the public.

In submitting reports of such incidents, principals and superintendents accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to this policy.

~~D. Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to local law enforcement officials any of the acts listed in clauses (ii) through (vii) of subsection A of this policy That may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (i) of subsection A.~~

~~In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (ii) through (v) of subsection I.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident is so reported, that the parents may contact local law enforcement for further information, if they so desire.~~

E. The principal or principal's designee notifies the parent of any student involved in an incident required to be reported pursuant to this policy, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information regarding other students.

F. Whenever any student commits any reportable incident as set forth in this policy, such student is required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent designee. Prevention and intervention activities are identified in the division's drug and violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV-- Safe and Drug-Free Schools and Communities Act).

The School Board develops, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing. Activities designed to prevent the recurrence of violence and crime, including hazing, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused

on demonstrating the consequences of violence and crime. The School Board may develop and use a network of volunteer services in implementing prevention activities.

G. The purpose of reporting acts of violence and substance abuse is to develop a program of prevention activities to provide a safe environment conducive to learning. (Adopted June 8, 1995; Revised November 16, 1995; Revised November 11, 1999; Revised October 9, 2003; Ordinance Number 03/04-03; Effective: July 1, 2004; Revised February 14, 2008, Ordinance Number 07/08-1; Effective: February 14, 2008; Revised March 14, 2013; Ordinance Number 12/13-18; Effective Date: July 1, 2013; Revised April 14, 2016; Ordinance Number 15/16-26; Effective Date: July 1, 2016; Revised October 11, 2018, Ordinance Number 18/19-24, Effective Date: October 11, 2018; Revised April 15, 2021; Ordinance 20/21-19)

Legal Authority - Virginia Code §§ 8.01-47, 22.1-279.3:1, 22.1-279.9, 8 VAC 20-560-10 (1950), as amended.