

REGULATIONS CONDUCT ON SCHOOL PROPERTY

A. Statement of Purpose

The school board believes that freedom to teach and learn will flourish only in an atmosphere in which the behavior of individuals is characterized by respect, civility, and self-restraint. It is with this in mind and in recognition of the spirit and intent of Section 22 of Virginia School Law, that these rules and regulations for maintenance of public order and program for enforcement as well as guidelines for prevention of disorder are adopted.

The local school board has been empowered to enforce school laws and to make local regulations for the conduct of the schools and for the proper discipline of pupils. This includes conduct going to and returning from school. This power is usually delegated to principals and teachers.

None of the rules, regulations, or guidelines established and adopted by the school board are intended or shall be construed to limit or restrict freedom of speech or peaceful assembly. The school board realizes its responsibility to protect the rights of teachers to teach, of students to learn, and of all persons associated with its services, programs, and activities to express their views and participate in providing educational experiences free from undue interference. Free inquiry and free expression are indispensable to the objectives of a school division.

The rules, regulations, and guidelines which shall have been established and adopted by the school board are not intended, nor shall they be construed to prevent or limit communication between and among faculty, students, and administration or to relieve the institution of its responsibility for self regulation in the preservation of public order. Their purpose is not to prevent or restrain controversy and dissent, but to prevent abuse of the rights of others and to maintain that public order appropriate to a school division.

B. Application of Rules

The rules hereby adopted shall govern the conduct of students, administration, faculty, and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized upon the school division's property and also upon or with respect to any other premises or property under the control of this school division used in its teaching, research, administrative service, cultural, recreational, athletic, and other programs and activities.

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C. Rules of Conduct

No person, either singly or in concert with others shall:

1. Intentionally cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which that person has a lawful right to do or to do any act which the person has a lawful right not to do.
2. Harass, detain, or abuse any other person, nor remove such person from any place where that person is authorized to remain.
3. Willfully damage, deface, or destroy property of the Waynesboro Public Schools or property under its jurisdiction, nor remove or use such property without authorization; or property belonging to any student, teacher, or staff member, or to any visitor, licensee, or invitee.
4. Engage in threats, intimidation, and/or extortion of any other person.
5. Without permission, expressed or implied, enter into any classroom, posted area, or private office of an administrative officer, member of the faculty, or staff member.
6. Loiter in school buildings or on school grounds.
7. Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
8. Without authorization, remain in any building or facility after it is normally closed.
9. Refuse to leave any building or facility after being required to do so by any person responsible for the maintenance of order in a building or facility.
10. Obstruct the free movement of persons and vehicles in any place to which these rules apply.

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11. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or any other school program or activity, or deliberately interfere with the freedom of any person to express their views, including invited speakers.
12. Engage in team sports and other organized group activities on school grounds without permission and supervision.
13. Willfully interfere with the lawful and authorized activities or others.
14. Willfully set fire to school district property, tamper with any safety measures and devices such as fire extinguishers, alarm systems, posted fire regulations, water sprinklers, fire doors, or fail to conform to fire drill procedures.
15. Make or cause to be made bomb threats or false alarms.
16. Willfully incite others to commit any of the acts prohibited in these rules and regulations with specific intent to procure them to do so.
17. Knowingly have in their possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm, knives, or dangerous weapons as defined in Virginia Code Section 18.2-308.1, except when possession of such firearms or weapon is specifically authorized or when in the possession of a peace officer, or any other person, on or off duty, legally permitted to carry such a weapon. (Code of Virginia 18-2-280, 18.2-282, 18.2-308.1 as amended)
18. Have in their possession for use, or sale, or distribution upon any premises, to which these rules apply any drugs or narcotics whose possession is prohibited by law, or any alcoholic beverages or any drug paraphernalia or any implement used in preparing or administering drugs, except when possession of such device is specifically authorized by the superintendent in connection with a Waynesboro Public Schools service, program, or activity.
19. Gamble in or on school property. Gambling includes such activities and devices as games of chance, throwing dice, card playing for money, lotteries, and other games involving the exchange of money except where specifically approved by the board.

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20. To have in possession or control of a beeper or similar portable communications device upon grounds of a public school, unless authorized. (Code of Virginia 18.2-322.1)
21. Willfully violate posted school district rules and regulations concerning the use of motor vehicles on school district property.
22. Fail to comply with directives of school division officials acting in the performance of their duties.

D. Penalties

A person who shall violate any of the provisions of these rules and regulations shall:

1. If the person is a licensee or invitee, have authorization to remain upon the school division's property withdrawn and shall be directed to leave the premises. In the event of failure or refusal to do so, the person shall be subject to ejection. Furthermore, such licensee or invitee may be denied access to school property for a period to be determined by the superintendent.
2. If the person is a trespasser or visitor without specific license or invitation, be subject to ejection. Furthermore, such trespasser or visitor may be denied access to school property for a period to be determined by the superintendent.
3. Section 16-53 of the Waynesboro City Code prohibits trespassing and states specifically, "In cases where the trespass is committed upon the property owned by the City, or other public property, upon the complaint of the official having charge of such property, the offender shall be punished.."
4. In order that identification can be established and in order to clearly show that a trespass has occurred, the offending person should be served with a written notice delivered by a police officer.
5. If the person is a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning.

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6. If the person is a staff member, be subject to dismissal or termination of employment or such lesser disciplinary action as facts may warrant.

E. Enforcement Procedure

1. The superintendent or designee shall inform any licensee or invitee who shall violate any provisions of these rules and regulations that the person's license or invitation is withdrawn and shall direct the person to leave the school division's property or other property in the division's control. In the event of failure or refusal to do so, such officer shall cause ejection from such property.
2. In the case of any violator, who is neither a student nor faculty or other staff member, the superintendent or designee shall inform the violator that they are not authorized to remain on the school division's property and direct them to leave such premises. In the event of failure or refusal to do so such officer shall cause the violator's ejection from such property. Nothing in this section shall be construed to authorize the presence of any such person at any time prior to such violation nor to affect liability to prosecution for trespass or loitering as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules and regulations shall be presented and shall be heard and determined in the manner provided in Section G of these rules and regulations.
4. In the case of a tenured teacher, charges of misconduct in violation of these rules shall be made, heard, and determined in accordance with law.

F. Enforcement Program

1. The superintendent shall be responsible for the enforcement of these rules and regulations and shall designate the other administrative officers, including but not limited to building principals, who are authorized to take action in accordance with such rules and regulations when required or appropriate to carry them into effect.

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2. It is not intended by any provision of this section to curtail the rights of students, faculty, or staff to be heard upon any matter affecting their relations with the school division. In case of any apparent violation of these rules and regulations by such persons which, in the judgment of the superintendent, or designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein, to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so such officer shall warn persons of the conduct including their ejection from any premises of the school division or property under the division control where their continued presence and conduct is in violation of these rules.
3. In any case where violation of these rules and regulations does not cease after such warning and in other cases of willful violation of such rules and regulations, the superintendent or designee shall cause the ejection of the violator from any premises which is being occupied in such violation and shall initiate disciplinary action as hereinbefore provided.
4. The superintendent or designee may apply to the public authorities for any aid which is deemed necessary in causing the ejection of any violators of these rules and regulations. The board may request the school attorney to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules and regulations.

G. Determination of Charges Against Students

1. Whenever a complaint is made to the superintendent or designee of a violation by a student or students, or whenever knowledge that such a violation may have occurred, the superintendent or designee shall cause an investigation to be made. The statements of the complaints if any, of other persons having knowledge of the facts shall be reduced to writing. Upon a determination of a violation, the superintendent or administrative designee shall take such disciplinary actions as is deemed warranted under the particular circumstances, keeping in mind always the limitations, if any, imposed by law.

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2. The nature of the disciplinary action for student violations may take the form of a reprimand, warning, expulsion from extracurricular or other school functions and activities, suspension from school or classes, or expulsion for the remainder of the school year, subject to the limitations and procedures prescribed by law.
3. The superintendent or designee may suspend the student charged with a violation of these rules and regulations pending determination thereof, whenever in their judgment, the continued presence of such student could constitute a clear danger to the safety, morale, health, or welfare of himself or other persons or to the safety of property under the jurisdiction of the board or would pose an immediate threat or disruptive interference with the normal conduct of the school's activities and functions.

H. Prevention Measures

The board realizes that a program directed toward minimizing instances of violations of the rules and regulations which it has adopted for orderly conduct on school district property is of extreme importance.

The school board representatives have full authority to govern the conduct of persons utilizing school grounds.

I. Reporting Procedures

Code of Virginia 22.1-280.1 - Any attempted or actual physical injury, including "unlawful woundings," maimings, and homicides, other than involuntary manslaughter, committed by a student on school personnel shall be reported to the principal or designee. Similar reports shall be made to the principal or designee on all incidents involving the death, shooting, stabbing, cutting, or wounding of any person or any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or any anabolic steroid on a school bus, on school property, or at a school-sponsored activity. The principal or designee shall semi-annually submit a report of all such incidents to the superintendent of the school division. The division superintendent shall annually report all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms which shall be provided by the Department.

Adopted: December 13, 1994