

# SCOTT COUNTY VIRGINIA PUBLIC SCHOOLS

**“Inspiring Excellence and Empowering Potential”**



## **POLICY/REGULATIONS MANUAL**

**(ADOPTED AUGUST 8, 2017)**

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<a href="#">Charter School Application</a>	LC-E
<b>Child</b>	
<a href="#">Child Abuse and Neglect Reporting</a>	GAE/JHG
<a href="#">Family and Medical Leave</a>	GCBE
<a href="#">Reports of Missing Children</a>	KNB
<b>Civil</b>	
<a href="#">Equal Educational Opportunities/Nondiscrimination</a>	JB
<b>Class</b>	
<a href="#">Class Size</a>	IHB
<a href="#">Classroom Assignments for Twins</a>	JCJ
<a href="#">Teacher Removal of Students from Class</a>	JFCA
<b>Classroom Assignments</b>	
<a href="#">Classroom Assignments for Twins</a>	JCJ
<b>Classified/Support Personnel</b>	
(See policy codes in <a href="#">Section G</a> )	
<b>Closed Board Meeting</b>	
<a href="#">Closed Board Meeting (Executive Session)</a>	BDC
<b>Coaches</b>	
<a href="#">Professional Staff Contracts</a>	GCB
<b>College Courses</b>	
<a href="#">Advanced/Alternative Courses for Credit</a>	LEB
<b>Committees</b>	
<a href="#">Advisory Committees</a>	BCF
<a href="#">Board Committees</a>	BCE
<a href="#">Disciplinary Committees</a>	BCEA
<b>Communicable Diseases</b>	
<a href="#">Blood Borne Contagious or Infectious Diseases</a>	JHCCA
<a href="#">Communicable Diseases</a>	JHCC
<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>	JHCCA-E

<b>Communications</b>		
	<a href="#">Board-Staff Communications</a>	BG,GBD
<b>Community</b>		
	<a href="#">Community Involvement in Decision Making</a>	KC
	<a href="#">Community Resource Persons</a>	IICB
	<a href="#">Goals for School-Community Relations</a>	KA
	<a href="#">School Volunteers</a>	IICC
<b>Community Relations/School, Community, and Home</b>		
	<a href="#">Community Resource Persons/School Volunteers</a>	IICB/IICC
	<a href="#">Community Use of School Facilities</a>	KG
	<a href="#">Service Animals in Public Schools</a>	KKA
<b>Compensation</b>		
	<a href="#">School Board Member Compensation and Benefits</a>	BHD
	<a href="#">Staff Compensation Procedures</a>	GBC
	<a href="#">Deferred Wage Payment Election Form</a>	GBC-E1
	<a href="#">Notice of How Employees Who Work Less Than 12 Months Are to be Paid</a>	GBC-E2
	<a href="#">Superintendent's Contract, Compensation and Benefits</a>	CBD
<b>Complaints/Concerns</b>		
	<a href="#">Professional Staff Grievances</a>	GBM
	<a href="#">Third Party Complaints Against Employees</a>	GBLA
	<a href="#">Composition of the School Board/School Board Legal Status</a>	BB
<b>Comprehensive Plan</b>		
	<a href="#">Comprehensive Plan</a>	AF
<b>Compulsory Attendance</b>		
	<a href="#">Compulsory Attendance</a>	JEA
<b>Computer Use—Staff and Students</b>		
	<a href="#">Acceptable Computer System Use</a>	IIBEA,GAB/IIBEA, GAB-R/IIBEA-R
	<a href="#">Acceptable Computer System Use Agreement</a>	GAB-E1/IIBEA-E1
<b>Concerns/Complaints/Grievances</b>		
	<a href="#">Professional Staff Grievances</a>	GBM
	<a href="#">Public Complaints</a>	KL
	<a href="#">Support Staff Grievances</a>	GBMA
<b>Conduct</b>		
	<a href="#">Anti-Bullying Policy</a>	JFC-R1
	<a href="#">Student Conduct</a>	JFC
	<a href="#">Student Conduct on School Buses</a>	JFCC
	<a href="#">Teacher Removal of Students from Class</a>	JFCA
<b>Conferences, Conventions, and Workshops</b>		
	<a href="#">School Board Member In-Service Activities</a>	BHB
<b>Confidential Information</b>		
	<a href="#">Personnel Records</a>	GBL
	<a href="#">Student Records</a>	JO
<b>Conflict of Interest</b>		
	<a href="#">School Board Members Conflict of Interest</a>	BBFA

<a href="#">School Employee Conflict of Interests</a>	GAH
<b>Construction</b> (see policy codes)	<a href="#">Section F</a>
<a href="#">Supervision of Construction</a>	FEG
<b>Contagious Diseases/Communicable Diseases</b>	
<a href="#">Blood Borne Contagious or Infectious Diseases</a>	JHCCA
<a href="#">Communicable Diseases</a>	JHCC
<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>	JHCCA-E
<a href="#">Staff Health</a>	GBE
<b>Continuing Education</b>	
<a href="#">Adult Education</a>	IGE
<b>Contracts</b>	
<a href="#">Petty Cash Funds</a>	DJB
<a href="#">Professional Staff Contracts</a>	GCB
<a href="#">Purchasing Procedures</a>	DJF
<b>Controversial Issues</b>	
<a href="#">Teaching about Controversial Issues</a>	INB
<b>Corporal Punishment</b>	
<a href="#">Corporal Punishment</a>	JGA
<b>Correspondence Courses</b>	
<a href="#">Homebound, Correspondence, and Alternative Means of Instruction</a>	IGBG
<a href="#">Online Courses and Virtual School Programs</a>	IGBGA
<b>Court/Relations with Juveniles</b>	
<a href="#">Relations with Law Enforcement Authorities</a>	KNAJ
<b>Criminal</b>	
<a href="#">Criminal Conviction, Effect of or Founded Complaint of Child Abuse or Neglect</a>	GCDA
<a href="#">Violent Sex Offenders on School Property</a>	KNA
<b>Crisis and Emergency Management Response Plan</b>	
<a href="#">School Crisis, Emergency Management, and Medical Emergency Response Plan</a>	EB
<b>Curriculum</b>	
<a href="#">Advanced Placement Classes and Special Programs</a>	IGBI
<a href="#">Alternatives to Animal Dissection</a>	IGAK
<a href="#">Character Education</a>	IGAI
<a href="#">Curriculum Development and Adoption</a>	IF
<a href="#">Online Courses and Virtual School Programs</a>	IGBGA
<b>D</b>	
<b>Dangerous Weapons in Schools</b>	
<a href="#">Staff Weapons in School</a>	GBEB
<a href="#">Weapons in School</a>	JFCD
<b>Decision Making</b>	
<a href="#">Community Involvement in Decision Making</a>	KC
<a href="#">Staff Involvement in Decision Making</a>	GBB
<a href="#">Student Involvement in Decision Making</a>	JFB

<b>Delinquent Behavior</b>		
<a href="#">Student Conduct</a>		JFC
<b>Desegregation</b>		
<a href="#">Equal Educational Opportunities/Nondiscrimination</a>		JB
<a href="#">Nondiscrimination</a>		AC
<b>Destaffing/Reduction in Work Force</b>		
<a href="#">Reduction in Professional Staff Work Force</a>		GCPA
<b>Development</b>		
<a href="#">Policy Adoption</a>		BFC
<a href="#">Policy Implementation</a>		CH
<a href="#">Professional Staff Development</a>		GCL
<a href="#">School Board Member In-Service Activities</a>		BHB
<b>Discharge of Staff Members/Dismissal</b>		
<a href="#">Professional Staff Discipline</a>		GCPD
<b>Disciplinary Committee</b>		
<a href="#">Disciplinary Committee</a>		BCEA
<b>Discrimination</b>		
<a href="#">Equal Educational Opportunities/Nondiscrimination</a>		JB
<a href="#">Nondiscrimination</a>		AC
<a href="#">Prohibition Against Harassment and Retaliation</a>		GBA/JFHA; JFHA/GBA
<b>Disease/Disease Prevention</b>		
<a href="#">Blood Borne Contagious or Infectious Diseases</a>		JHCCA
<a href="#">Communicable Diseases</a>		JHCC
<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>		JHCCA-E
<a href="#">Health Education/Physical Education</a>		IGAE/IGAF
<a href="#">School Admission</a>		JEC/JEC-R
<a href="#">Staff Health</a>		GBE
<b>Disposal/Disposition of School Property</b>		
<a href="#">Disposal/Disposition of School Property</a>		DN
<b>Dissection</b>		
<a href="#">Alternatives to Animal Dissection</a>		IGAK
<b>Distribution of Information/Material</b>		
<a href="#">Distribution of Information/Material (Options 1&amp;2)</a>		KF
<b>Donations to Schools</b>		
<a href="#">Public Gifts to the Schools</a>		KH
<b>Donations by Schools</b>		
<a href="#">Donations by School</a>		DN
<b>Driver Education</b>		
<a href="#">Driver Education</a>		IGAJ
<b>Drugs</b>		
<a href="#">Administering Medicines to Students</a>		JHCD
<a href="#">Drug and Alcohol Testing</a>		GBEA-R1
<a href="#">Drugs in School</a>		JFCF

<a href="#">School Bus Drivers</a>	GDQ
<a href="#">Teaching about Drugs, Alcohol, and Tobacco</a>	IGAG
<b>Duties</b>	
<a href="#">Board Member Authority</a>	BBAA
<a href="#">Qualifications and Duties for the Superintendent</a>	CBA
<a href="#">School Board Powers and Duties</a>	BBA
<b>E</b>	
<b>Early Childhood Education</b>	
<a href="#">Parental Assistance With Instruction</a>	IKA
<b>Educational Philosophy</b>	
<a href="#">Educational Philosophy</a>	AD
<b>Educational Technology Foundation</b>	
<a href="#">Educational Technology Foundation</a>	ET
<b>Electronic Meetings</b>	
<a href="#">Electronic Participation in Meetings From Remote Locations</a>	BDD
<b>Employment</b>	
<a href="#">Applications for Positions</a>	GBN
<a href="#">Equal Employment Opportunity/Nondiscrimination</a>	GB
<a href="#">Part-Time and Substitute Professional Staff Employment</a>	GCE
<a href="#">Support Staff Employment Status</a>	GDB
<b>Energy Saving Construction</b>	
<a href="#">Energy Saving Construction</a>	FECBA
<b>Enrichment Programs</b>	
<a href="#">Programs for Gifted Students</a>	IGBB
<b>Entrance Age/Admission of Persons Not of School Age</b>	
<a href="#">Entrance Age/Admission of Person Not of School Age</a>	JEB
<b>Equal Educational Opportunities/Nondiscrimination</b>	
<a href="#">Equal Education Opportunities/Nondiscrimination</a>	JB
<b>Equal Employment Opportunity/Nondiscrimination</b>	
<a href="#">Equal Employment Opportunity/Nondiscrimination</a>	GB
<b>Equipment</b>	
<a href="#">Playground Equipment</a>	FE
<b>Evaluation</b>	
<a href="#">Evaluation of Professional Staff</a>	GCN
<a href="#">Evaluation of Support Staff Members</a>	GDN
<a href="#">Evaluation of the Superintendent</a>	CBG
<b>Examination/Testing</b>	
<a href="#">Human Research</a>	JHDA
<a href="#">Physical Examination of Students</a>	JHCA
<a href="#">School Bus Drivers</a>	GDQ
<a href="#">Staff Health</a>	GBE



<b>Exclusions and Exemptions from School Attendance</b>	
<a href="#">Blood Borne Contagious or Infectious Diseases</a>	JHCCA
<a href="#">Exclusions and Exemptions From School Attendance</a>	JEG
<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>	JHCCA-E
<a href="#">School Admission</a>	JEC/JEC-R
<b>Executive Sessions</b>	
<a href="#">Executive Sessions (Closed Meetings)</a>	BDC
<b>Expenditure of Funds</b>	
<a href="#">Custody and Disbursement of Funds</a>	DG
<b>Expenses/Expense Reimbursements</b>	
<a href="#">Expense Reimbursements</a>	DLC
<a href="#">School Board Member Compensation and Benefits</a>	BHD
<b>Extra-Curricular Activities</b>	
<a href="#">Random Alcohol and Drug Testing Regulations for Students Involved with</a>	
<a href="#">Competitive Extra-curricular Activities</a>	JFCB-R1
<a href="#">Student-Athlete Concussions During Extra Curricular Activities</a>	JJAC
<b>F</b>	
<b>Facilities Planning and Development</b>	
<a href="#">Accommodations for the Disabled</a>	FECBB
<a href="#">Educational Facilities Specifications</a>	FEA
<a href="#">Energy-Conserving Construction</a>	FECBA
<a href="#">Facilities Development</a>	FA
<a href="#">Facilities Planning</a>	FB
<a href="#">Supervision of Construction</a>	FEG
<b>Fair Employment</b>	
<a href="#">Equal Employment Opportunity/Nondiscrimination</a>	GB
<a href="#">Sexual Harassment/Harassment Based on Race, National Origin, Disability</a>	
<a href="#">and Religion</a>	JFHA/GBA
<b>Family and Medical Leave</b>	
<a href="#">Family and Medical Leave</a>	GCBE
<b>Family Life Education</b>	
<a href="#">Family Life Education</a>	IGAH
<b>Fees</b>	
<a href="#">Student Fees, Fines and Charges</a>	JN
<b>Field Trips and Excursions</b>	
<a href="#">Field Trips</a>	IICA
<b>Financial</b>	
<a href="#">Annual Budget</a>	DB
<a href="#">Custody and Disbursement of School Funds</a>	DG
<a href="#">Financial Accounting and Reporting</a>	DI
<a href="#">Management of Funds</a>	DA
<a href="#">Payment Procedures</a>	DK
<a href="#">Petty Cash Funds</a>	DJB
<a href="#">Purchasing Procedures</a>	DJF
<a href="#">Reporting Per Pupil Costs</a>	DIA

<b>Fines</b>	<a href="#">Students Fees, Fines and Charges</a>	JN
<b>Firearms</b>	<a href="#">Staff Weapons in School</a> <a href="#">Weapons in School</a>	GBEB JFCD
<b>First Aid</b>	<a href="#">Emergency First Aid, CPR, and AED Certified Personnel</a>	EBBA
<b>Food Service</b>	<a href="#">Food Sanitation Program</a> <a href="#">Food Service Management</a> <a href="#">Free and Reduced Price Food Services</a> <a href="#">School Meals and Snacks</a>	EFD EF EFB JHCH
<b>403(b) Program</b>	<a href="#">Retirement Savings Program</a>	GBR
<b>Freedom of Expression</b>	<a href="#">Academic Freedom</a> <a href="#">Student Publications</a>	IB JP
<b>Fringe Benefits</b>	<a href="#">Staff Fringe Benefits</a> <a href="#">Superintendent's Compensation and Benefits</a>	GCBC CBD
<b>Funding Proposals and Applications</b>	<a href="#">Non-Locally Funded Programs</a>	DO
<b>Fund-Raising</b>	<a href="#">Fund-Raising and Solicitation</a> <a href="#">Staff Gifts and Solicitations</a>	JL GBI
<b>Funds</b>	<a href="#">Activity Funds</a> <a href="#">Cash in School Buildings</a> <a href="#">Custody and Disbursement</a> <a href="#">Funds for Instructional Materials and Office Supplies</a> <a href="#">Management of Funds</a> <a href="#">Petty Cash Funds</a>	DGC DM DG DGD DA DJB
<b>G</b>		
<b>Gangs</b>	<a href="#">Gang Activity or Association</a>	JFCE
<b>GED Programs/Diplomas</b>	<a href="#">Adult Education</a>	IGE
<b>Gifted and Talented Programs</b>	<a href="#">Programs for Gifted Students</a>	IGBB
<b>Gifts</b>	<a href="#">Staff Gifts and Solicitations</a>	GBI

<b>Graduation</b>		
	<a href="#">Adult Education</a>	IGE
	<a href="#">Standards of Learning Tests and Graduation Requirements</a>	IKF
<b>Graduation Requirements</b>		
	<a href="#">Retaking SOL Assessments</a>	IKH
	<a href="#">Standards of Learning Tests and Graduation Requirements</a>	IKF
<b>Grievances</b>		
	<a href="#">Professional Staff Grievances</a>	GBM
	<a href="#">Support Staff Grievances</a>	GBMA
<b>Grouping for Instruction</b>		
	<a href="#">Grouping for Instruction</a>	IHA
<b>Guidance and Counseling Program</b>		
	<a href="#">Guidance and Counseling Program</a>	IJ
<b>H</b>		
<b>Handbooks and Directives</b>		
	<a href="#">Student Conduct</a>	JFC
<b>Health</b>		
	<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>	JGCCA-E
	<a href="#">Health Education/Physical Education</a>	IGAE/IGAF
	<a href="#">Staff Health</a>	GBE
	<a href="#">Student Blood Borne Contagious or Infectious Diseases</a>	JHCCA
	<a href="#">Student Health Services</a>	JHC
	<a href="#">Student Wellness</a>	JHCF
<b>HIV/AIDS</b>		
	<a href="#">Blood Borne Contagious or Infectious Diseases</a>	JHCCA
	<a href="#">Communicable Diseases</a>	JHCC
	<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>	JHCCA-E
<b>Home Instruction</b>		
	<a href="#">Home Instruction</a>	LBD
<b>Homeless Students</b>		
	<a href="#">Admission of Homeless Children</a>	JECA
<b>Homework</b>		
	<a href="#">Homework</a>	IKB
<b>Honors Programs</b>		
	<a href="#">Programs for Gifted Students</a>	IGBB
<b>Hours</b>		
	<a href="#">School Year/School Day</a>	IC/ID
	<a href="#">Staff Time Schedules</a>	GAA
<b>Human Research</b>		
	<a href="#">Human Research</a>	JHDA

I

**Immunizations**

[Immunizations of Students](#) JHCB

**In God We Trust**

[National Motto](#) IEB

**Innovative Programs/Pilot Projects**

[Innovative or Experimental Programs](#) IIAE

**Insurance**

[Insurance Management](#) EI

**Instruction/Instructional**

[Basic Instructional Program](#) IGA

[Instructional Goals and Objectives](#) IA

[Instructional Materials](#) IIA

**Integration**

[Equal Educational Opportunities/Nondiscrimination](#) JB

[Nondiscrimination](#) AC

**Internet**

[Acceptable Computer System Use](#) GAB/IIBEA

[Acceptable Computer System Use Agreement](#) GAB-E1/IIBEA-E1, GAB/IIBEA-E2

[Internet Privacy](#) KBE

[Social Media Guidelines](#) GAB-R1/IIBEA-R1, IIBEA-R1/GAB-R1

J - K

L

**Language Instruction**

[English Learners](#) IGBF

**Law Enforcement Agencies**

[Relations with Law Enforcement Authorities](#) KNAJ

**Layoffs**

[Reduction in Professional Staff Work Force](#) GCPA

**Learning Disabilities**

[Programs for Students With Disabilities](#) IGBA

**Leaves**

[Family and Medical Leave](#) GCBE

[Leave Without Pay](#) GCBEA

[Military Leave and Benefits](#) GCBEB

[Staff Leaves and Absences](#) GCBD

[Support Staff Leaves and Absences](#) GDBD

**Legal**

[School Attorney](#) BCG

[School Board Legal Status](#) BB

**Library**

[School Libraries/Media Centers](#) IIBD

<b>Locally Awarded Verified Credits</b>		
<a href="#">Locally Awarded Verified Credits</a>		IKFA
<b>M</b>		
<b>Media</b>		
<a href="#">Media Relations</a>		KBC
<b>Medical</b>		
<a href="#">Blood Borne Contagious or Infectious Diseases</a>		JHCCA
<a href="#">Communicable Diseases</a>		JHCC
<a href="#">Family and Medical Leave</a>		GCBE
<a href="#">Guidelines for Students with Human Immunodeficiency Virus</a>		JHCCA-E
<a href="#">Physical Examinations of Students</a>		JHCA
<a href="#">Staff Health</a>		GBE
<a href="#">Student-Athlete Concussions During Extra Curricular Activities</a>		JJAC
<b>Medicine Administration to Students</b>		
<a href="#">Administering Medicines to Students</a>		JHCD
<a href="#">Recommendation of Medication by School Personnel</a>		JHCE
<b>Meetings</b>		
<a href="#">Electronic Participation in Meetings From Remote Locations</a>		BDD
<a href="#">Regular School Board Meetings</a>		BDA
<a href="#">School Board Organizational Meeting</a>		BCA
<a href="#">Special School Board Meetings</a>		BDB
<b>Military Leave and Benefits</b>		
<a href="#">Military Leave and Benefits</a>		GCBEB
<b>Moment of Silence</b>		
<a href="#">Moment of Silence</a>		IE
<b>Motto</b>		
<a href="#">National Motto</a>		IEB
<b>N</b>		
<b>National Motto</b>		
<a href="#">National Motto</a>		IEB
<b>Nepotism</b>		
<a href="#">Employment of Family Members</a>		GCCB
<a href="#">School Board Members Conflict of Interest</a>		BBFA
<b>News/News Coverage</b>		
<a href="#">Media Relations</a>		KBC
<b>Nondiscrimination</b>		
<a href="#">Equal Educational Opportunities/Nondiscrimination</a>		JB
<a href="#">Equal Employment Opportunity/Nondiscrimination</a>		GB
<a href="#">Nondiscrimination</a>		AC
<a href="#">Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion</a>		GBA/JFHA
<b>Nonschool Employment By Professional Staff Members</b>		
<a href="#">Nonschool Employment By Staff Members</a>		GCQA

<b>Notification of Learning Objectives</b>		
<a href="#">Notification of Learning Objectives</a>		IAA
<b>Notification of Parents</b>		
<a href="#">Written Notification of Violation of School Policies By Students in Alternative Education Programs</a>		JFCJ
<b>O</b>		
<b>Oath of Office</b>		
<a href="#">Oath of Office</a>		BBBC
<b>Officers of the Board</b>		
<a href="#">Officers of the Board/Board Officers</a>		BCB
<b><a href="#">Online Courses and Virtual School Programs</a></b>		IGBGA
<b>Order of Business</b>		
<a href="#">Order of Business/Agenda</a>		BDDC
<b>Organization</b>		
<a href="#">Administrative Organization Plan</a>		CC
<a href="#">Goals for School-Community Relations</a>		KA
<a href="#">School Board Organizational Meeting</a>		BCA
<b>P</b>		
<b>Parent/Parental</b>		
<a href="#">Family and Medical Leave</a>		GCBE
<a href="#">Parental Assistance with Instruction</a>		IKA
<a href="#">Parent and Family Engagement</a>		IGBC
<a href="#">Parental Rights and Responsibilities</a>		KP
<b>Partnerships</b>		
<a href="#">Commercial, Promotional, and Corporate Sponsorships and Partnerships</a>		KQ
<b>Part-Time and Substitute Professional Staff</b>		
<a href="#">Part-Time and Substitute Professional Staff Employment</a>		GCE
<b>Paternity Leave</b>		
<a href="#">Family and Medical Leave</a>		GCBE
<b>Payment Procedures</b>		
<a href="#">Payment Procedures</a>		DK
<b>Payroll Deductions</b>		
<a href="#">Payroll Deductions</a>		DLB
<b>Payroll Procedures</b>		
<a href="#">Payroll Procedures</a>		DL
<b>Personnel</b>		
<a href="#">Board-Staff Communications</a>		GBD
<a href="#">Equal Employment Opportunity/Nondiscrimination</a>		GB
<a href="#">Lactation Support</a>		GBEF/JHCL
<a href="#">Personnel Policies Goals</a>		GA

<a href="#">Personnel Training-Viral Infections</a>	EBBB
<a href="#">Professional Staff</a>	GC
<a href="#">Professional Staff Development</a>	GCL
<a href="#">Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion</a>	GBA/JFHA
<a href="#">Staff Compensation Procedures</a>	GBC
<a href="#">Deferred Wage Payment Election Form</a>	GBC-E1
<a href="#">Notice of How Employees Who Work Less Than 12 Months are to be Paid</a>	GBC-E2
<a href="#">Staff Participation in Political Activities</a>	GBG
<a href="#">Staff Salary Schedules</a>	GCBA
<a href="#">Staff Time Schedules</a>	GAA
<a href="#">Support Staff</a>	GD
<a href="#">Suspension of Staff Members</a>	GCPF
<a href="#">Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance</a>	GBEA
<b>Petty Cash Accounts</b>	
<a href="#">Petty Cash Accounts</a>	DJB
<b>Physical Education</b>	
<a href="#">Health Education/Physical Education</a>	IGAE/IGAF
<b>Physical Examinations</b>	
<a href="#">Physical Examination of Students</a>	JHCA
<a href="#">Staff Health</a>	GBE
<b>Pledge of Allegiance</b>	
<a href="#">Pledge of Allegiance</a>	IEA
<b>Policy Manual</b>	
<a href="#">Policy Manual</a>	BF
<b>Political</b>	
<a href="#">Staff Participation in Political Activities</a>	GBG
<b>Powers</b>	
<a href="#">School Board Powers and Duties</a>	BBA
<b>Privacy, Right to</b>	
<a href="#">Closed Meetings</a>	BDC
<a href="#">Personnel Records</a>	GBL
<a href="#">Student Records</a>	JO
<b>Probation</b>	
<a href="#">Professional Staff Probation and Continuing Contract</a>	GCG
<a href="#">Support Staff Probation</a>	GDG
<b>Professional Staff (only main codes starting with or having as main subject the words "professional staff" are listed below)</b>	
<a href="#">Evaluation of Professional Staff</a>	GCN
<a href="#">Part-Time and Substitute Professional Staff Employment</a>	GCE
<a href="#">Professional Staff</a>	GC
<a href="#">Professional Staff Assignments and Transfers</a>	GCI
<a href="#">Professional Staff Contracts</a>	GCB
<a href="#">Professional Staff Development</a>	GCL
<a href="#">Professional Staff Probation and Continuing Contract</a>	GCH

<a href="#">Professional Staff Discipline</a>	GCPD
<b>Public</b>	
<a href="#">Community Involvement in Decision Making</a>	KC
<a href="#">Community Use of School Facilities</a>	KG
<a href="#">Goals for School-Community Relations</a>	KA
<a href="#">Personnel Records</a>	GBL
<a href="#">Public Complaints About Learning Resources</a>	KLB
<a href="#">Public Conduct on School Property</a>	KGB
<a href="#">Public Dedication of New Facilities</a>	FF
<a href="#">Public Gifts to the Schools</a>	KH
<a href="#">Public Information Program</a>	KB
<a href="#">Public Participation at School Board Meetings</a>	BDDH, KD
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SECTION A: Foundations and Basic Commitments

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## SCHOOL DIVISION LEGAL STATUS

The Constitution of the Commonwealth provides that the General Assembly establish a system of free public elementary and secondary schools for all children of school age throughout the state, and seek to ensure that an educational program of high quality is established and continually maintained. The General Assembly requires that such an educational system be maintained and administered by the Board of Education, the Superintendent of Public Instruction, division superintendents and school boards. The Board of Education divides the Commonwealth into school divisions of such geographical area and school-age population as will promote the realization of the standards of quality, and will periodically review the adequacy of existing school divisions for this purpose. The supervision of schools in each school division is vested in a school board selected in accordance with the applicable provisions of the Code of Virginia.

Adopted:

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Legal Refs.: Constitution of Virginia, article VIII, §§ 1, 5, 7.  
Code of Virginia, 1950, as amended, §§ 22.1-2, 22.1-28, 22.1-71.

Cross Ref.: BB School Board Legal Status  
BBAA Board Member Authority

## NONDISCRIMINATION

The Scott County School Board is committed to nondiscrimination with regard to sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law. This commitment will prevail in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

Legal Refs.: 20 U.S.C. §§ 1681-1688.  
29 U.S.C. § 794.  
42 U.S.C. §§ 2000d-2000d-7, 2000e-2000e-17, 2000ff-1.  
34 C.F.R. 106.9.  
Constitution of Virginia, article I, section 11.  
Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs.: GB/JB Equal Employment Opportunity/Nondiscrimination  
GBA/JFHA Prohibition Against Harassment and Retaliation

## EDUCATIONAL PHILOSOPHY

The Scott County School Board is committed to providing equal opportunity for every student to achieve maximum intellectual, social, emotional and physical growth and to ensuring that each student be equipped to communicate effectively with other people, to be competent both in the work place and in higher education and to feel confident of the ability to make creative and constructive decisions in his/her life.

The Scott County School Board:

- provides the necessary trained and dedicated leadership, qualified personnel, equipment and materials to assure an appropriate education for every student;
- treats all members of the school community equitably with the highest degree of respect;
- allocates and uses assets fairly and efficiently

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78

Cross Refs.:	AC	Nondiscrimination
	GA	Personnel Policies Goals
	GB/JB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	IGBC	Parental Involvement

## **SCHOOL DIVISION GOALS AND OBJECTIVES**

### **A. Generally**

The school division is committed to excellence in education, equality of educational opportunity, and the recognition of each student's individuality. Inasmuch as students differ in their rate of physical, mental, emotional and social growth and vary in their needs and abilities, learning opportunities are provided that are consistent with personal development and potential. Programs shall emphasize diagnostic and prescriptive instruction, allowing an individual approach to each student's learning style and educational needs.

The educational program introduces each student to a variety of interest and subject areas that offer exposure to the range of opportunities available in later years. These experiences produce the basis for further education and future employment. As students demonstrate increased maturity, they may assume more responsibility for the decisions regarding their education.

The school environment should be responsive and conducive to learning. The physical environment facilitates and enhances the learning experiences available to each student. A responsive environment includes competent, dedicated teachers using a variety of techniques and a classroom atmosphere where students can function and develop according to their abilities. Safety, physical comfort, and appearance also are vital environmental components.

### **B. Standards of Quality and Objectives**

The School Board accepts the overall goals of public education as expressed by the Standards of Quality legislated by the Virginia General Assembly and implemented by State Board of Education regulations.

The School Board will report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance will be submitted to the Board of Education by the chairman of the board and the division superintendent.

### **C. Standards of Quality--Programs and Services**

The School Board commits itself to providing programs and services as stated in the Standards of Quality to the extent funding thereof is provided by the General Assembly.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:8.

## COMPREHENSIVE PLAN

The Scott County School Board will adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan will be developed with staff and community involvement and will include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. The School Board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of the plan or revisions thereto, the School Board will post the plan or revisions on the division's Internet website if practicable and make a hard copy of the plan or revisions available for public inspection and copying and will conduct at least one public hearing to solicit public comment on the plan or revisions.

The divisionwide comprehensive plan will include

- (i) the objectives of the school division, including strategies for first improving student achievement, particularly the achievement of educationally at risk students, then maintaining high levels of student achievement;
- (ii) an assessment of the extent to which these objectives are being achieved;
- (iii) a forecast of enrollment changes;
- (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations;
- (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions;
- (vi) a plan for implementing such regional programs and services when appropriate;
- (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the division's career and technical education programs, consistent with or as part of the comprehensive technology plan for Virginia adopted by the Board of Education;
- (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan;
- (ix) any corrective action plan required pursuant to Va. Code § 22.1-253.13:3; and
- (x) a plan for parent and family involvement to include building successful school and parent partnerships that will be developed with staff and community involvement, including participation by parents.

The School Board will present a report to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

Each school will prepare a comprehensive, unified, long-range plan, which shall be given consideration by the School Board in the development of the divisionwide comprehensive plan.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:6.

## EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The School Board reviews its performance annually to ensure its proper discharge of responsibilities to the community. Evaluation is based on a positive approach, identifying the strengths of the School Board and opportunities for improvement.

The following elements are included in the self-evaluation process:

1. School Board members are involved in the development of an evaluation instrument and procedure.
2. The School Board evaluation instrument is completed by individual Board members on a confidential basis, and submitted to the School Board Chairman, or the Chairman's designee, for compilation.
3. The School Board meets, with all members present, to review and discuss the composite results.
4. Each conclusion is supported by objective evidence.

Based on discussion of the results, the School Board develops both short-and long-range goals and objectives to ensure continued proficiency in its areas of excellence, to strengthen weak areas and to improve the efficiency of the Board.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: AE School Division Goals and Objectives  
AF Comprehensive Plan  
BBA School Board Powers and Duties

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SECTION B: School Board Governance and Operations

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BBE	<a href="#">Unexpired Term Fulfillment</a>	9-B
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BDCA	<a href="#">Calling and Certification of Closed Meetings</a>	32-B
BDD	<a href="#">Electronic Participation in Meetings From Remote Locations</a>	33-B
BDDA	<a href="#">Notification of School Board Meetings</a>	35-B
BDDC	<a href="#">Agenda Preparation and Dissemination</a>	36-B
BDDD	<a href="#">Quorum</a>	37-B
BDDE	<a href="#">Rules of Order</a>	38-B
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BDDG	<a href="#">Minutes</a>	40-B
BDDH	<a href="#">Public Participation at School Board Meetings (Also KD)</a>	41-B
BF	<a href="#">Board Policy Manual</a>	42-B
BFC	<a href="#">Policy Adoption</a>	43-B
BFE	<a href="#">Administration in Policy Absence (Also CHD)</a>	44-B
BG	<a href="#">Board-Staff Communications (Also GBD)</a>	45-B
BHB	<a href="#">School Board Member In-Service Activities</a>	47-B
BHD	<a href="#">School Board Member Compensation and Benefits</a>	48-B
BHE	<a href="#">School Board Member Liability Insurance</a>	49-B



## SCHOOL BOARD LEGAL STATUS

The School Board of Scott County derives its authority from the Constitution of Virginia, the Code of Virginia, and the regulations of the State Board of Education.

The Scott County School Board members are officers of the Commonwealth.

The Scott County School Board governs the school division.

The School Board is a corporate body whose official title is "Scott County School Board".

Legal Refs.: Constitution of Virginia, article VIII, § 7.  
Code of Virginia, 1950, as amended, §§ 22.1-2, 22.1-28, 22.1-31, 22.1-71.

Cross Ref.: AA School Division Legal Status  
BBAA Board Member Authority

## SCHOOL BOARD POWERS AND DUTIES

The School Board:

- adopts policy to provide for the day-to-day supervision of schools;
- sees that the school laws are properly explained, enforced and observed;
- secures, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and takes care that they are conducted according to law and with the utmost efficiency;
- cares for, manages and controls the property of the school division and provides for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
- provides for the consolidation of schools or redistricting of school boundaries or adopts pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
- insofar as not inconsistent with state statutes and regulations of the State Board of Education, operates and maintains the public schools in the school division and determines the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools;
- performs such other duties as shall be prescribed by the State Board of Education or are imposed by law;
- obtains public comment through a public hearing not less than ten days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools; (ii) the transfer from the public school system of the administration of all instructional services for any public school classroom or all noninstructional services in the school division pursuant to a contract with any private entity or organization; or (iii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken;
- surveys, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and reports such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or requests the division superintendent to conduct such survey and submit such report to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System; and
- ensures that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to Va. Code § 9.1-914.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.

Cross Refs.: AF Comprehensive Plan  
KN Sex Offender Registry Notification

## **BOARD MEMBER AUTHORITY**

The Scott County School Board is a body corporate, and in its corporate capacity is vested with all the powers and charged with all the duties, obligations, and responsibilities imposed upon school boards by law and may sue, be sued, contract, be contracted with, and purchase, take, hold, lease and convey school property, both real and personal. School Board members shall have no authority or duties except such as may be assigned to them by the School Board as a whole.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-71.

Cross Ref.: AA School Division Legal Status  
BB School Board Legal Status

## **QUALIFICATIONS OF SCHOOL BOARD MEMBERS**

At the time of appointment or election to office, each member of the School Board must be a qualified voter and bona fide resident of the school division and district, if any, which he represents and meet any other criteria set forth in state law. If a board member ceases to be a resident of the school division or that district which he represents, his position on the School Board shall be deemed vacant.

No employee of the School Board may serve on the Board.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1 29, 22.1-30, 22.1-57.3.

Cross Ref.: BBE Unexpired Term Fulfillment

**BOARD MEMBER OATH OF OFFICE**

All new school board members qualify by taking the oath prescribed for officers of the Commonwealth on or before the day of the initial meeting of the new school board. Failure to take the oath of office within the time allowed by law renders the office vacant.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 15.2-1522, 15.2-1524, 24.2-228, 49-1, 49-3.

## **BOARD MEMBER REMOVAL FROM OFFICE**

Any School Board member may be removed from office in accordance with the provisions of Sections 24.2-230 through 24.2-238 of the Code of Virginia.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 24.2-230 through 24.2-238.

## **UNEXPIRED TERM FULFILLMENT**

Vacancies occurring in the membership of the School Board, including the position of tie breaker, if any, are filled as provided by law.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-2802, 15.2-410, 15.2-531, 15.2-837, 15.2-627, 22.1-39, 22.1-40, 22.1-44, 22.1-47, 22.1-50, 22.1-53, 22.1-57.3, 24.2-226, 24.2-228.

## CONFLICT OF INTERESTS AND DISCLOSURE OF ECONOMIC INTERESTS

### A. Purpose

The Scott County School Board seeks, through the adoption of this policy, to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests as defined by the General Assembly in the State and Local Government Conflict of Interests Act (the Act).

### B. Areas of Regulation

The Act establishes five principal areas of regulation applicable to Board members, officers and employees of the Scott County School Division. They are:

- special anti-nepotism rules relating to School Board members and superintendents of schools
- general rules governing public conduct by School Board members regarding acceptance of gifts and favors
- prohibited conduct regarding contracts
- required conduct regarding transactions
- disclosures required from School Board members

### C. Definitions

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidary relationship, that exists when

- one business entity has a controlling ownership interest in the other business entity;
- a controlling owner in one entity is also a controlling owner in the other entity; or
- there is shared management or control between the business entities.

Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means any individual or entity carrying on a business or profession, whether or not for profit.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in Va. Code § 30-355.

"Employee" means all persons employed by a governmental or advisory agency.



"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in subsection A of Va. Code § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission or pass is used; honorary degrees; any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public; a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.; any gift related to the private profession, occupation or volunteer service of the School Board member or employee or of a member of the School Board member's or employee's immediate family; food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service; food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer; unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service; a devise or inheritance; travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.); travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of, or any meal provided for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment; gifts with a value of less than \$20; attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered; or gifts from relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, step-sister, the donee's brother's or sister's spouse or the donee's son-in-law or daughter-in-law. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's principal as defined in Va. Code § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, "person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this policy.

"Immediate family" means (i) a spouse and (ii) any other person who resides in the same household as the School Board member or employee and who is a dependent of the School Board member or employee.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to a School Board member or employee or to a member of the immediate family of the School Board member or employee. Such interest shall exist by reason of

- ownership in a business if the ownership interest exceeds three percent of the total equity of the business;
- annual income that exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;
- salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed \$5,000 annually;
- ownership of real or personal property if the interest exceeds \$5,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;
- personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or
- an option for ownership of a business or real or personal property if the ownership interest will consist of the first or fourth bullets above.

"Personal interest in a contract" means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or governmental agency, or represents or provides services to any individual or business and such property, business, or represented or served individual or business is

- is the subject of the transaction or
- may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.

Notwithstanding the foregoing, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee or elected member of a local governing body is appointed by the local governing body to serve on a governmental agency or an officer, employee or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer, employee, elected member or member of his immediate family.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

#### D. Special Anti-Nepotism Rules Relating to School Board Members and Superintendents

1. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent or of a School Board member. This provision shall not be construed to prohibit the employment, promotion or transfer within the school division, of any person within a relationship described above when such person
  - has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the Board or superintendent; or

- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or
- was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the School Board or superintendent.

A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such Board member or superintendent or to the inception of such relationship.

2. No family member (as listed in section D.1., above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

E. General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors

1. Prohibited Conduct

No member or employee of the Board, shall

- solicit or accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her regular compensation, expenses or other remuneration;
- offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion of any person in the school division;
- offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division.
- use for his or her own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public;
- accept any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence him or her in the performance of his or her official duties;
- accept any business or professional opportunity when he or she knows that there is a reasonable likelihood that the opportunity is being afforded him or her to influence his or her conduct in the performance of official duties;
- accept a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the Board member's or employee's impartiality in the matter affecting the donor;
- accept gifts from sources on a basis so frequent as to raise an appearance of the use of his or her public office or employment for private gain; or
- use his or her public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law.

2. Prohibited Gifts

For purposes of this subsection:

"Person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

"Widely attended event" means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable or professional organization, (ii) who are from a particular industry or profession or (iii) who represent persons interested in a particular issue.

School Board members and employees required to file a Statement of Economic Interests as prescribed in Va. Code § 2.2-3117 and members of their immediate families shall not solicit, accept or receive any single gift with a value in excess of \$100 or any combination of gifts with an aggregate value in excess of \$100 within any calendar year for the School Board member or employee or a member of the School Board or employee's immediate family from any person that the School Board member or employee or a member of the School Board's or employee's immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Va, Code § 2.2-418 et seq.; (ii) a lobbyist's principal as defined in Va, Code § 2.2-419; or (iii) a person, organization or business who is or is seeking to become a party to a contract with the School Board. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.

Notwithstanding the above, School Board members and employees required to file a Statement of Economic Interests and members of their immediate families may accept or receive

1. a gift of food and beverages, entertainment or the cost of admission with a value in excess of \$100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;
2. a gift from a foreign dignitary with a value exceeding \$100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;
3. certain gifts with a value in excess of \$100 from a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board may be a personal friend of such School Board member or employee or the immediate family of the School Board member or employee. In determining whether a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and
4. gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

The \$100 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal

income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to \$100 or less.

### 3. Awards to Employees for Exceptional Service

Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of the Scott County School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

## F. Prohibited Conduct Regarding Contracts

1. No School Board member or employee shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board.
2. Exceptions - The above prohibition is not applicable to:
  - a Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board
  - an employee's own contract of employment
  - contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public
  - a contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board; however, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract
  - the sale, lease or exchange of real property between a School Board member or employee and the School Board, provided the Board member or employee does not participate in any way as a Board member or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the School Board or superintendent
  - the publication of official notices
  - contracts between the School Board and an officer or employee of the School Board when the total of such contracts between the School Board and the officer or employee of the School Board or a business controlled by the officer or employee does not exceed \$5,000 per year or such amount exceeds \$5,000 and is less than \$25,000 but results from contracts arising from awards made on a sealed bid basis, and such officer or employee has made disclosure as provided for in Va. Code § 2.2-3115
  - an officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of \$5,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract
  - contracts between an officer's or employee's governmental agency and a public service corporation, financial institution or company furnishing public utilities in which the officer or employee has a personal interest provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract

- contracts for the purchase of goods or services when the contract does not exceed \$500
- grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency
- an officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee
- employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act (or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his household and the annual salary of the subordinate is \$35,000 or more

G. Prohibited Conduct Regarding Transactions

1. Each School Board member and School Board employee who has a personal interest in a transaction
  - a. shall disqualify himself from participating in the transaction if
    - (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidary or affiliated business entity relationship with the business in which he has a personal interest; or
    - (ii) he is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.

Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115.F and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not

    - (i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or
    - (ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
  - b. may participate in the transaction if he is a member of a business, profession, occupation or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115.H;
  - c. may participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115.I; or
  - d. may participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.
2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.
3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the Board shall constitute a quorum for the conduct of business and have authority to act for the Board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.
4. The provisions of this section shall not prevent a Board member or employee from participating in a transaction merely because such a Board member or employee is a defendant in a civil legal proceeding concerning such transaction.

## H. Disclosure Requirements

1. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to Va. Code § 2.2-3117 and thereafter file such statement annually on or before February 1. The disclosure forms are filed and maintained as public records for five years in the office of the clerk of the School Board.
2. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of \$250. The clerk of the School Board shall notify the attorney for the Commonwealth for the locality of any School Board member's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.
3. Any Board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the School Board's public records in the division superintendent's office for a period of five (5) years.
4. Any Board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
  - (i) the transaction involved;
  - (ii) the nature of the Board member's or employee's personal interest affected by the transaction;
  - (iii) that he is a member of a business, profession, occupation or group the members of which are affected by the transaction; and
  - (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day. The Board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

5. A Board member or employee who is required to declare his interest pursuant to subdivision G.1.c. of this policy shall declare his interest by stating
  - (i) the transaction involved;
  - (ii) that a party to the transaction is a client of his firm;
  - (iii) that he does not personally represent or provide services to the client; and
  - (iv) that he is able to participate in the transaction fairly, objectively and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the Board member or employee shall prepare and file the required declaration by the end of the next business day.

## I. Release of Disclosure Forms

A clerk of the School Board who releases any disclosure form shall redact from the form any residential address, personal telephone number or signature contained on such form.

J. Deadlines and Coverage Periods for Disclosure Forms

A School Board member or employee required to file an annual disclosure on or before February 1 shall disclose his personal interests and other information as required on the form prescribed by the Council for the preceding calendar year complete through December 31.

A School Board member or employee required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Council for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed; however, any School Board member or employee who assumes office or a position of employment in January shall be required to only file an annual disclosure on or before February 1 for the preceding calendar year complete through December 31.

When the deadline for filing any disclosure falls on a Saturday, Sunday or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday or legal holiday.

K. Advisory Opinions

School Board members or employees subject to the Act may seek written opinions regarding the Act from the local Commonwealth's attorney; the local county attorney; or the Council. Good faith reliance on any such written opinion of the Commonwealth Attorney or a formal opinion or written informal advice of the Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion was made after a full disclosure of the facts. If the School Board member or employee relies on the opinion of the attorney for the Commonwealth in a prosecution for a knowing violation of the Act, the written opinion of the attorney for the Commonwealth shall be a public record and shall be released upon request. An opinion of the county attorney may be introduced at trial as evidence that the School Board member or employee did not knowingly violate the Act.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118.2, 2.2-3119, 2.2-3121, 2.2-3124 and 30-356.

Cross Ref.:	CBCA	Disclosure Statement Required of Superintendent
	GAH	School Employee Conflict of Interests
	GCCB	Employment of Family Members



## **SCHOOL BOARD ORGANIZATIONAL MEETING**

The Scott County School Board will hold an organizational meeting annually.

At that meeting the Board will

- establish its regular meeting schedule for the following year,
- elect one of its members as chairman,
- approve a designee of the superintendent to attend meetings of the School Board in case of the superintendent's absence or inability to attend, and
- appoint, on the recommendation of the superintendent, a clerk of the School Board.

Upon election, the chairman will immediately assume office and preside over the remainder of the meeting.

In addition, the Board

- may elect one of its members as vice-chairman and
- may appoint a deputy clerk.

The vice-chairman and deputy clerk, if any, will be empowered to act in all matters in case of the absence or inability to act of the chairman or clerk, respectively, or as otherwise provided by the Board.

The terms of the chairman, clerk, vice-chairman and deputy clerk will be one year.

The Board's annual organizational meeting will be held in January.

## **SCHOOL BOARD OFFICERS**

The officers of the School Board are a chairman and vice-chairman. The chairman and the vice-chairman are elected annually at the organizational meeting of the School Board.

### **School Board Chairman**

The duties of the chairman are to preside at all meetings of the School Board, to perform such other duties as may be prescribed by law or by action of the School Board, and to sign all legal documents approved by the School Board.

The chairman, as a member of the School Board, has a vote on all matters before the School Board which come to a vote, but does not have an additional vote as chairman in case of a tie.

### **Vice-Chairman**

The vice-chairman, if present, shall preside in the absence of the chairman, and is empowered to act in all matters in case of the absence or inability of the chairman to act or as provided by resolution of the School Board. If neither the chairman or vice-chairman is present, a majority of Board members present, if they constitute a quorum, shall elect one from among themselves to chair the meeting.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-72, 22.1-76.

Cross Ref.: BCA School Board Organizational Meeting

## **SCHOOL BOARD CLERK**

On recommendation of the superintendent, a clerk is and a deputy clerk may be appointed annually at the organizational meeting of the School Board.

The clerk and deputy clerk, if any, are each bonded in an amount no less than ten thousand dollars (\$10,000), and the School Board pays the premiums for each bond. The clerk and deputy clerk, if any, discharge under the general direction of the superintendent all duties as required by law and such other duties as may be required by the School Board or the Board of Education.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-76, 22.1-77.

## SCHOOL BOARD COMMITTEES

There shall be no standing committees of the Scott County School Board, except, at the School Board's option, a Student Disciplinary Committee and/or an Equal Employment Opportunity/Nondiscrimination Committee.

Special committees may be appointed by the chairman or created by School Board action. These committees shall be appointed or created for a specific purpose and shall expire upon completion of the assigned task unless School Board action authorizes temporary continuance of such committees.

Legal Ref.: Code of Virginia, 1950, as amended, §22.1-78, 22.1-277.06.

Cross Refs.:	BCEA	Disciplinary Committee
	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings
	BDC	Closed Meetings
	GB	Equal Employment Opportunity/Nondiscrimination

## **DISCIPLINARY COMMITTEE**

A Disciplinary Committee composed of at least three School Board members presides over all cases of student suspensions of more than 10 days and expulsions within the Scott County School Division. The decision of the committee, if unanimous, is the final decision of the School Board. In non-unanimous decisions, the student has the right to appeal to the full School Board. The School Board shall render a final decision in such cases on the appeal within thirty days of the Committee decision.

The Disciplinary Committee follows the procedures set forth in Policy JGD/JGE Student Suspension/Expulsion.

Membership on the Disciplinary Committee is determined by the School Board.

Legal Ref.: Code of Virginia, §§ 22.1-277.05, 22.1-277.06.

Cross Refs.:	BEC	School Board Committees
	JEC	School Admission
	JGD/JGE	Student Suspensions/Expulsions

## **DISCIPLINE PROCEDURE TABLE**

	<b>PRINCIPAL/ ASSISTANT PRINCIPAL</b>	<b>SUPERINTENDENT/ DESIGNEE</b>	<b>COMMITTEE (AT LEAST 3 MEMBERS)</b>	<b>FULL BOARD</b>
SUSPENSION OF 10 DAYS OR LESS	Principal implements upon notice to student, give facts as known, opportunity for student to explain	May be authorized to make a decision which is final		
SUSPENSION OF MORE THAN 10 DAYS	Principal recommends; upon notice to student, give facts as known, opportunity for student to explain	May be authorized to make a decision, which may be appealed to the committee	May be authorized to render a final decision, but it must be unanimous in order to be final; otherwise the decision is appealable to the full board.	All cases except unanimous decision by an authorized board committee must be appealable to the full board.
EXPULSION	Principal recommends; upon notice to student, give facts as known, opportunity for student to explain	May be authorized to make a decision, which may be appealed to the committee	May be authorized to render a final decision, but it must be unanimous in order to be final; otherwise the decision is appealable to the full board.	All cases except unanimous decision by an authorized board committee must be appealable to the full board.
EXCLUSION FROM ATTENDANCE	Principal recommends; upon notice to student, give facts as known, opportunity for student to explain	Decision is final, when authorized by the board, but the board may choose to review the decision in its discretion after timely petition from the student. After one year (365 days), the student may petition the full board.	Could review decisions of superintendent or designee, if authorized in regulation, and make i) a final decision, board could still choose to review the decision in its discretion after timely petition from the student; or ii) a decision appealable to the full board. If a final decision, the student may petition full board after exclusion period ends.	Board may retain final appealability of exclusion, as is the case under current policy. After 365 days or the termination of the underlying suspension, the student may repetition the full board.

## ADVISORY COMMITTEES TO THE SCHOOL BOARD

The School Board may appoint advisory councils or committees of citizens of the school division for consultation with reference to specific matters pertaining to local schools. In addition, pursuant to Board of Education regulations, the School Board establishes advisory committees for the following programs: special education and career and technical education. These committees shall serve without compensation for one-year terms.

A Gifted Education Advisory Committee will be established. The Committee will annually review the local plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The comments and recommendations of the Committee will be submitted in writing directly to the School Board and the superintendent. The Committee will reflect the ethnic and geographical composition of the school division.

A School Health Advisory Board (SHAB) will be established. The SHAB will be comprised of no more than twenty members. The members will include broad-based community representation, including parents, students, health professional, educators, and others. The SHAB will assist with the development of health policy in the school division and the evaluation of the status of school health, health education, the school environment, and health services. The SHAB will hold meetings at least semi-annually and will annually report on the status and needs of student health in the division to any relevant school, the School Board, the Virginia Department of Health, and the Virginia Department of Education.

The School Board may request that the SHAB recommend to the School Board procedures relating to children with acute or chronic illnesses or conditions, including, but not limited to, appropriate emergency procedures for any life-threatening conditions and designation of school personnel to implement the appropriate emergency procedures.

A Parent Advisory Council will be established to provide advice on all matters related to parental involvement in programs supported by Title I, Part A and/or Limited English Proficiency programs under Title III.

A Safe and Drug-Free Schools and Communities Committee will be established to provide meaningful and ongoing consultation with, and input from, parents in the development of the application and administration of the Safe and Drug-Free Schools and Communities program.

A Safe School Committee will be established at each school which receives funds from the Safe Schools Act of 1994 to assist in assessing the school's violence and discipline problems and in designing appropriate programs, policies, and practices to combat such problems. The committees will include faculty, parents, staff, and students.

Legal Refs.:       20 U.S.C. §§ 5964(a)(6), 6318(e)(12), 7115(a)(1)(E).  
Code of Virginia, 1950, as amended, §§ 22.1-18.1, 22.1-86, 22.1-275.1.  
8 VAC 20-40-60.  
8 VAC 20-81-230.D.  
8 VAC 20-120-50.  
8 VAC 20-131-270.

Cross Ref.:	EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
	EBB	Threat Assessment Teams
	IC/ID	School Year/School Day
	IGBB	Programs for Gifted Students
	KC	Community Involvement in Decision Making

### **SCHOOL SAFETY AUDIT COMMITTEE**

The School Safety Audit Committee will be a subcommittee of the School Health/Safety Advisory Board. Membership on the committee will consist of the following representatives: parent, teacher, employee of the Scott County Sheriff's Department, employee of the Scott County Juvenile Probation Office, employee of the Scott County Health Department, and a member of the Scott County PTA Council.

One meeting will be held each semester with the meeting dates to be determined by the committee members.

### **REMEDIATION PROGRAM STANDARDS COMMITTEE**

The Remediation Program Standards Committee is composed of the following representatives: two parents, two teachers, Tammy Quillen, Jennifer Frazier, and Bill Quillen.

One meeting will be held each semester with the meeting dates to be determined by the committee members.



## **SCHOOL ATTORNEY**

The School Board may retain an attorney for legal counsel and services. The attorney, upon request by the School Board, may attend meetings of the Board and its committees.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-82.

## REGULAR SCHOOL BOARD MEETINGS

The School Board transacts all business at School Board meetings. The School Board does not vote by secret or written ballot. However, nothing prohibits separately contacting the membership, or any part thereof, of the School Board for the purpose of ascertaining a member's position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting under the Virginia Freedom of Information Act.

All meetings of the School Board are open to the public, except as otherwise permitted by law.

No meeting is conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in Policy BDD Electronic Participation in Meetings from Remote Locations.

The School Board gives notice of its meetings in accordance with Policy BDDA Notification of School Board Meetings.

At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to the members of the School Board for a meeting are made available for public inspection at the same time such documents are furnished to the members of the School Board.

Any person may photograph, film, record or otherwise reproduce any portion of an open meeting. The School Board may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but does not prohibit or otherwise prevent any person from photographing, filming, recording or otherwise reproducing any portion of an open meeting. The School Board does not conduct any open meeting in any building or facility where such recording devices are prohibited.

Minutes of all regular School Board meetings are recorded in accordance with Policy BDDG Minutes.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3710, 22.1-72 and 22.1-74.

Cross Refs.:	KC	Community Involvement in Decision Making
	BCA	Board Organizational Meetings
	BDD	Electronic Participation in Meetings from Remote Locations
	BDDA	Notification of School Board Meetings
	BDDG	Minutes

## **SPECIAL SCHOOL BOARD MEETINGS**

The School Board holds special and continued meetings when necessary. Special meetings are held when called by the chairman or when requested by two or more members. Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member.

Business that does not come within the purposes set forth in the call of the meeting is not transacted at any special meeting of the School Board unless the members present unanimously agree to consider additional items of business.

Notice, reasonable under the circumstances, of special or continued meetings is given contemporaneously with the notice provided to members of the School Board.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 22.1-72.

Cross Refs.:	KC	Community Involvement in Decision Making
	BCA	Board Organizational Meetings
	BDDA	Notification of School Board Meetings
	BDDG	Minutes

## CLOSED MEETINGS

- A. Closed meetings may be held by the School Board or any committee thereof only in accordance with Virginia law, for purposes including the following:
1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the School Board. The School Board may not, however, discuss the compensation of Board members in closed session.
  2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student in the BLANK school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the presiding officer of the School Board.
  3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.
  4. The protection of the privacy of individuals in personal matters not related to public business.
  5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
  6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the School Board would be adversely affected.
  7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board. For purposes of this subsection, "probable litigation" means litigation which has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.
  8. Consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.
  9. Discussion or consideration of honorary degrees or special awards.
  10. Discussion or consideration of tests or examinations or other information used, administered or prepared by a public body and subject to the exclusion in subdivision 4 of Va. Code § 2.2-3705.1.
  11. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of

the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

12. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of Va. Code § 2.2-3705.5.
  13. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.
  14. Discussion or consideration of information subject to the exclusion in subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such information.
  15. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.
- B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.
- C. The School Board or any committee thereof may permit nonmembers to attend a closed meeting of the Board or committee if such persons are deemed necessary or if their presence will reasonably aid the Board or committee in its consideration of a topic which is a subject of the meeting.
- D. School Board members may attend closed meetings held by any committee or subcommittee of the Board, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise the Board. School Board members shall in all cases be permitted to observe the closed meeting of the committee, subcommittee or entity. In addition to the requirements of Va. Code § 2.2-3707, the minutes of the committee or other entity shall include the identity of the School Board members who attended the closed meeting.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3711, 2.2-3712.

Cross Ref.:	BCE	School Board Committees
	BCEA	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	BDDA	Notification of School Board Meetings

## CALLING AND CERTIFICATION OF CLOSED MEETINGS

- A. No closed meetings shall be held by the School Board or any committee thereof unless the School Board or committee has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting as authorized in Va. Code § 2.2-3711.A or other provision of law and (iii) cites the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act or other provision of law. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.
- B. The School Board, or committee thereof, in holding a closed meeting, shall restrict its discussion during the closed meeting only to those purposes specifically exempted under the Virginia Freedom of Information Act and identified in the motion required in subsection A, above.
- C. At the conclusion of any closed meeting, the School Board or committee thereof shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting. Any member of the Board or committee who believes that there was a departure from the requirements of subdivisions (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the meeting.
- D. Failure of the certification required by subsection C, above, to receive the affirmative vote of a majority of the members present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce the Virginia Freedom of Information Act.
- E. Except as specifically authorized by law, in no event may the School Board or committee thereof take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3701, 2.2-3712.

Cross Refs.:	BCE	School Board Committees
	BCEA	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	BDC	Closed Meetings
	BDDA	Notification of School Board Meetings

## **ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS**

Except as provided hereafter, the School Board does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other communication means where the members are not physically assembled.

### **I. Quorum Physically Assembled**

A School Board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. if, on or before the day of a meeting, the School Board member notifies the chair of the School Board that he or she is unable to attend the meeting due a personal matter and identifies with specificity the nature of the personal matter, and the School Board
  - a. approves the member's participation by a majority vote of the members present at a meeting and
  - b. records in its minutes the specific nature of the personal matter and the remote location from which the member participated.

In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a School Board member shall be limited each calendar year to two meetings; or

2. if a School Board member notifies the School Board chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the School Board records this fact and the remote location from which the member participated in its minutes.

A School Board member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and
- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

### **II. Quorum Not Physically Assembled**

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the School Board shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- make arrangements for public access to the meeting;
- make available to the public, at the time of the meeting, a copy of the proposed agenda and agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
- record minutes of the meeting in accordance with Policy BDDG Minutes; and
- record in the minutes votes taken by name in roll-call fashion.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting. In addition, at such meetings the School Board will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.

### III. Reporting

If the School Board meets by electronic means without a quorum physically assembled, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

- the total number of electronic communication meetings held that year
- the dates and purposes of the meetings
- a copy of the agenda for each meeting
- the number of sites for each meeting
- the types of electronic communication means by which the meetings were held
- the number of participants, including members of the public, at each meeting location
- the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location
- a summary of any public comment received about the electronic communication meetings
- a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3708, 2.2-3708.1, 2.2-3710.

Cross Ref.: BDDG Minutes



## NOTIFICATION OF SCHOOL BOARD MEETINGS

### Regular Meetings

The School Board and any committees thereof shall give notice of the date, time, and location of their regular meetings by posting such notice on its website, placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board and any committees thereof shall publish notice of their meetings by electronic means whenever feasible. At least one copy of the proposed agenda and all agenda packets and other nonexempt materials furnished to members of the School Board and any committees thereof shall be made available for public inspection at the same time the documents are furnished to members of the School Board or committee.

### Special Meetings

Notice, reasonable under the circumstance, of special, emergency or continued meetings shall be given contemporaneously with the notice provided to members of the School Board or committee.

### Notification of Closed Meetings Held Solely for the Purpose of Interviewing Candidates for the Position of Superintendent

The notice provisions described above do not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting the School Board shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within fifteen days thereafter.

### Direct Notification

Notice of all School Board meetings and committee meetings shall be furnished directly to any person who requests such information. Requests to be notified of all meetings should be made at least once a year in writing and include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. Unless the person making the request objects, the school division may provide electronic notice of all meetings in response to such requests.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3712.

Cross Refs.:	BCE	School Board Committees
	BCEA	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings

**AGENDA PREPARATION AND DISSEMINATION**

The preparation of the agenda is the responsibility of the School Board chairman with the assistance of the superintendent. Any member of the School Board may submit items for inclusion on the proposed agenda.

A copy of the proposed agenda and all agenda packets and materials is made available for inspection by the public at the same time such documents are furnished to the School Board members unless the materials are exempt under the Virginia Freedom of Information Act.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 22.1-78.

Cross Ref.:	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings
	BDDA	Notification of School Board Meetings

## **QUORUM**

At any meeting of the Scott County School Board, a majority of the Board constitutes a quorum.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-73.

## **RULES OF ORDER**

The Scott County School Board establishes rules of order and may adopt bylaws, policies and regulations.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

## VOTING METHOD

Each School Board member's vote on every decision is recorded in the minutes of the meeting. The minutes of the meeting also reflect the method and result of all votes. No votes are taken by secret or written ballot.

In any case in which there is a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there is a tie vote on any question after complying with this procedure or in any case in which there is a tie vote when all the members of the School Board are present, the clerk shall record the vote and immediately notify the tie breaker, if any, to vote as provided in the Code of Virginia § 22.1-75. If no tie breaker has been appointed or elected as authorized by state law, any tie vote shall defeat the motion, resolution or issue voted upon.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3710, 22.1-57.3, 22.1-75.

Cross Refs.: BDD Electronic Participation in Meetings from Remote Locations  
BDDG Minutes

## MINUTES

Minutes are recorded at all open meetings, approved by the School Board in regular session, signed by the clerk and chairman of the Board, and kept and stored in accordance with the provisions of the Code of Virginia.

Draft minutes and all other records of open meetings, including audio or audio/visual records, are public records open pursuant to the Virginia Freedom of Information Act as described in Policy KBA Requests for Information and Regulation KBA-R Requests for Information.

Minutes may be taken during closed meetings of the School Board, but are not required. Such minutes are not subject to mandatory public disclosure.

Minutes are not required to be taken at deliberations of study commissions or study committees, or any other committees or subcommittees appointed by the School Board except where the membership of any such commission, committee or subcommittee includes a majority of the School Board.

Minutes include, but are not limited to

- the date, time, and location of the meeting;
- the members of the School Board recorded as present and absent;
- a summary of the discussion on matters proposed, deliberated or decided; and
- a record of any votes taken.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3707, 2.2-3712, 22.1-74.

Cross Refs.:	BDC	Closed Meetings
	BDD	Electronic Participation in Meetings from Remote Locations
	KBA	Requests for Information
	KBA-R	Requests for Information

## **PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS**

Members of the community are invited and encouraged to attend meetings of the Scott County School Board to observe its deliberations. Any member of the community may address the Board on matters related to Scott County public schools at any regular meeting as provided in the accompanying regulation. Persons wishing to address the School Board are requested to contact the superintendent, the School Board chairman, or their designee for placement on the agenda.

The chairman is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and length of time for such presentation. Upon recognition by the chairman, the speaker shall address himself to the chairman and if, at the conclusion of his remarks, any member of the School Board desires further information, the member will address the speaker only with the permission of the chairman. No one will be allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation.

A reasonable period of time, as determined by the School Board, will be allocated at each regular meeting for community members to present matters of concern.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.

Cross Ref.: BDDE Rules of Order

## **BOARD POLICY MANUAL**

The School Board is guided by written policies that are readily accessible to the Board, division employees, students, parents, and citizens. All division policies will be reviewed at least every five years and revised as needed.

A current copy of all division policies and regulations approved by the School Board are posted on the division's website and are available to employees and the public. Printed copies of the policies and regulations are available as needed to citizens who do not have online access. The superintendent shall ensure that an annual announcement is made at the beginning of the school year and, for parents of students who enroll later in the academic year, at the time of enrollment, advising the public regarding the availability of the policies and regulations.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.

Cross Ref.: BFC Policy Adoption  
CH Policy Implementation



## POLICY ADOPTION

It is the responsibility of the School Board to adopt policies for governing the school division. The power to enact policy cannot be delegated to an employee or agent such as the superintendent or a single member of the School Board.

Policy is a basic statement of the intent of the School Board which creates rights and responsibilities for the conduct of the school division's business. Being of a dynamic nature, policies are subject to revision by the School Board.

Regulation is the manner or method of implementation of policy by the superintendent and staff, subject to change as conditions and/or circumstances may dictate.

Policies shall be developed and presented to the Board evidencing the consideration given to the views of the division's community. The final authority for adoption rests solely with the School Board.

When a proposed action of the School Board, initiated either by Board member or administration, affects existing School Board policies, the existing policy and regulation, if any, shall be referenced so that the effect of the new action will be clear.

Unless otherwise provided, when policies are adopted, altered or replaced, the new or revised policy shall become effective upon adoption.

All regulations for implementation of the policies shall be developed by or through the superintendent. They shall be presented to the School Board as information items, unless the School Board informs the Superintendent that it wants to act on a specified regulation.

Where changes in policy and/or regulations are made, these shall be prepared and distributed to all concerned for insertion into the policy and/or regulations manuals so that action of the School Board may be implemented as soon as possible.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.  
Underwood v. Henry County School Board, 245 Va. 127, 427 S.E.2d 330,  
(1993).

Cross Refs.: BF Board Policy Manual  
BFE/CHD Administration in Policy Absence  
CH Policy Implementation

## **ADMINISTRATION IN POLICY ABSENCE**

In cases where action must be taken by the school division and the School Board has provided no guidelines for administrative action, the superintendent has the power to act, but the superintendent's decisions are subject to review by the School Board at its next regular meeting. It is the duty of the superintendent to inform the School Board promptly of such action and of the need for policy.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

## **BOARD-STAFF COMMUNICATIONS**

The Scott County School Board supports and encourages two-way communication between the Board and employees. The superintendent is the official representative of the School Board as its chief administrative officer in its relations and communications with its employees. A description of the two-way communication system is included in this policy manual.

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the School Board and/or the administrative staff.

The School Board desires to develop and maintain the best possible working relationship with the employees of the school division. The School Board welcomes the viewpoints of employees, and it shall allow time at its meetings for employees to be heard.

The School Board does not discriminate against any employee by reason of his or her membership in an employee organization, or participation in any lawful activities of the organization.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.1.

## **STAFF INVOLVEMENT IN DECISION MAKING**

### COMMUNICATIONS POLICY

1. Charge

The Communications Representative will seek to reach common understanding based on a consensus process, which they will present jointly to the Board for its consideration.

2. Definitions

Representatives will consist of one elected professional employee from each school, two school board members, the Superintendent, the Director of Instruction or their designees, the SCEA President, and the SCEA Communications Chairperson.

3. Procedure

Beginning no later than October 1 of each year, the Communication Committee will meet to examine problems and proposals to establish a schedule of meetings, times, and places agreeable to members. These meetings will be held at the discretion of the Committee.

Matters on which consensus cannot be reached by the Committee may be submitted to the Board with the opportunity for individuals to provide rationale for their position concerning these matters.

This procedure will in no way prohibit any individual or group from submitting recommendations to the Board or the administration as deemed necessary.

## **SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES**

The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Board shall plan specific in-service activities designed to assist School Board members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society.

School Board members will participate annually in high-quality professional development activities at the state, local or national levels on governance, including, but not limited to, personnel, policies and practices; the evaluation of personnel; curriculum and instruction; use of data in planning and decision making; and current issues in education.

Funds shall be budgeted annually to support this program. Individual School Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The School Board shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed about the School Board's continuing in-service educational activities.

The School Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops and conventions conducted by the Virginia and the National School Boards Association.
2. Division-sponsored training sessions for School Board members.
3. Subscriptions to publications addressed to the concerns of school board members.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:5.

## **SCHOOL BOARD MEMBER COMPENSATION AND BENEFITS**

Each member of the Scott County School Board shall receive an annual salary as provided by law.

Actual expenses incident to performance of official duties by a School Board member may be reimbursed on presentation of an expense voucher with receipts attached. Compensation is paid for mileage incurred for attendance at a meeting of the School Board or any other meeting held within the jurisdiction.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-1414.1 et seq., 22.1-32, 22.1-55, 22.1-85.

## **SCHOOL BOARD MEMBER LIABILITY INSURANCE**

The Scott County School Board shall provide liability insurance, or self-insurance, for its members while performing functions or services for the school division to cover the costs and expenses incident to liability, including those for settlement, suit or satisfaction of judgment, arising from their conduct in discharging their duties or in performing functions or services for the school division.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-84.

Cross Refs: GHD Board Member Compensation and Benefits  
EI Insurance Management

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SECTION C: General School Administration

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## ADMINISTRATION GOALS

The Scott County School Board places the primary responsibility and authority for the administration of the school division in the superintendent. The superintendent is responsible for the direction, leadership, and coordination of students and staff in their efforts to reach educational goals adopted by the School Board.

The School Board expects the division superintendent to provide leadership in:

1. Decision-making.
2. Communication.
3. Planning, organizing, implementing, and evaluating educational programs.
4. Developing and maintaining close working relationships and channels of communication within the school system and community.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, and 22.1-253.13:7.

Cross Refs.: CBA                      Qualifications and Duties of the Superintendent  
                  CBG                      Evaluation of the Superintendent

## QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

### I. QUALIFICATIONS

1. The candidate for superintendent shall meet the qualifications as set forth in State Board of Education Regulations Governing Licensure of School Personnel.
2. Preference shall be given to those applicants whose experience and education demonstrate a balance between instruction and business administration.
3. Eligibility shall be limited to individuals whose records indicate they possess the following attributes:
  - a. Good character
  - b. Management talent
  - c. Leadership
  - d. Knowledge of school law
  - e. Understanding of special education
  - f. Outstanding ability in career and technical and academic education.

The position of superintendent is a performance-based position with remuneration directly dependent on the achievement of the performance goals and standards established by the School Board and the School Board's evaluation of the superintendent.

### II. MAJOR DUTIES

1. Serves as chief executive officer of the School Board.
  - A. Attends School Board meetings.
  - B. Implements policies of the School Board.
  - C. Reports to the School Board about the status of programs, personnel and operations of the schools.
  - D. Recommends actions to the School Board.
  - E. Communicates as liaison between the School Board and school personnel.
  - F. Assists the chairman in developing and distributing notices and agenda of meetings of the School Board.
2. Acts as the educational leader of the schools.
  - A. Supervises the principals and assistant superintendents.
  - B. Oversees planning and evaluation of curriculum and instruction.
  - C. Develops for approval by the School Board procedures for adopting textbooks and other instruction materials.
  - D. Visits schools on a regular basis.
  - E. Maintains a current knowledge of developments in curriculum and instruction.
3. Enforces school laws and regulations.
  - A. Observes such directions and regulations as the Superintendent of Public Instruction or Board of Education may prescribe.
  - B. Makes reports to the Superintendent of Public Instruction whenever required.
  - C. Distributes promptly all reports, forms, laws and regulations which may be received from the Superintendent of Public Instruction.
  - D. Enforces school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education.
  - E. Prepares and maintains administrative procedures, guidelines and regulations to be used to implement School Board policy. If Board action is required by law or the Board has specifically asked

that certain types of regulations be given prior Board approval, these regulations and guidelines shall be placed in the School Board manual. The administrative procedures, guidelines and regulations shall be discussed with the staff and made available for their information.

4. Oversees staff personnel management.
  - A. Organizes recruitment of personnel.
  - B. Reassigns personnel to schools and offices.
  - C. Insures administration of personnel policies and programs.
  - D. Supervises evaluation of personnel.
  - E. Provides for maintenance of up-to-date job descriptions for all personnel.
  
5. Oversees facility management.
  - A. Prepares long and short-range plans for facilities and sites.
  - B. Insures the maintenance of school property and safety of personnel and property.
  - C. Inspects school property on a regular basis.
  - D. Approves the utilization of school property.
  - E. Monitors any construction, renovation and demolition of school facilities.
  - F. Represents the schools before local or state agencies which control building requirements or provide financing for buildings.
  - G. Closes public school buildings which appear to him to be unfit for occupancy.
  
6. Oversees financial management.
  - A. Prepares budget for School Board approval.
  - B. Insures that expenditures are within the limits approved by the School Board.
  - C. Reports to the School Board on financial condition of the schools.
  - D. Establishes procedures for procurement of equipment and supplies.
  - E. Ensures that an accurate record of all receipts and disbursements of school funds is kept.
  
7. Directs community relations activities.
  - A. Articulates educational programs and needs to the community.
  - B. Responds to concerns expressed in the community.
  - C. Maintains contact with the news media.
  - D. Participates in community affairs.
  - E. Involves the community in planning and problem solving for the schools.
  
8. Oversees pupil personnel services.
  - A. Monitors pupil personnel services.
  - B. Insures adequate pupil record system.
  - C. Implements policies and programs relating to behavior and discipline of pupils.
  - D. Maintains programs for health and safety of pupils.
  - E. Communicates as liaison between schools and community social agencies.

Legal Ref.: Constitution of Virginia, article VIII, § 5c.  
Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-136; 22.1-253.13:7.  
8 VAC 20-22-50.  
8 VAC 20-22-600.  
8 VAC 20-390-10.  
8 VAC 20-390-40.  
8 VAC 20-390-50.  
8 VAC 20-390-60.  
8 VAC 20-390-70.  
8 VAC 20-390-80.

8 VAC 20-390-90.  
8 VAC 20-390-100.  
8 VAC 20-390-110.

## **APPOINTMENT AND TERM OF THE SUPERINTENDENT**

The School Board appoints the superintendent from the list of eligibles certified by the Board of Education and determines the term of employment. The superintendent's term expires on June 30. The superintendent serves an initial term of not less than two years nor more than four years. At the expiration of the initial term, the superintendent is eligible to hold office for the term specified by the School Board, not to exceed four years.

If the School Board fails to appoint a division superintendent within 180 days of a vacancy, the Virginia Board of Education will appoint a superintendent for the division. If the School Board has not appointed a superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. If the School Board does not appoint a superintendent within 180 days of a vacancy, it will immediately notify the Virginia Board of Education, in writing, of its failure to do so. Within 30 days of the 180<sup>th</sup> day after the vacancy occurs, the School Board will submit, in writing, its preferred candidate(s), not to exceed three, for the position. The Virginia Board of Education may consider these candidates and other eligible individuals. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division superintendent.

If the Virginia Board of Education appoints a superintendent, the contract for the superintendent will be negotiated by the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-60, 22.1-61.  
Procedures for Appointment of a School Division Superintendent by the Virginia Board of Education (adopted by the Virginia Board of Education March 22, 2006) (available at [http://www.pen.k12.va.us/VDOE/VA\\_Board/Meetings/2006/mar22min.pdf](http://www.pen.k12.va.us/VDOE/VA_Board/Meetings/2006/mar22min.pdf) )

Cross Refs.: CBA Qualifications and Duties of the Superintendent  
CBD Superintendent's Compensation and Benefits  
CBG Evaluations of the Superintendent

## **DISCLOSURE STATEMENT REQUIRED OF SUPERINTENDENT**

The division superintendent, as a condition to assuming employment, files a disclosure statement of his or her personal interests and other information as is required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council pursuant to Code of Virginia § 2.2-3117. The disclosure statement is filed on or before the day the superintendent assumes employment for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the superintendent assumes employment. However, if the superintendent assumes employment in January, the superintendent files a disclosure form on or before February 1 for the preceding year complete through December 31. Completed forms are filed and maintained as public records for five years in the office of the clerk of the BLANK School Board. After the initial disclosure, the division superintendent must file this statement annually on or before February 1.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3115, 2.2-3117, 2.2-3118.2.

## **SUPERINTENDENT'S CONTRACT, COMPENSATION AND BENEFITS**

The superintendent's contract shall set forth the superintendent's compensation and benefit package. The superintendent's contract is available to the public pursuant to the Virginia Freedom of Information Act.

The School Board shall not renegotiate a superintendent's contract during the period following the election or appointment of new members and the date such members are qualified and assume office.

When the superintendent's contract is being renegotiated, each member of the School Board will be notified at least 30 days in advance of any meeting at which a vote is planned on the renegotiated contract unless the members agree unanimously to take the vote without the 30 days notice. Each member's vote on the renegotiated contract will be recorded in the minutes of the meeting.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3705.8, 22.1-60.

Cross Ref.: CBB Appointment and Term of the Division Superintendent

## **SEVERANCE BENEFITS**

Any severance benefits provided to a departing Superintendent will be publicly announced prior to the Superintendent's departure.

Legal Ref.: Code of Virginia, 1950, as amended, § 15.2-1510.1.



## EVALUATION OF THE SUPERINTENDENT

It is the responsibility of the School Board to maintain and improve the quality of administration and instruction. One of the primary methods used in carrying out this responsibility is to work with the superintendent in improving his or her effectiveness.

Annually, the superintendent will provide to the School Board a work plan designed to implement the goals set for the division by the School Board. The School Board shall evaluate the superintendent annually. The School Board shall develop the instrument to evaluate the superintendent after consulting (1) the uniform performance standards and criteria developed by the Board of Education and (2) the superintendent. The superintendent's evaluations will include student academic progress as a significant component and an overall summative rating. Informal evaluations may also take place as the Board deems appropriate, provided that specific criteria for such appraisals be communicated to the superintendent.

Each Board member will be involved in assessing the superintendent's job performance on a continuing basis and by completing the annual evaluation instrument. Upon conclusion of the annual performance appraisal, the evaluation will be reviewed with the superintendent by the Board or its designees.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-60.1, 22.1-253.13:5.  
Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents  
(Virginia Board of Education, approved Sept. 27, 2012 to become effective July 1, 2014)

Cross Ref.: CBA Qualifications and Duties for the Superintendent

## **SCHOOL BUILDING ADMINISTRATION**

The Scott County School Board, upon recommendation of the superintendent, employs principals and assistant principals who hold licenses as prescribed by the Board of Education.

A principal provides instructional leadership in, is responsible for the administration of and supervises the operation and management of the school or schools and property to which he has been assigned, in accordance with the rules and regulations of the School Board and under the supervision of the superintendent.

A principal may submit recommendations to the superintendent for the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to his supervision.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-293.  
Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals, Virginia Board of Education.

Cross Refs.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan  
DGC School Activity Funds  
DGD Funds for Instructional Materials and Office Supplies  
GCN Evaluation of Professional Staff

## **POLICY IMPLEMENTATION**

### Development of Regulations

The School Board authorizes the superintendent to promulgate such regulations as are necessary to carry out the policies adopted by the Board. If Board action is required by law or the Board asks that certain regulations or types of regulations be approved by the Board, the superintendent will present those regulations to the Board for action. The superintendent shall make all regulations available to School Board members, employees and the public and shall see that the regulations are placed in the School Board Policy Manual or are kept with the Policy Manual.

### Dissemination of Policies and Regulations

Administrators and supervisors are responsible for informing staff members of all newly adopted or revised policies and regulations.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Ref.: BF Board Policy Manual  
BFC Policy Adoption

## **ADMINISTRATION IN POLICY ABSENCE**

In cases where action must be taken by the school division and the School Board has provided no guidelines for administrative action, the superintendent has the power to act, but the superintendent's decisions are subject to review by the School Board at its next regular meeting. It is the duty of the superintendent to inform the School Board promptly of such action and of the need for policy.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

## REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

### I. Acts Reported to the Principal

- A. Except as may otherwise be required by federal law, regulation or jurisprudence, reports are made to the superintendent and to the principal (or designee) on all incidents involving:
- (i) the 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, 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 a school bus, on school property or at a school-sponsored activity;
  - (v) the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;
  - (vi) 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;
  - (vii) 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;
  - (viii) 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; and
  - (ix) 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 his designee receive reports from local law-enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (i) through (viii) of subsection A and whether the student is released to the custody of his 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 superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260, the superintendent reports such information to the principal of the school in which the juvenile is enrolled.

### II. Reporting Duties of the Principal and Superintendent

The principal or designee reports all incidents required to be reported pursuant to section I 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 subsection I.B. of this policy.

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 I.A of this policy which may constitute a criminal offense and may report to the local law-enforcement agency any incident described in clause (i) of subsection I.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 that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

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.

### III. Prevention and Intervention Activities

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's designee.

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.

### IV. Purpose

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.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 22.1-279.3:1, 22.1-279.9.

## **SCHOOL DIVISION ANNUAL REPORT**

The School Board, with the assistance of the superintendent, makes a report on or before September 15 of each year covering the work of the schools for the year ending June 30 to the Board of Education on forms supplied by the Superintendent of Public Instruction.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-81.

## SCHOOL DIVISION ANNUAL REPORT CARD

### I. Division Report Cards

The Scott County School Board will annually prepare and disseminate a division report card. The report card will contain, but is not limited to, the following information:

- Information, in the aggregate, on student achievement at each proficiency level on the Standards of Learning. The information will also be disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged and each combined subgroup, if any, identified by the Virginia Department of Education. Disaggregated information will not be provided if the number of students in a category is less than 10.
- Information that provides a comparison between the actual achievement levels of economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency and Virginia's annual measurable objective for each such group of students on each of the Standards of Learning.
- The percentage of students not tested (disaggregated by the same categories and subject to the same exception described in the first bullet above).
- the most recent 2-year trend in student achievement in each subject area, and for each grade level, for which Standards of Learning tests are required.
- Aggregate information on any other indicators used by Virginia to determine the adequate yearly progress of students in achieving Virginia's academic achievement standards.
- Graduation rates for secondary school students. The graduation rates reported will include graduation rates for public school students who graduate from secondary school with a regular diploma in the standard number of years.
- The names of reward schools, priority schools and focus schools.
- The professional qualifications of teachers in the division, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the Division not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this provision, means schools in the top quartile of poverty and the bottom quartile of poverty in Virginia.
- Information showing how students served by the division achieved on the Standards of Learning tests compared to students in the state as a whole.
- The state's percentage of students at each achievement level on the National Assessment of Educational Progress (NAEP) in reading and mathematics for grades four and eight for the "all students" group. The data will be disaggregated by race, ethnicity, disability status, English proficiency and status as economically disadvantaged. The participation rates for English Learners and students with disabilities will also be reported.

The report card will also show, by the year following implementation of college and career-ready standards, but no later than the 2014-2015 school year, college-going and college credit-accumulation rates for all students and sub-groups of students in each high school and information that shows how the school's students' achievement on the Standards of Learning and other indicators of adequate yearly progress compared to students in the division and the state as a whole.

The Scott County School Board will publicly disseminate the information in the annual report card to all schools in the division and to all parents of students attending those schools in an understandable and uniform format. To the extent practicable, the information will be provided in a language that the parents can understand. The Board will also make the information widely available through public means such as posting on the Internet, distribution to the media, and distribution through public agencies.



## I. School Performance Report Cards

The Scott County School Board shall ensure that every school in the division, regardless of whether or not that school receives funds under Title I, Part A, shall provide annually to the parents and the community a School Performance Report Card containing information for the most recent three-year period. Such information shall include but not be limited to:

- Virginia assessment program results by percentage of participation and proficiency and disaggregated by student subgroups
- the accreditation rating earned by the school
- attendance rates for students
- information related to school safety to include, but not be limited to, incidents of crime and violence
- information related to qualifications and educational attainments of the teaching staff

In addition, School Performance Report Cards for secondary schools shall include the following:

- Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of students who take AP tests
- International Baccalaureate (IB) or Cambridge course information to include percentage of students who are enrolled in IB or Cambridge programs and percentage of students who receive IB or Cambridge Diplomas
- college-level course information to include percentage of students who take college-level courses including dual enrollment courses
- number and percentage of (i) graduates by diploma type as prescribed by the Board of Education, (ii) certificates awarded to the senior class including high school equivalency credentials, and (iii) students who do not complete high school
- number and percentage of drop-outs
- the number of Board-approved industry certifications obtained
- the number of state licensure examinations passed
- the number of national occupational competency assessments passed
- the number of Virginia workplace readiness skills assessments passed
- the number of career and technical education completers who graduated. A "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program

Legal Refs.: 20 U.S.C. § 6311.  
34 C.F.R. 200.11.  
Non-Regulatory Guidance, State and Local Report Cards: Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended, U.S. Department of Education (as Revised February 8, 2013).  
Code of Virginia, 1950, as amended, § 22.1-253.13:4.  
8 VAC 20-131-270.  
ESEA Flexibility Request Virginia Department of Education (as revised and submitted January 11, 2013).

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SECTION D: Fiscal Management

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## MANAGEMENT OF FUNDS

The superintendent or superintendent's designee is responsible for administering the division budget in accordance with Board policies and applicable state and federal regulations and laws. The superintendent or superintendent's designee uses appropriate fiscal planning and management methods, modeled after the best accepted business practices and directed toward the educational goals of the division.

If the appropriating body appropriates funds to the School Board by total expenditures, funds may be transferred by the School Board from one category to another. If funds are appropriated to the School Board by major classifications, no funds are expended by the School Board except in accordance with such classifications without the consent of the body appropriating the funds.

The superintendent may be authorized by the School Board to make line item transfers within a category.

The School Board manages and controls the funds made available to it for the public schools and incurs costs and expenses.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-89, 22.1-94.

Cross Refs.:	DB	Annual Budget
	DG	Custody and Disbursement of School Funds
	DI	Financial Accounting and Reporting
	DJ	Small Purchasing
	DJA	Purchasing Authority
	DJF	Purchasing Procedures
	DK	Payment Procedures
	DL	Payroll Procedures

## **ANNUAL BUDGET**

The annual school budget is the financial outline of the division's education program. It presents a proposed plan of expenditures and the expected means of financing those expenditures. After adoption, it provides the primary means of managing expenditures.

The fiscal year begins on the first day of July and ends on the thirtieth day of the following June.

The superintendent prepares, with the approval of the School Board, and submits to the appropriating body, an estimate of the amount of money needed during the next fiscal year for the support of the public schools of the school division. The estimate sets up the amount of money needed for each major classification prescribed by the Board of Education and such other headings or items as may be necessary.

The superintendent or superintendent's designee prepares a budget calendar identifying all deadlines for the annual budgetary process. The calendar includes at least one work session for reviewing the budget and at least one public hearing on the budget. Notice of the time and place for the public hearing is published at least ten days in advance, in a newspaper having general circulation within the school division.

Upon approval of the school division's budget by the appropriating body, the school division publishes the approved budget in line item form, including the estimated required local match, on its website and the document is also made available in hard copy as needed to citizens for inspection.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2500, 15.2-2503, 15.2-2504, 15.2-2506, 22.1-91, 22.1-92, 22.1-93, 22.1-94.

## **CUSTODY AND DISBURSEMENT OF SCHOOL FUNDS**

All School Board funds except

- money generated by school activities, and classified "school activity fund accounts",
- petty cash funds and
- accounts established for the purchase of instructional materials and office supplies

are deposited with the treasurer of Scott County, who is in charge of the receipts, custody and disbursement of School Board funds and who keeps such funds in an account or accounts separate and distinct from all other funds. Checks must be drawn on the School Board account by the treasurer of Scott County, Virginia.

Disbursement of School Board funds is approved as provided in Policy DK Payment Procedures.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-116, 22.1-122.1 and 22.1-123.  
8 VAC 20-240-10.

Cross Refs:	DGC	School Activity Funds
	DGD	Funds for Instructional Materials and Office Supplies
	DJB	Petty Cash Funds
	DK	Payment Procedures

## SCHOOL ACTIVITY FUNDS

All funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account, and from any and all activities of the school involving personnel, students or property are considered school activity funds.

Each school keeps an accurate record of all receipts and disbursements of school activity funds so that a clear and concise statement of the condition of each fund may be determined at all times. It is the duty of each principal to see that such records are maintained in accordance with regulations of the Virginia Board of Education and the Scott County School Board. The principal is bonded, and the school board prescribes, by regulation, rules governing such bonds for employees who are responsible for school activity funds.

School activity funds are audited at least once a year by a duly qualified accountant or accounting firm approved by the School Board. A copy of the audit report is filed in the superintendent's office. Monthly reports of such funds are prepared and filed in the principal's office and annual reports are filed in the office of the principal or division superintendent. The cost of such audits are a proper charge against the school activity funds.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-122.1.  
8 VAC 20-240-10.  
8 VAC 20-240-20.  
8 VAC 20-240-40.

Cross Refs.: DG Custody and Disbursement of School Funds  
DM Cash in School Buildings

## **ACTIVITY FUND POLICY**

All activity funds received by a local school must be deposited into its account through the school principal. The school employee (teacher, etc. ) responsible for receipting activity funds must maintain a Scott County Public Schools Activity Sheet containing the date, specific activity (school pictures, etc.), amount received, paid to/by (student's name, etc.).

Upon transfer of the activity fund monies to the principal's office for deposit, the employee (teacher, etc.) must verify the amount and acknowledge transfer by signature. The office employee receiving the activity fund deposit from the school employee (teacher, etc. ) will verify the amount received and acknowledge receipt of the monies by signature.

The office staff and employee (teacher, etc.), must maintain a copy of the Activity Sheet on file.

## FUNDS FOR INSTRUCTIONAL MATERIALS AND OFFICE SUPPLIES

The School Board may, by resolution and subject to the approval of the appropriating body, establish accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies. The School Board may authorize the transfer of a percentage of the funds budgeted for a school or division department, not to exceed thirty-five percent of the allocation, into the account.

The account shall be managed by the principal of the school or head of the division department who shall file a monthly accounting of the funds with the superintendent. No additional funds shall be transferred into any such account unless the monthly accounting has been filed. The funds in the account may be disbursed for payment of obligations by issuing a negotiable check signed by the principal or head of the division department, and a second person designated by the School Board. At the close of the fiscal year, all funds remaining in the accounts shall be returned to the School Board simultaneously with a full accounting of the disbursements. All such accounts shall be subject to an annual audit as prescribed by Va. Code § 15.2-2511 and to relevant provisions of the Virginia Public Procurement Act.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-122.1.

Cross Refs.:	DG	Custody and Disbursement of School Funds
	DJA	Purchasing Authority
	DJB	Petty Cash Funds
	DJF	Purchasing Procedures
	DJG	Vendor Relations
	DK	Payment Procedures



## **RECEIPT OF GOODS POLICY**

This policy provides guidelines to be followed when receiving goods at the school.

All goods received must be inspected and verified immediately against the purchase order, packing slip, or receiving document. This inspection and verification must be done by someone other than the requisitioner or buyer of the goods. The goods ordered and received on behalf of the school must have two signatures.

The employee providing signature for goods on behalf of the school is responsible for assuring that such goods are received in the manner, quality and quantity ordered. This is to assure that the quality, amount, and price of the goods are correct, and that payment is made only for goods actually received. Any defective goods must be promptly returned to the vendor.

## **FINANCIAL ACCOUNTING AND REPORTING**

The superintendent or superintendent's designee is responsible for implementing a modern system of accounting for all school funds as established by the Board of Education and the Auditor of Public Accounts.

The Scott County School Board receives monthly statements of the funds available for school purposes.

At least once each year the School Board submits a report of all its expenditures to the appropriating body. Such report is also made available to the public either on the school division website or in hard copy at the central school division office on a template prescribed by the Board of Education.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-90, 22.1-115.

Cross Refs.:	CBA	Qualifications and Duties of the Superintendent
	DA	Management of Funds
	DB	Annual Budget
	DG	Custody and Disbursement of School Funds
	DGC	School Activity Funds
	DGD	Funds for Instructional Materials and Office Supplies
	DJB	Petty Cash Funds
	EF	Food Service Program

## REPORTING PER PUPIL COSTS

Upon preparing the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the schools, the division superintendent will also prepare and distribute, within a reasonable time as prescribed by the Board of Education, notification of the estimated average per pupil cost for public education in the school division for the coming school in accordance with the budget estimates provided to the appropriating body. The notification will also include actual per pupil state and local education expenditures for the previous school year. The notice may also include federal funds expended for public education in the school division.

The notice will be made available in a form provided by the Department of Education and shall be published on the school division's website or in hard copy upon request.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-92(A).

Cross Ref.: DB Annual Budget

## SMALL PURCHASING

Pursuant to written procedures not requiring competitive sealed bids or competitive negotiation, the School Board may enter into single or term contracts for goods and services other than professional services and nontransportation related construction if the aggregate or the sum of all phases is not expected to exceed \$100,000 and transportation-related construction if the aggregate or sum of all phases is not expected to exceed \$25,000. However, such small purchase procedures shall provide for competition wherever practicable. Such small purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$60,000. Where small purchase procedures are adopted for construction, the procedures shall not waive compliance with the Uniform State Building Code.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-4303, 22.1-68, 22.1-78.

Cross Ref.: DJF Purchasing Procedures

## PURCHASING AUTHORITY

The superintendent with the School Board's formal approval may designate a qualified employee to serve as the purchasing agent for the Board. In this capacity, the agent for the Board may purchase or contract for all supplies, materials, equipment, and contractual services required by the school division subject to federal and state laws and regulations and School Board policies. All purchases made by the school division will be in accordance with the Virginia Public Procurement Act.

All personnel in the division who desire to purchase equipment and supplies shall follow the established procurement procedures within their departments or schools for the issuance of a requisition or purchase order. All purchase orders must be forwarded to the superintendent or superintendent's designee for approval and processing.

### Internal Controls

The superintendent, or superintendent's designee, establishes appropriate procedures for internal accounting controls.

### Purchasing and Contracting

The Scott County School Board encourages full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting within the school division to realize the economies resulting therefrom; and to seek maximum educational value for every dollar expended.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 22.1-70 and 22.1-78.

Cross Refs.:	DGC	School Activity Funds
	DGD	Funds for Instructional Materials and Office Supplies
	DJ	Small Purchasing
	DJB	Petty Cash Funds
	DJF	Purchasing Procedures

## PETTY CASH FUNDS

The School Board may by, resolution, establish petty cash funds for the payment of properly itemized bills for materials, services, or supplies furnished to the school division under conditions calling for immediate payment to the vendor upon delivery. Such funds shall not exceed \$2,000 each.

If it establishes any petty cash funds, the school board will appoint an agent or other person who shall be authorized only to approve payment of claims arising from commitments made pursuant to provisions of law from such petty cash funds. Any agent or person into whose hands any such fund is placed may pay such claims there from without necessity of prior receipt and audit of the claims by the school board and without approval and issuance of the warrant of the school board.

The clerk of the school board shall report payments from petty cash funds to the school board or to any appointed agent of the school board for approval and reimbursement promptly after any claim has been paid.

A bond in the amount of \$4,000.00 will be required for each person distributing petty cash funds, but no additional bond shall be required of any person already bonded in the required amount.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-123.

Cross Ref.: DJF Purchasing Procedures

## PETTY CASH FUNDS POLICY

The school may establish a petty cash fund for the purpose of paying small obligations such as providing change for concessions, lunch sales, postage costs, and other purchases requiring immediate cash as a means of payment. Such funds shall not exceed \$200 for **Duffield Primary School, Gate City High School, Gate City Middle School, Nickelsville Elementary School, Rye Cove High School, Scott County Career & Technical Center, Shoemaker Elementary School, Twin Springs High School and Weber City Elementary School** and \$100 for **Dungannon Intermediate School, Fort Blackmore Primary School, Hilton Elementary School, Rye Cove Intermediate Schools, and Yuma Elementary School**. To establish a petty cash fund at the beginning of the fiscal year (July 1), the school will issue a check from the general fund payable to the Petty Cash Fund in the amount agreed upon for that particular school (listed above). A separate activity fund for posting all petty cash fund transactions must be set up within the School Activity Fund Monthly Report which is submitted to the superintendent each month. At the end of the fiscal year to close the cash balance of the petty cash fund a check is to be written to the general fund for any remaining balance.

If a school establishes a petty cash fund, the principal (or designee) shall be the only authorized person to approve payment of claims arising from such petty cash funds. An accounting record of all petty cash transactions is to be maintained. Every reimbursement from the fund must be by receipts signed by the payee and contain itemized invoices or claims. The only deposits to the petty cash fund should be the warrants issued to the petty cash custodian to reimburse the fund and the check to the petty cash fund requires dual signatures. Other miscellaneous receipts should not be deposited to the petty cash fund. The petty cash account should be reimbursed on a monthly basis, or as needed, and must be reimbursed at fiscal year-end in order to properly reflect current year expenditures.

## PURCHASING PROCEDURES

All procurements made by the school division are in accordance with the Virginia Public Procurement Act.

### Certification Regarding Sex Offenses

As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board requires the contractor to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

This requirement does not apply to a contractor or his employees providing services to the school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.

### Unauthorized Aliens

The School Board provides in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

### Discrimination by Contractor Prohibited

The School Board includes the following provisions in every contract of more than \$10,000:

1. During the performance of this contract, the contractor agrees as follows:
  - a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
  - b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
  - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 2.2-4311, 2.2-4311.1, 22.1-296.1.

Cross Refs.: GCDA                      Effect of Criminal Conviction  
                  IGBGA                      Online Courses and Virtual School Programs  
                  KN                              Sex Offender Registry Notification



**SMALL PURCHASES PROCEDURE – SCOTT COUNTY PUBLIC PROCUREMENT ORDINANCE**

<b>GOODS (BOTH NEW AND USED); CONSTRUCTION</b>	<b>NON-PROFESSIONAL SERVICES</b>	<b>PROFESSIONAL SERVICES</b>	<b>PROCEDURE</b>
0-\$999.99	See definition of non-professional services in Ordinance. Less than \$2,500		Single quote. If reason to believe a quotation is not a fair and responsible price, seek additional quotes.
\$1,000 to less than \$2,000	\$2,500 to less than \$5,000	See definition of professional services in Ordinance. Less than \$3,000.00	Solicit two valid sources by phone or by writing. (Written confirmation of quotes obtained to be furnished to the County Purchasing Admin.)
\$2,000 to less than \$15,000	\$5,000 to less than \$15,000	\$3,000 to less than \$15,000	Solicit three valid sources by phone or by writing. (Written confirmation of quotes obtained to be furnished to the County Purchasing Administrator.)
\$15,000 to less than \$30,000	\$15,000 to less than \$30,000	\$15,000 to less than \$20,000	Solicit minimum of four valid sources in writing. (Written confirmation of quotes obtained to be furnished to the County Purchasing Admin.)

**PLEASE NOTE: THE MINIMUM TEN (10) DAY PERIOD BETWEEN SOLICITATION AND DUE DATE FOR RECEIPT OF BIDS DOES NOT APPLY TO THE SMALL PURCHASES PROCEDURE.**

**COMPETITIVE SEALED BIDDING OR COMPETITIVE NEGOTIATION – CODE OF VIRGINIA § 2.2-4301 AND § 2.2-4303(A)**

<b>GOODS (BOTH NEW AND USED); CONSTRUCTION</b>	<b>NON-PROFESSIONAL SERVICES</b>	<b>PROFESSIONAL SERVICES</b>	<b>PROCEDURE</b>
Required for purchases over \$30,000; can be used for lesser amounts	Required for purchases over \$30,000.00; can be used for lesser amounts	Required for purchases over \$20,000; can be used for lesser amounts	NOTE: See Section 3, Article 1 of County Procurement Ordinance
			Use one of the following methods: <ol style="list-style-type: none"> <li>1. Competitive sealed bidding</li> <li>2. Competitive negotiation. A written justification is required for use of #2 instead of #1.</li> </ol>

**EXCEPTIONS TO COMPETITIVE PROCUREMENT – CODE OF VIRGINIA § 2.2-4303(E) & (F)**

<b>GOODS (BOTH NEW AND USED); CONSTRUCTION</b>	<b>NON-PROFESSIONAL SERVICES</b>	<b>PROFESSIONAL SERVICES</b>	<b>PROCEDURE</b>
Emergency such as health or safety or equipment in jeopardy	Emergency such as health or safety or equipment in jeopardy	Emergency such as health or safety or equipment in jeopardy	NOTE: See Procedure at Section 1F, Article 2 of County Procurement Ordinance
			Competition required as practicable. Procure directly. Requires written justification. Must be approved in advance by Agency Head or designee. Requires public posting on the county website.
SOLE SOURCE: Only one source practically available.	SOLE SOURCE: Only one source practically available	SOLE SOURCE: Only one source practically available.	NOTE: See Procedure at Section 1E, Article 2 of County Procurement Ordinance.  Requires written justification. Must be approved in advance by the Agency head or designee. Requires public posting on the county website.

## VENDOR RELATIONS

### Access to School Premises

No vendor agent, or sales representative enters the schools to advertise or sell goods or services to employees or students except as provided herein. Anyone found soliciting goods or services to students or employees in the schools or on school property during school hours without authorization is subject to legal action.

Vendors are not permitted to make appointments with individual School Board employees without the permission of the principal, the superintendent or the superintendent's designee. No vendor is permitted to sell, arrange demonstrations of products or services or take orders for goods or services without prior authorization from the principal, or superintendent or the superintendent's designee.

This does not prevent authorized representatives of firms regularly supplying goods and services to the school division from having access to the schools in the course of their routine business duties.

### Prohibition on Solicitation or Acceptance of Gifts

No employee with responsibility for a procurement transaction may request, accept, or agree to accept from a bidder, offeror, contractor or subcontractor anything of more than minimal value unless consideration of substantially equal or greater value is exchanged.

### Disclosure of Subsequent Employment

No employee or former employee with official responsibility for procurement transactions may accept employment with any bidder, offeror or contractor with whom the employee or former employee dealt in an official capacity concerning procurement transactions for a period of one year from the end of employment by the school division unless the employee or former employee provides written notification to the division prior to commencement of employment by that bidder, offeror or contractor.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4370, 2.2-4371, 22.1-78, 22.1-293.

Cross Ref.: GAH School Employee Conflict of Interests

## PAYMENT PROCEDURES

### School Board

The School Board examines all claims against it, except those to be paid from petty cash funds or funds for the purchase of instructional materials and office supplies, and when approved, orders or authorizes payment thereof. A record of such approval and order or authorization is made in the minutes of the School Board. Payment of each claim shall be ordered or authorized by a warrant drawn on the treasurer or other officer charged by law with the responsibility for the receipt, custody and disbursement of the funds of the School Board. The face of the warrant shall state the purpose or service for which such payment is drawn and the date of the order entered or authority granted by the School Board.

The warrant shall be signed by the chairman or vice-chairman, and countersigned by the clerk or deputy clerk, made payable to the person or persons, firm or corporation entitled to receive such payment and recorded in the form and manner prescribed by the Board of Education.

### Fiscal Agent

The School Board may, by resolution, appoint an agent and deputy agent to examine and approve claims against it. A record of such approval and order or authorization shall be made and kept with the records of the School Board. Payment of each such claim so examined and approved by such agent or his deputy shall be ordered or authorized by a warrant drawn on the treasurer or other officer charged by law with the responsibility for the receipt, custody, and disbursement of the funds made available to the School Board. The warrant shall be signed by such agent or his deputy and countersigned by the clerk or deputy clerk of the School Board.

However, (1) when the agent is the superintendent, who also occupies the position of School Board clerk, a countersignature from the chairman or vice-chairman is required and (2) when the deputy agent and the deputy clerk is one and the same person, the warrant must be countersigned by either the clerk or the agent of the School Board.

Each warrant shall be payable to the person or persons, firm or corporation entitled to receive payment. The face of the warrant shall state the purpose or service for which such payment is made and also that such warrant is drawn pursuant to authority delegated to such agent or his deputy by the School Board on the specified date.

Any such agent or deputy agent must furnish a corporate surety bond. The School Board shall set the amount of such bond or bonds and the premium therefore shall be paid out of funds made available to the School Board.

### Special Warrants

The Scott County School Board may provide, by resolution, for the drawing of special warrants in payment of compensation, when such compensation has been earned and is due, for

- all employees under written contract,
- all other employees whose rates of pay have been established by the School Board or its properly delegated agent, upon receipt of certified time sheets or other evidence of service performed, and
- payment on contracts for school construction projects according to the terms of such contracts.

All such special warrants shall be signed by the clerk or deputy clerk of the School Board and countersigned by the superintendent or the chairman or vice-chairman of the School Board. When the

superintendent and clerk is one and the same person, such special warrants shall be countersigned by such chairman or vice-chairman. Such payrolls and contracts so paid shall be reviewed and approved by the School Board at its next regular meeting.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-122, 22.1-122.1, 22.1-123.

Cross Refs.:	DG	Custody and Disbursement of School Funds
	DJB	Petty Cash Funds
	DGD	Funds for Instructional Materials and Office Supplies

## **PAYROLL PROCEDURES**

All salaries and supplements paid to all employees will be paid in accordance with the schedule approved by the School Board. If the school board receives a waiver from the Board of Education permitting it to require students to attend prior to August 15, the school board shall establish a payment schedule to ensure that all contract personnel are compensated for time worked within the first month of employment. The school division will maintain records that accurately reflect the compensation and related benefits of each employee.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.

Cross Refs.: DK Payment Procedures  
DLB Salary Deductions

## **SALARY DEDUCTIONS**

Federal and State taxes will be automatically deducted from each employee's paycheck based on the most recent withholding statement provided by the employee. In the absence of a withholding statement, deductions will be made based on federal and/or State tax regulations.

A list of all voluntary deductions available to employees will be published annually and provided to all employees. Any additional voluntary deduction requests must be recommended by the superintendent and approved by the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.

## **EMPLOYEE ASSISTANCE PROGRAM**

Employees, who have continually worked for no less than six months in the Scott County School System, may request an early one-time salary deduction from their monthly earnings in the amount of \$500. Requests must be made in writing and can only be accessed once in a contractual year. The payroll clerk will keep records of money requested from an employee's monthly salary.

## **EXPENSE REIMBURSEMENTS**

The School Board encourages attendance and participation of school personnel in professional development activities in order to improve work skills and to maintain high morale.

Requests for reimbursement from School Board funds will be honored only for activities approved in advance by the superintendent or superintendent's designee and for which a statement of travel, with supporting documents, is submitted at the conclusion of the trip.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:5, 22.1-296.

Cross Ref.: GCL Professional Staff Development



The following guidelines will be used for reimbursing employees for travel:

1. Mileage reimbursement will be on the shortest distance between schools.
2. No in-county travel will be paid, with the exception of itinerant employees, without prior approval from the Central Office.
3. Only one person per vehicle can count mileage.
4. Athletic travel will be paid only if your school is competing.
5. Athletic travel for secondary principals will be reimbursed from the school to the competing school.
6. A maximum of \$500 per year for mileage will be reimbursed for elementary and secondary principals. Secondary principals may receive an additional \$500 per year for mileage for athletic events.
7. All travel reimbursement requests must be turned in monthly.

TO: All Personnel  
FROM: James B. Scott, Division Superintendent  
DATE: May 7, 2008 (Revised June 2, 2008)

**EDUCATIONAL CONFERENCE AND WORKSHOP REIMBURSEMENT**

School personnel who are required to attend educational conferences and workshops will be reimbursed for expenses incurred, as funds are available, provided the following conditions are met.

1. Prior approval for the trip is obtained from the direct supervisor and superintendent at least 5 days prior to the conference or workshop
2. Receipts are turned in to the School Board Office upon return
3. Expenses do not exceed Scott County Public School's guidelines
  - a. Travel – State mileage rate of 50.5
  - b. Meals – Do not exceed \$60.00 per day including taxes and tips (tips not to exceed 18%)
  - c. Lodging – Actual expenses, excluding room services, pay movies, and phone calls. Personnel are encouraged to select facilities that charge reasonable rates.
  - d. Registration fees

School personnel who request to attend educational conferences and workshops will be partially reimbursed for expenses incurred, as funds are available, provided the following conditions are met.

1. Prior approval for the trip is obtained from the direct supervisor and superintendent at least five (5) days prior to the conference or workshop
2. Receipts are turned in to the School Board Office upon return
3. Expenses do not exceed Scott County Public School's guidelines
  - a. Gas – Actual cost of gasoline
  - b. Meals – Do not exceed \$60.00 per day including taxes and tips (tips not to exceed 18%)
  - c. Lodging – Actual expenses, excluding room services, pay movies, and phone calls. Personnel are encouraged to select facilities that charge reasonable rates.
  - d. Registration fees

NOTE: No reimbursement for gasoline, meals (including tips), tolls, and lodging unless you include a receipt(s) showing payment was made.

TO: All Personnel  
FROM: James B. Scott, Division Superintendent  
DATE: May 7, 2008  
SUBJECT: **Travel Mileage**

The following distances are to be reimbursed from school to School Board Office or School Board Office to school:

<b><u>School</u></b>	<b><u>Miles</u></b>
Duffield	17.0
Dungannon	23.0
Fort Blackmore	13.0
Hilton	7.5
Nickelsville	13.0
Rye Cove Intermediate	20.0
Rye Cove High	21.0
Twin Springs High	17.5
Weber City	2.5
Yuma	7.0

Please note that reimbursement for mileage will not be paid between the following:

Shoemaker  
Gate City Middle  
Gate City High  
Scott County Career and Technical Center  
School Board Office

All travel reimbursement must be turned in monthly.

## **CASH IN SCHOOL BUILDINGS**

Teachers and other school personnel who come into possession of cash in connection with school activities will not leave the money unattended. As soon as is possible, and no later than the end of the school day, personnel in possession of cash shall turn it over to the principal's office for safe-keeping and proper accounting.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-68, 22.1-70, 22.1-78.

Cross Ref.: DGC School Activity Funds

## **POLICY TO SAFEGUARD SCHOOL ACTIVITY FUNDS**

To insure procedural safeguards for funds received from extra curricular school activities, such as entertainment, athletic contests, etc., keep two creditable people with the money until the money has been locked safely into a locked cash box. There should be documentation or batch receipts supporting the underlying collection. An itemized listing of collections and individual receipts should accompany each remittance to the school office. This documentation should be attached to the office copy of the school receipt. All receipt books need to be accounted for and turned into the bookkeeper at the end of the year. The school office should also issue a receipt to the person remitting the money. The school finance officer shall be bonded and the local school board shall prescribe rules governing such bonds for employees who are responsible for the school activity funds.

The duties to be performed in providing proper management and security of the funds may be delegated to a degree by the principal but the responsibility for the safeguarding, accounting, and managing of the school activity funds rests solely with the principal.

## **SCHOOL CREDIT CARD USE AND POLICY**

Schools have the authority to make purchases for their schools using credit cards; however, no personal use of the credit card is permitted. The credit card is to be used only by the principal or principal's designee authorized to make purchases for the school. If the principal does not authorize the credit card purchase, the employee who made the purchase becomes personally liable for the amount of purchase.

School credit cards must be kept under lock and key. A sign out/sign in sheet must be maintained for each credit card. At the time of sign in to return the school credit card the receipts needed to support the items charged in the bill from the credit card company must be turned in to the person responsible for maintaining the credit card records for the school. No employee is to maintain a credit card in their possession. The card will only be in the employee's possession at the time of use and returned promptly along with the appropriate detailed documentation of charges as stated above.

The credit card is not intended to create debt for the school; therefore, any balance on the credit card must be paid in full on a monthly basis.

The principal may want to restrict the total amount of charges that can be made on the credit card to help limit exposure to theft or other improper uses of the credit card.

## **DISPOSAL OF SURPLUS ITEMS**

The school division shall apply trade-in allowances on equipment to be replaced against the purchase cost of the new equipment whenever possible.

The school division may dispose of equipment having no trade-in value by informal bid, auction or pre-priced sale as appropriate to the public. If items are valued in excess of \$500.00, formal authorization for negotiated sale or for putting the items to bid shall be obtained from the School Board.

The bidder or purchaser shall certify whether he/she is an officer or employee of the division or a member of the immediate family of an officer or employee. Officers and employees of the school division, and members of their immediate families, may purchase surplus property from the school division only if the property is being sold at uniform prices available to the public or if the goods are sold for less than \$500.00.

If reasonable attempts through the bidding or direct sales process to dispose of the items are unsuccessful, then the superintendent is authorized to arrange for their disposal.

Obsolete educational technology hardware and software that is being replaced pursuant to Va. Code § 22.1-199.1(B)(4) may be donated to other school divisions, to students, as provided in Board of Education guidelines, and to preschool programs in the Commonwealth. In addition, the school board may donate such obsolete educational technology hardware and software and other obsolete personal property to a Virginia nonprofit organization which is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-3108.B.2, 2.2-3109.C.3, 2.2-3110.A.7, 22.1-68, 22.1-78, 22.1-79 (3), 22.1-129, 22.1-199.1(B)(4).

Guidelines for the Donation to Public School Students of Replaced Educational Hardware and Software by Local School Boards (Attachment A to Virginia Department of Education Superintendent's Memo No. 197 (Oct. 20, 2000)).

## NON-LOCALLY FUNDED PROGRAMS

In order to further the goals and objectives of the school division, the Scott County School Board may seek sources of revenue to supplement the funds provided through local, state and federal appropriations.

To promote efficiency in developing proposals and making application for specially funded programs, the superintendent may establish standard procedures for the preparation of proposals and their review. The superintendent shall ensure that none of the conditions of acceptance is in conflict with the policies of the Board, the objectives of the division, or State or federal law.

The superintendent may submit proposals or applications for grants prior to approval by the School Board. No such application or proposal shall be binding on the Board without its approval.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79, 22.1-88.

Cross Ref.:	AE	School Division Goals and Objectives
	KH	Public Gifts to the Schools
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

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## SECTION E: Support Services

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## **SUPPORT SERVICES**

The non-instructional operations of the school division are an important component of the educational process and support the instructional program.

The Scott County School Board provides support services necessary for the efficient and cost-effective operation of its schools.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3), 22.1-253.13:2.

Cross Refs.: EBA Buildings and Grounds Inspection  
EC Buildings and Grounds Management and Maintenance

## **SCHOOL CRISIS, EMERGENCY MANAGEMENT, AND MEDICAL EMERGENCY RESPONSE PLAN**

Each school will develop a written school crisis, emergency management and medical emergency response plan as defined below. The School Board will annually review each school's plan and will provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality. The Department of Education and the Virginia Center for School and Campus Safety will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School and Campus Safety.

The School Board designates Jason Smith, Supervisor of Personnel and Student Services, as emergency manager.

Each school will annually conduct school safety audits as defined below. The results of such school safety audits will be made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or his designee. Each school will maintain a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and will make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the superintendent. The superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

The superintendent will establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee will review the completed school safety audits and submit any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, as well as current contact information for both.

"School safety audit" means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2)

identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses will include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board's standards for student conduct.

Each school will maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections will be determined by the local school board in consultation with the local health and fire departments. In addition, the school administration will:

1. equip all exit doors with panic hardware as required by the Uniform Statewide Building Code; and
2. conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term. No fire drills will be conducted during periods of mandatory testing required by the Board of Education. Evacuation routes for students shall be posted in each room. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year.

Each school will have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.

In addition, the school administration will ensure that the school has:

1. written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior. The plan will be outlined in the student handbook and discussed with staff and students during the first week of each school year;
2. space for the proper care of students who become ill;
3. a written procedure for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
4. written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-279.8.  
Acts 2006, c. 164.  
8 VAC 20-131-260.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EBAA	Reporting of Hazards
	EBBA	First Aid/CPR Certified Personnel
	EBCB	Safety Drills
	EEAB	School Bus Scheduling and Routing
	GBEB	Staff Weapons in School
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JHCD	Administering Medicines to Students
	JHH	Suicide Prevention
	KK	School Visitors

## **SCHOOL SAFETY AND CRISIS MANAGEMENT**

The Scott County school division is committed to providing a safe and secure learning and working environment for all students and staff. To fulfill that commitment to safety, the Superintendent or his/her designee shall develop and implement a comprehensive school safety and crisis management plan which shall comply with and enforce all applicable State and federal laws, rules, and regulations.

The plan shall include the following elements:

1. Prevention plan. The prevention plan shall include measures designed to:
  - a. Raise student and staff awareness about school safety and provide appropriate means for reporting concerns about safety. Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior shall be outlined in the student handbook and discussed with students and staff during the first week of each school year. Students and staff should also be clearly informed of all disciplinary rules, with particular emphasis on those bearing on safety.
  - b. Train professional staff to recognize the warning signs that may precede violent conduct and provide a process for referring students in need of help.
  - c. Make use of community resources, including parents and the local police department, in developing strategies for keeping the school and community safe.
  - d. Identify and respond to potential safety concerns.
  - e. Each school within the division shall conduct a school safety audit using the item-list developed by the Superintendent of Public Instruction. A "safety audit" means a written assessment of the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses may include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board's standards for student conduct. The Superintendent shall maintain a list of division schools which have completed the safety audit. Each school shall maintain a copy of the school safety audit within the office of the school principal and shall make a copy of such report available for review upon written request.
2. Each school shall maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections shall be determined by the local school board in consultation with the local health and fire departments
  - a. Equip all exit doors with panic hardware as required by the Uniform Statewide Building Code.
  - b. Have space available for the proper care of students who become ill.
3. Response plan. The response plan shall ensure immediate and effective action in a crisis or potential crisis situation.

- a. The School Board shall ensure that every school within the division develops a written school crisis and emergency management plan, consisting of the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including the following:
- natural disasters involving fire, flood, or severe weather;
  - loss or disruption of power, water, communications or shelter;
  - bus or other accidents;
  - medical emergencies;
  - student or staff member deaths;
  - explosions;
  - bomb threats;
  - gun, knife or other weapons threats;
  - spills or exposures to hazardous substances;
  - the presence of unauthorized persons or trespassers;
  - the loss, disappearance, or kidnapping of a student;
  - hostage situations;
  - violence on school property or at school activities;
  - other incidents posing a serious threat of harm to students, personnel or facilities; or
  - imminent risk of suicide by students.

This plan shall be developed and fully operational by July 1, 2000. In developing this plan, schools may consult the model school crisis and emergency management plan developed by the Board of Education.

- All schools must have contingency plans for emergencies that include staff certified in Cardiopulmonary Resuscitation, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that the school has:
- Written procedures for responding to emergencies, including outside threats to safety and security such as bomb threats or threatening conduct by persons not part of the school community.
- All schools must have contingency plans for emergencies that include staff certified in Cardiopulmonary Resuscitation, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that the school has:
- All schools must have contingency plans for emergencies that include staff certified in Cardiopulmonary Resuscitation, the Heimlich maneuver, and emergency first aid. In addition, the school administration shall ensure that the school has:
- Written procedures for responding to emergencies, including outside threats to safety and security such as bomb threats or threatening conduct by persons not part of the school community.
- Written procedures, in accordance with guidelines established by the local school board, for responding to violent, disruptive or illegal activities by students or others within the school community while on school property or during a school-sponsored activity. Specific procedures shall be established for responding to verbal or physical threats and other forms of threatening conduct.
- Procedures for responding to medical emergencies.

4. Crisis communication plan. The crisis communication plan shall ensure effective communication during a crisis. It shall require that the following elements be made a part of each school's written safety and crisis management plan:
  - a. A process by which employees can notify the principal or other administrator of an existing emergency.
  - b. A process by which the principal or other administrator can notify the school community of an existing emergency and of immediate action to be taken, if any.
  - b. Designation of a person or persons to handle immediate emergency tasks, including calling 911 and disabling school bells.
  - d. Protocol for notifying persons outside the school of an existing emergency, and for fielding incoming inquiries and visits during and following an emergency.

Legal Refs: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-278.1.  
Virginia Administrative Code, 8 VAC 20-131-260.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EBAA	Reporting of Hazards
	EBBA	First Aid/CPR Certified Personnel
	EBCB	Fire Drills
	ECAB-R	Bomb Threats (sample policy)
	GBEB	Staff Weapons in School
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JHH	Suicide Prevention
	KK	School Visitors

The Scott County School System School Safety and Crisis Management Plan has been developed and implemented with copies on file at each school and the School Board Central Office.

## **BOMB THREATS**

I. Purpose

To establish procedures for handling bomb threats.

II. Procedures

The following procedures shall be followed whenever a telephoned bomb threat is received at a Scott County Public School.

**WARNING:**      **Because detonating devices are activated by radio waves, use of two-way radios should be avoided within 300 feet of the building or suspected location of the explosive device.**

A. Person Receiving the Call:

1. Have someone else also listen to the call if possible.
2. Take notes for the police investigation. Record caller's exact words.
3. Attempt to determine the caller's gender, accent, or other distinguishing speech characteristics.
4. Listen for background noises that may help in identifying the location of the caller.
5. Ask caller for the following information:
  - a. Time of detonation.
  - b. Location of the explosive device.
  - c. Type of explosive device.
  - d. Physical appearance of the device.
  - e. Reason device was placed at the school.
  - f. Caller's name.
6. If your phone is direct service, attempt to identify the number from which the person is calling by the following procedure when the caller hangs up (this procedure will not work on some telephone systems):
  - a. Hang up. Immediately pick up the same phone and push the (star) button followed by the numbers 5 and 7, and then hang up the phone. This will flag the calling number at the telephone exchange. Note the exact time this is done. The police will retrieve the information later.
  - b. When police arrive, inform the investigating police officer that you completed the above procedure and give him or her the number of the phone you received the call on and the time you performed the procedure.
7. Notify the principal or designee, the police department at 386-9111, the area office, and school security of the threat.



B. Principal or Designee

1. Ensure proper notifications are made.
2. Decide if the building will be evacuated. This decision should be made based on all available information. The police will offer guidance, but the decision is the responsibility of the school official.
3. If evacuation is necessary, conduct evacuation using fire drill procedures; any requirement for prior notification to school security may be omitted. Students should be evacuated to a location at least 300 feet from the building.
4. If events warrant, request a building search. The search should be supervised by police, but school personnel should provide any assistance requested.

## **BUILDINGS AND GROUNDS INSPECTION**

The School Board is responsible for the maintenance of the property of the school division. In order to fulfill this responsibility, the School Board will cause the schools to be inspected at reasonably frequent intervals. Inspections required by law will be performed as required by law.

The results of inspections will be reported to the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-1165, 22.1-79(3).

8 VAC 20-131-260.

## **REPORTING OF HAZARDS**

Any employee who discovers a dangerous condition should report the condition immediately to the employee's supervisor, the superintendent or the superintendent's designee.

The superintendent shall name a designee to evaluate and label toxicity of all art materials used in the division in accordance with criteria established by the Virginia Department of Education. All materials which meet the criteria as toxic shall be so labeled. Such materials are not used in kindergarten through grade 5.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-274.1.  
8 VAC 20-530-10 et seq.

## **POSSIBLE EXPOSURE TO VIRAL INFECTIONS**

Upon notification by a School Board employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the superintendent shall contact the local health director who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure.

The superintendent shall share these recommendations with the School Board employee.

The superintendent and the School Board employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in Va. Code § 32.1-35.

Whenever any School Board employee is directly exposed to body fluids of any person in a manner which may, according to the current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the School Board employee who was exposed. If the person whose blood specimen is sought for testing is a minor, the parent, guardian or person standing in loco parentis of such minor shall be notified prior to initiating such testing. In other than emergency situations, it shall be the responsibility of the School Board employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

If the person whose blood specimen is sought for testing is a minor, and that minor refuses to provide such specimen, consent for obtaining such specimen shall be obtained from the parent, guardian, or person standing in loco parentis of such minor prior to initiating such testing. If the parent or guardian or person standing in loco parentis withholds such consent, or is not reasonably available, the person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided or, in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

Whenever any person is directly exposed to the body fluids of a School Board employee in a manner that may, according to the then current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the School Board employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. The School Board employee shall also be deemed to have consented to the release of such test results to the person.

Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his designee prior to entering any testing order. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Legal Ref: Code of Virginia, 1950 as amended, §§ 22.1-271.3, 32.1-45.1.

Cross Refs:	EBBB	Personnel Training-Viral Infections
	GBE	Staff Health
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

## THREAT ASSESSMENT TEAMS

The superintendent will establish a threat assessment team for each school. Teams may serve one or more schools as determined by the superintendent. The teams will assess and intervene with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School and Campus Safety including procedures for referrals to community services boards or health care providers for evaluation or treatment when appropriate.

Each team will include persons with expertise in counseling, instruction, school administration and law enforcement. Each team will

- provide guidance to students, faculty and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school or self;
- identify members of the school community to whom threatening behavior should be reported; and
- implement policies adopted by the School Board.

A principal who has received information that a juvenile is a suspect in or has been charged with certain violations of law pursuant to Va. Code § 16.1-301 may provide such information to a threat assessment team. No member of a threat assessment team may disclose any such information or use such information for any purpose other than evaluating threats to students and school personnel.

Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the superintendent or superintendent's designee. The superintendent or superintendent's designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this policy precludes school division personnel from acting immediately to address an imminent threat.

Upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Va. Code §§ [19.2-389](#) and [19.2-389.1](#), and health records, as provided in Va. Code § [32.1-127.1:03](#). No member of a threat assessment team shall redisclose any criminal history record information or health information obtained pursuant to this policy or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

Each threat assessment team will report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

The superintendent may establish a committee to oversee the threat assessment teams or may assign the oversight of the teams to an existing committee. If such a committee is established, it will include individuals with expertise in human resources, education, school administration, mental health and law enforcement.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 16.1-301, 22.1-79.4.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EB	School Crisis, Emergency Management and Medical Emergency Response Plan
	JFC	Student Conduct
	JFCD	Weapons in School
	JFC-R	Standards of Student Conduct
	JFCI	Substance Abuse-Student Assistance Program
	JGD/JGE	Student Suspension/Expulsion
	JDGA	Disciplining Students with Disabilities
	JFCE	Gang Activity or Association

JFCC	Student Conduct on School Buses
JHH	Suicide Prevention
JM	Restraint and Seclusion of Students
JO	Student Records
KNAJ	Relations with Law Enforcement Authorities

## THREAT ASSESSMENT POLICY AND PROCEDURE

The Scott County School's Policy on Student Threat Assessment presented here is based on the precise language and requirements of § 22.1-79.4, *Code of Virginia* requiring local school boards to adopt policies for the establishment of threat assessment teams and prescribing the composition and responsibilities of teams as well as related referral and reporting requirements.

### STUDENT THREAT ASSESSMENT

- A formal threat assessment team shall be established for each school for the assessment of and intervention with students whose behavior may pose a threat to the safety of school staff or students.
- The superintendent shall establish, for each school, a threat assessment team; a particular threat assessment team may serve one or more schools as determined by the superintendent.
  - Each team shall include persons with expertise in counseling, instruction, school administration, and law enforcement.
  - Each team shall:
    - Provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;
    - Identify members of the school community to whom threatening behavior should be reported; and
    - Implement school board policies for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students.
- All school division employees, volunteers, and contractors are required to report any expressed threats or behavior that may represent a threat to the community, school, or self.
- In cases determined to be appropriate, teams shall follow established procedures for referrals to community services boards or health care providers for evaluation or treatment when appropriate.
- Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur as required by school board policy and the *Code of Virginia*.
- Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the superintendent or designee and attempt to notify the student's parent or legal guardian. Nothing in this policy shall preclude school division personnel from acting immediately to address an imminent threat.
- The superintendent will establish a committee operating within the division charged with oversight of the threat assessment teams consisting of individuals with expertise in human resources, education, school administration, mental health, and law enforcement.
- Each threat assessment team established pursuant to *Code of Virginia*, § 22.1-79.4 shall report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

### PROCEDURES FOR CONDUCTING STUDENT THREAT ASSESSMENTS

These procedures are consistent with the requirements of the *Code of Virginia* and reflect practices set forth in *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates* as well as best practices identified in school divisions in Virginia. Elements of the procedure that are aligned with *Code of Virginia* requirements include a cross-reference to the applicable section of the *Code*.



## PURPOSE

The purpose of this regulation is to establish procedures for the assessment and intervention with students whose behavior poses a threat to the safety of school staff or students.

## DEFINITIONS

- A threat is a concerning communication or behavior that suggests a person may intend to harm someone else. The threat may be spoken, written, or gestured and is considered a threat regardless of whether it is observed or communicated directly to the target of the threat or observed by or communicated to a third party and regardless of whether the target of the threat is aware of the threat existing in any fashion, whether orally, visually, in writing, or electronically.
- A threat assessment is a fact-based process relying primarily on an appraisal of behaviors to identify potentially dangerous or violent situations and address them.
- A low risk threat is one in which the person/situation does not appear to pose a threat of violence and any underlying issues can be resolved easily.
- A moderate risk threat is one in which the person/situation does not appear to pose a threat of violence at this time but exhibits behaviors that indicate a continuing intent to harm and potential for future violence.
- A high risk threat is one in which the person/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan.
- An imminent threat exists when the person/situation appears to pose a clear and immediate threat of serious violence toward others that requires containment and action to protect identified target(s).

## THREAT ASSESSMENT TEAM

- School threat assessment teams shall be headed by the principal or administrative designee and include at least one guidance counselor, a school psychologist and/or school social worker, a law enforcement representative who is typically a school resource officer, and a member with expertise in instruction. Other school staff may serve on the team and/or be consulted during the threat assessment process, as appropriate, or as determined by the principal. [Note: § 22.1-79.4.D., *Code of Virginia*, requires school threat assessment teams to include persons with expertise in counseling, instruction, school administration, and law enforcement]
- In fulfilling statutory responsibilities, school threat assessment teams shall:
  - Conduct the assessment of and intervention with students whose behavior may pose a threat to the safety of the school staff or students.
  - Provide guidance to students, faculty, and staff regarding recognition of threatening behavior that may represent a threat by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from teams;
  - Clearly identify the person(s) to whom members of the school community are to report threatening behavior; and
  - Implement school board policies in an effective manner for the assessment of and intervention with students whose behavior poses a threat, including, in appropriate cases, referrals to community services boards or health care providers for evaluation or treatment. (§ 22.1-79.4.C., *Code of Virginia*)
  -
- The school division level threat assessment team shall oversee and provide support for school threat assessment teams. [Note: § 22.1-79.4.B., *Code of Virginia*, authorizes the superintendent of each school division to establish a committee charged with oversight of the threat assessment teams operating within the

division, which may be an existing committee established by the division. *If established*, it is required that the committee include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.]

- The team shall include a senior division administrator (e.g., Assistant Superintendent for Administration) and senior division administrators in school safety, in student services, and in human resources in consultation with designated representatives of the (specify) community services board and (locality) police department (or sheriff's office).
- The school division level threat assessment team shall provide oversight to school level threat assessment teams; ensure that procedures are maintained for effective information sharing between the school division and community mental health and law enforcement agencies; assess the effectiveness of the threat assessment process throughout the school division; and recommend changes to policies and procedures, as needed, to ensure an effective threat assessment process reflecting known best practices.

## PROCEDURES

- Identifying and Reporting Threats
  - When a student makes a threat or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation, the **Scott County Public School's Student Threat Assessment Guidelines** shall be followed. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe and secure school environment, to protect and support potential victims, and to provide assistance, as needed, to the student being assessed.
  - Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur when required by school board policy or the *Code of Virginia*.
  - Threats of self harm require compliance with § 22.1-272.1, *Code of Virginia* and with applicable school board policies and regulations [*Policy JHF-R*] When threats of self harm are accompanied by threats to harm others, or investigation suggests the existence of a threat to others, the threat assessment team shall be notified and take appropriate action to prevent acts of violence.
  - All school division employees, volunteers, and contractors are required to report immediately to the designated school administrator any expression of intent to harm another person, concerning communications, or concerning behaviors that suggest a student may intend to commit an act of violence.
  - Anyone who believes that a person or situation poses a clear and immediate threat of serious violence that requires containment should notify school security and/or law enforcement in accordance with school board policies.
  - In accordance with § 22.1-279.3:1, *Code of Virginia* certain types of threats require immediate notification to law enforcement. The school administrator shall immediately report to the local law enforcement agency:
    - A threat that involves stalking of any person on a school bus, on school property, or at a school-sponsored activity.
    - Threats to bomb, burn, kill, or harm school personnel.
- Threats of death or bodily injury to a person or members of his or her family; and/or threats to commit serious bodily harm to persons on school property.
  - The school administrator shall also immediately report any act noted above that may constitute a criminal offense to the parents and/or guardians of any minor student who is alleged to have committed the act and shall report that the incident has been reported to local law enforcement, as required by law. The school administrator shall inform the parents and/or guardians that they may contact local law enforcement for further information, if they so desire. In addition, the school administrator may report other threats to the local law enforcement agency, as necessary and appropriate.
- Assessing Threats

- When a threat is reported, the school administrator shall initiate an investigative process and, in consultation with the threat assessment team, make a determination of the seriousness of the threat as expeditiously as possible in accordance with **Scott County Public School's Student Threat Assessment Guidelines**.
  - The initial phase of the threat assessment process typically follows a standard discipline investigation process. As soon as the threat is reported, the school administrator is to conduct timely interviews of the student who made the threat, the recipients of the threat, and other witnesses who have knowledge of the threat. The purpose of the interviews is to evaluate the student's threat in context, so that the meaning of the threat and intent of the student can be determined.
  - **Imminent threat.** If the student appears to pose a clear and immediate threat of serious violence, the administrator shall notify law enforcement in accordance with School Board policies. [Note: In accordance with *Virginia's Crisis Management and Emergency Response Resource Guide* responses may include actions such as evacuation, lockdown, and soft lockdown.]
  - **Low risk threat.** If it is determined that the threat is a low risk threat and the threat assessment team determines no further assessment or monitoring is required at this time, the administrator shall complete the **Student Threat Assessment and Response Form** and retain a copy with the student's disciplinary records in accordance with School Board policy. If the student appears to be in need of assistance, the threat assessment team shall refer the student for assistance from the appropriate school or community-based resources and assign a case manager to monitor progress.
  - If it cannot be determined with a reasonable degree of confidence that the threat is low risk, then a more in-depth investigation is to be undertaken by the threat assessment team to determine the nature and degree of any safety concerns and to develop strategies to reduce risk, as necessary. The investigation may include but not be limited to reviews of records, consultation with staff who knows the student, and interviews of the subject, student and threat recipient(s).
  - Based on information collected, the school threat assessment team is to determine strategies to mitigate the threat and provide assistance, as needed. As a step in this process, the threat assessment team is to classify threats and respond in accordance with the level of threat in accordance with **Student Threat Assessment Guidelines**.
  - Upon a determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the superintendent or designee and attempt to notify the student's parent or legal guardian. (§ 22.1-79.4.D., *Code of Virginia* and § 22.1-272.1., *Code of Virginia*).
  - In instances where the threat is deemed moderate risk or high risk, or requires further action, the school administrator shall notify the parent and/or guardian of the student who is the recipient of the threat and the parent and/or guardian of the student who made the threat. In cases involving low risk threats, the parent or guardian of the threat recipient may be notified at the discretion of the threat assessment team.
  - Findings from assessment and classification of the threat are to be documented in writing by submitting the **Student Threat Assessment and Response Report** to the central office within 72 hours of the initial receipt of the threat.
- Intervening, Monitoring, and Resolving
    - If it is determined that the student poses a threat of violence, the threat assessment team shall develop, implement, and monitor an individualized plan to intervene and reduce the threat. The individualized plan is to be documented in the **Student Threat Assessment and Response Report**.
    - The student who made the threat and any impacted students are to be assisted in accessing appropriate school and community-based resources for support and/or assistance.
    - A member of the threat assessment team shall be designated case manager to monitor the status of the student and to notify the threat assessment team of any change in status or additional information that would be cause for a re-assessment. Additional information from monitoring and any re-assessment are to be documented in updates to the **Student Threat Assessment and Response Report**. These updates are to be submitted at least every 30 days until the case is resolved.

- Resolution of the case is to be documented in the Verification of Case Closure portion of the **Student Threat Assessment and Response Report**.

## STUDENT THREAT ASSESSMENT GUIDELINES

These guidelines are based on principles and practices recommended in *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, a 2002 publication of the U.S. Secret Service and U.S. Department of Education. The publication is available online at [www.secretservice.gov/ntac/ssi\\_guide.pdf](http://www.secretservice.gov/ntac/ssi_guide.pdf).

### PRINCIPLES OF THREAT ASSESSMENT

Threat assessment is to be viewed as one component of an overall strategy to reduce school violence and implemented within the larger context of strategies to ensure schools are safe and secure environments. The principle objective of school violence-reduction strategies should be to create cultures and climates of safety, respect, and emotional support within the school.

Among other school safety strategies employed by Scott County Public Schools are:

- School climate assessments
- Emphasis on school connectedness
- Strong, but caring, stance against the code of silence
- Bullying prevention and intervention
- School-law enforcement partnerships including school resource officers
- Collaborative relationships with mental health, social services, and other community-based resources

### Assumptions

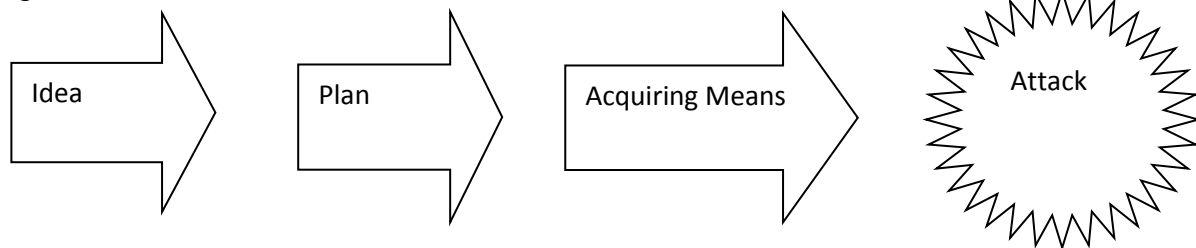
Assumptions reflected in the guidelines are informed by findings of the *Safe School Initiative*, a study that examined 37 incidents of targeted school violence that occurred in the United States from December 1974 through May 2000. Among key findings:

- Incidents of targeted violence at school are rarely sudden, impulsive acts.
- Prior to most incidents, other people knew about the attacker's idea and/or plan to attack.
- Most attackers did not threaten their targets directly prior to advancing the attack.
- Most attackers engaged in some behavior, prior to the incident that caused concern or indicated a need for help.

The fact that most attackers engaged in pre-incident planning behavior and shared their intentions and plans with others, suggests that the information is likely to be uncovered through a sound threat assessment process.

Attacks examined under the *Safe School Initiative* appeared to be the end result of a process of thinking and behavior that begins with an idea, progresses to development of a plan, moves on to acquiring the means (e.g., weapons, training, capacity, access) to carry out the plan, and culminates in an attack. A graphic representation of the process is shown in Figure 1.

**Figure 1. Attack Process**



## Principles

The appraisal of risk in a threat assessment focuses on actions/behaviors, communications, and specific circumstances that might suggest that an individual intends to engage in violence and is planning or preparing for that event. The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation.

According to experts, six core principles that form the foundation of the threat assessment process are:

1. The central question in a threat assessment inquiry or investigation is whether a student poses a threat, not whether the student has made a threat.

The Safe School Initiative found that fewer than 20 percent of school shooters communicated a direct or conditional threat to their target before the attack. By contrast, individuals who are found to pose threats of violence frequently do not make threats to their targets. The study found that in more than 80 percent of the cases, school shooters did not threaten their targets directly, but they did communicate their intent and/or plans to others before the attack.

2. Targeted violence is the end result of an understandable, and often discernible, process of thinking and behavior.

Students who have committed targeted attacks did not “just snap,” but engaged in a process of thought and escalation of action over days, weeks, months, and even years.

3. Targeted violence stems from an interaction among the individual, the situation, the setting, and the target.

Preventing acts of violence requires a focus on these four components and their interaction. A focus on the individual should provide insight into how the individual perceives and deals with conditions, often stressful, in his or her life. A focus on the situation should examine circumstances and events such as bullying or personal losses that contribute to feelings of being overwhelmed. Almost all school shooters experienced some major situational stress at some point prior to their attacks.

4. An investigative, skeptical, inquisitive mindset is critical to successful threat assessment.

Those who carry out threat assessment must strive to be both accurate and fair, continuing throughout the assessment process both to gather pieces of information and to fit the pieces into a larger picture.

5. Effective assessment is based upon facts and observations of behavior, rather than on characteristics or “traits.” Student “profiles” do not provide a reliable basis for making judgments of the threat posed by a particular student.

6. An “integrated systems approach” coordinated with agencies and service systems within the school and the community (e.g., mental health services, law enforcement) should guide threat assessment inquiries.

Relationships with agencies and service systems within the school (e.g., school psychologist, school social worker, school-based mental health clinicians) and community (e.g., mental health, juvenile justice, child welfare) are critical to identifying, assessing, and managing students who are on a path to carrying out an act of targeted violence.

## Definitions

- A threat is a concerning communication or behavior that suggests a person may intend to harm someone else. The threat may be spoken, written, or gestured and is considered a threat regardless of whether it is observed

or communicated directly to the target of the threat or observed by or communicated to a third party and regardless of whether the target of the threat is aware of the threat existing in any fashion, whether orally, visually, in writing, or electronically.

- A threat assessment is a fact-based process relying primarily on an appraisal of behaviors to identify potentially dangerous or violent situations and address them.
- A low risk threat is one in which the person/situation does not appear to pose a threat of violence and any underlying issues can be resolved easily.
- A moderate risk threat is one in which the person/situation does not appear to pose a threat of violence at this time but exhibits behaviors that indicate a continuing intent to harm and potential for future violence.
- A high risk threat is one in which the person/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan.
- An imminent threat exists when the person/situation appears to pose a clear and immediate threat of serious violence toward others that requires containment and action to protect identified target(s).

### **School Threat Assessment Teams**

[Note: § 22.1-79.4.D., *Code of Virginia*, requires school threat assessment teams to include persons with expertise in counseling, instruction, school administration, and law enforcement.]

School threat assessment teams shall be headed by the principal or administrative designee and include at least one guidance counselor, a school psychologist and/or school social worker, a law enforcement representative who is typically a school resource officer, and a member with expertise in instruction. Other school staff may serve on the team and/or be consulted during the threat assessment process, as appropriate, or as determined by the principal.

At the discretion of the superintendent, a threat assessment team may be established to serve more than one school when logistics and staff assignments make it feasible. (§ 22.1-79.4.C., *Code of Virginia*)

School threat assessment teams are required by § 22.1-79.4.D, *Code of Virginia*, to do the following:

- Provide guidance to students, faculty, and staff regarding recognition of threatening behavior that may represent a threat by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from teams;
- Identify the person(s) to whom members of the school community are to report threatening behavior; and
- Implement school board policies in an effective manner for the assessment of and intervention with students whose behavior poses a threat, including, in appropriate cases, referrals to community services boards or health care providers for evaluation or treatment.

### **Division Threat Assessment Teams**

[Note: § 22.1-79.4.B., *Code of Virginia*, permits the superintendent to establish a division-level threat assessment team charged with oversight of the school threat assessment teams operating within the division and permits an existing division-level committee to function as the division threat assessment team. *If established*, the division-level threat assessment team must include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.]

The division-level threat assessment team shall oversee and provide support for school threat assessment teams.

The team shall include a senior division administrator (e.g., Assistant Superintendent for Administration) and senior division administrators in school safety, in student services, and in human resources in consultation with designated representatives of the (specify) community services board and (locality) police department (or sheriff's office).

The division-level threat assessment team shall perform the following duties:

- provide oversight to school level threat assessment teams;
- ensure that procedures are maintained for effective information sharing between the school division and community mental health and law enforcement agencies;
- assess the effectiveness of the threat assessment process throughout the school division; and
- recommend changes to policies and procedures, as needed, to ensure an effective threat assessment process reflecting current best practices.

### **Documentation**

When a threat assessment is conducted and results in a determination of low risk, the administrator shall complete the **Student Threat Assessment and Response Report** and maintain a copy with the student's discipline record in accordance with existing policy.

When a student threat is determined to be moderate or high risk, the administrator shall ensure that the determination is documented in the **Student Threat Assessment and Response Report** and that the report is submitted to the central office within 72 hours of the initial report of the threat.

Any individualized plan to intervene and reduce the threat is to be documented in the **Student Threat Assessment and Response Report**. Additional information from monitoring and any re-assessment are also to be documented in updates to the **Student Threat Assessment and Response Report** that are to be submitted at least every 30 days until the case is resolved. Resolution of the case is to be documented in the Verification of Case Closure portion of the **Student Threat Assessment and Response Report**.

### **IDENTIFYING AND REPORTING THREATS**

All school division employees, volunteers, and contractors are required to report immediately to the school administrator any expression of intent to harm another person, concerning communications, or concerning behaviors that suggest a student may intend to commit an act of targeted violence.

The school threat assessment team shall strive to make the reporting process both understandable and highly accessible and to discourage a "code of silence" that may be a barrier to reporting. Faculty and staff, students, volunteers, and other members of the school community need to know:

- their role and responsibility to report;
- what to report;
- where to report it;
- that reports are wanted and will be acted upon.

Members of the school community should be encouraged on an ongoing basis to report any threatening communication or troubling behavior and be reminded that reporting is an act of caring and not "snitching" or "tattling."

Section 8.01-47, *Code of Virginia*, enacted in 2013, grants immunity from all civil liability to any person who, in good faith with reasonable cause and without malice, reports, investigates, or causes an investigation to be made into information that any person poses a credible danger of serious bodily injury or death to any other person on school property.

All threats of self harm require compliance with § 22.1-272.1, *Code of Virginia* and with applicable school board policies and regulations [cite Division Regulation #]. However, when threats of self-harm are accompanied by threats to harm others, or investigation suggests the existence of a threat to others, the threat assessment team shall be notified and take appropriate action to prevent acts of targeted violence.

Anyone who believes that a person or situation poses a clear and immediate threat of serious violence that requires containment should notify school security and law enforcement in accordance with school board policies.

### **ASSESSING AND CLASSIFYING THREATS**

When a threat is reported, the school administrator shall initiate an investigative process and, in consultation with the threat assessment team, make a determination of the seriousness of the threat as expeditiously as possible in accordance with **Scott County Public School's Student Threat Assessment Guidelines**.

The initial phase of the threat assessment process typically follows a standard discipline investigation process. As soon as the threat is reported, the school administrator is to conduct timely interviews of the student who made the threat, the recipients of the threat, and other witnesses who have knowledge of the threat. The purpose of the interviews is to evaluate the student's threat in context, so that the meaning of the threat and intent of the student can be determined.

If the student appears to pose a clear and immediate threat of serious violence, the administrator shall notify law enforcement in accordance with School Board policies. [Note: In accordance with *Virginia's Crisis Management and Emergency Response Resource Guide* responses may include actions such as evacuation, lockdown, and soft lockdown.]

Information obtained from the threat assessment should be recorded in the **Student Threat Assessment and Response Report** which documents information collected from multiple sources. All questions should be asked and responses recorded.

The following are examples of key questions to help assess the situation. Additional questions may be asked for clarification and/or to probe more deeply to fully understand the circumstances.

Questions for student who made the threat:

- What exactly was said or done
- What was meant by what was said or done
- Student understanding of how what was said/done would make target feel
- Reason student said or did concerning act
- What student now plans

Questions for witness(es):

- What exactly the student said or did
- What witness thinks student meant based on the context of the comment or action
- What witness thinks was motive for what student said/did
- Has the student engaged in any behaviors that would assist them in committing violent acts towards others (e.g., seeking weapons)

Questions for recipient(s) of threat:

- What exactly the student said or did, if witnessed
- Nature of relationship with student; whether there is history of conflict or prior threats
- What recipient thinks was motive for what student said/did

Information from records and consultation with adults in school who know student best:

- Recent disciplinary and school performance history



- Presence of known problems in the life of the student

Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur as required by school board policy or § 22.1-279.3:1, *Code of Virginia*. Certain types of threats require immediate notification to law enforcement. The school administrator shall immediately report to the local law enforcement agency:

- A threat that involves stalking of any person on a school bus, on school property, or at a school-sponsored activity.
- Threats to bomb, burn, kill, or harm school personnel.
- Threats of death or bodily injury to a person or members of his or her family; and/or threats to commit serious bodily harm to persons on school property.

In accordance with § 22.1-279.3:1, *Code of Virginia*, the principal (or designee) shall also immediately report any act noted above that may constitute a criminal offense to the parents and/or guardians of any minor student who is alleged to have committed the act and shall report that the incident has been reported to local law enforcement, as required by law. The school administrator shall inform the parents and/or guardians that they may contact local law enforcement for further information, if they so desire. In addition, the school administrator may report other threats to the local law enforcement agency, as necessary and appropriate.

If it is determined that the threat is a low risk threat and the threat assessment team determines no further assessment or monitoring is required at this time, the administrator shall complete the **Student Threat Assessment and Response Form** and retain a copy with the student's disciplinary records in accordance with School Board policy.

If the student appears to be in need of assistance, the threat assessment team shall refer the student for assistance from the appropriate school or community-based resources and assign a case manager to monitor progress.

The school administrator should be able to investigate and resolve most low risk threats in consultation with members of the threat assessment team with minimal direct involvement by the full team.

If it cannot be determined with a reasonable degree of confidence that the threat is low risk, then a more in-depth investigation is to be undertaken by the threat assessment team to determine the nature and degree of any safety concerns and to develop strategies to reduce risk.

Before conducting an interview with a student of concern, threat assessment team members should be well acquainted with the facts that brought the student to the attention of school administrators and others. In addition, team members should review available information concerning the student's background, interests, and behaviors.

**Review of records/consultation with staff members who know the student best:** Background information can inform the threat assessment team's approach to and questioning of the student. This information may help the threat assessment team determine whether the student poses a threat to particular targets. In addition, knowledge of background information concerning the student prior to the interview may help the threat assessment team judge whether the student is forthcoming and straightforward.

**Student interview:** Generally, a student should be asked directly about his or her intentions. Often, adolescents will respond forthrightly to a direct question. A student interview conducted during a threat assessment inquiry can elicit important information that permits the threat assessment team to better understand the situation of the student and possible targets. This understanding, in turn, will help the threat assessment team to assess the risk of

violence that the student may pose in a given situation. Interviews with a student of concern also can generate leads for further inquiry.

An interview can also send the message to the student that his or her behavior has been noticed and has caused concern. Interviews give students of concern the opportunity to tell their personal stories, to be heard, and to reassess and redirect their behavior away from activities that are of concern. The interview may suggest to a student who has mixed feelings about attacking that there are people who are interested in his or her welfare, and that there are better, more effective ways to deal with problems or with specific people.

Although an interview with a student of concern can provide valuable information, relying too heavily on that interview as a basis for making judgments about whether that student poses a threat may present problems. The information offered by the student may be incomplete, misleading, or inaccurate. It therefore is important to collect information to corroborate and verify information learned from the student interview.

**Interview with threat recipient(s):** Individuals who have been identified as potential targets of the student of concern should also be interviewed. The threat assessment team should inform the subject of the interview that the primary purpose of that interview is to gather information about a possible situation of concern.

A potential target should be asked about their relationship to the student of concern and queried about recent interactions with that student. The interviewer should gather information about grievances and grudges that the student of concern may hold against a target or against others. Interviews with potential targets should be conducted with special sensitivity. Care must be taken to gather information without unduly alarming a potential target. If the threat assessment team believes that there may be a risk of violence to an identified target, that target should be offered assistance and support.

The assessment process facilitates increased and revised understanding of issues over time. That is, when new information is made available to the team during or after the initial assessment, the team should review the new information and re-evaluate the threat accordingly.

### **Assessing Potential Threatening Behavior**

Information gathered in a threat assessment inquiry should be examined for evidence of behavior and conditions that suggest that the student of concern is planning and preparing for an attack. Analysis of this information should, in the end, answer these questions:

- Is the behavior of the student consistent with movement on a pathway toward attack?
- Do the student's current situation and the setting incline him or her toward or away from targeted violence?

Based on the information available, the threat assessment team should seek to answer the following questions:

#### **1. What are the student's motive(s) and goals?**

- What motivated the student to make the statements or take the actions that caused him or her to come to attention?
- Does the situation or circumstance that led to these statements or actions still exist?
- Does the student have a major grievance or grudge? Against whom?
- What efforts have been made to resolve the problem and what has been the result? Does the potential attacker feel that any part of the problem is resolved or see any alternatives?

#### **2. Have there been any communications suggesting ideas or intent to attack?**

- What, if anything, has the student communicated to someone else (targets, friends, other students, teachers, family, others) or written in a diary, journal, or on a Web site concerning his or her ideas and/or intentions?

- Have friends been alerted or "warned away"?

**3. Has the subject shown inappropriate interest in any of the following?**

- school attacks or attackers;
- weapons (including recent acquisition of any relevant weapon);
- incidents of mass violence (terrorism, workplace violence, mass murderers).

**4. Has the student engaged in attack-related behaviors? These behaviors might include:**

- developing an attack idea or plan;
- making efforts to acquire or practice with weapons;
- casing, or checking out, possible sites and areas for attack;
- rehearsing attacks or ambushes.

**5. Does the student have the means to carry out an act of targeted violence?**

- How organized is the student's thinking and behavior?
- Does the student have the means, e.g., access to a weapon, to carry out an attack?

**6. Is the student experiencing hopelessness, desperation, and/or despair?**

- Is there information to suggest that the student is experiencing desperation and/or despair?
- Has the student experienced a recent failure, loss, and/or loss of status?
- Is the student known to be having difficulty coping with a stressful event?
- Is the student now, or has the student ever been, suicidal or "accident-prone"?
- Has the student engaged in behavior that suggests that he or she has considered ending their life?

**7. Does the student have a trusting relationship with at least one responsible adult?**

- Does the student have at least one relationship with an adult where the student feels that he or she can confide in the adult and believes that the adult will listen without judging or jumping to conclusions? (Students with trusting relationships with adults may be directed away from violence and despair and toward hope.)
- Is the student emotionally connected to – or disconnected from – other students?
- Has the student previously come to someone's attention or raised concern in a way that suggested he or she needs intervention or supportive services?

**8. Does the student see violence as an acceptable – or desirable – or the only – way to solve problems?**

- Does the setting around the student (friends, fellow students, parents, teachers, adults) explicitly or implicitly support or endorse violence as a way of resolving problems or disputes?
- Has the student been "dared" by others to engage in an act of violence?

**9. Is the student's conversation and "story" consistent with his or her actions?**

- Does information from collateral interviews and from the student's own behavior confirm or dispute what the student says is going on?

**10. Are other people concerned about the student's potential for violence?**

- Are those who know the student concerned that he or she might take action based on violent ideas or plans?
- Are those who know the student concerned about a specific target?

- Have those who know the student witnessed recent changes or escalations in mood and behavior?

**11. What circumstances might affect the likelihood of an attack?**

- What factors in the student’s life and/or environment might increase or decrease the likelihood that the student will attempt to mount an attack at school?
- What is the response of other persons who know about the student’s ideas or plan to mount an attack? Do those who know about the student’s ideas actively discourage the student from acting violently, encourage the student to attack, deny the possibility of violence, passively collude with an attack, etc.?

Thoughtful consideration of the answers to the above 11 questions will produce a sound foundation for the threat assessment team’s response to the overarching question in a threat assessment inquiry: ***Does the student of concern pose a threat of targeted violence at school?***

Behaviors that should raise concern about potential violence include:

- ideas or plans about injuring him/herself or attacking a school or persons at school;
- communications or writings that suggest that the student has an unusual or worrisome interest in school attacks;
- comments that express or imply the student is considering mounting an attack at school;
- recent weapon-seeking behavior, especially if weapon-seeking is linked to ideas about attack or expressions about interest in attack;
- communications or writings suggesting the student condones or is considering violence to redress a grievance or solve a problem; and
- rehearsals of attacks or ambushes.

**Classifying Threats to Determine Response Strategies**

The threat assessment is designed to identify and assess risks in a deliberate and thorough manner. In determining response strategies to mitigate the risk and to provide assistance, as needed, it is helpful to classify threats by level. Based on the information collected, the threat assessment team may classify threats using the following basic criteria:

<b>Threat Levels</b>	<b>Criteria</b>
Low risk threat	person/situation does not appear to pose a threat of violence and any underlying issues can be resolved easily.
Moderate risk threat	person/situation does not appear to pose a threat of violence at this time but exhibits behaviors that indicate a continuing intent to harm and potential for future violence.
High risk threat	person/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan.
Imminent threat	person/situation appears to pose a clear and immediate threat of serious violence toward others that requires containment and action to protect identified target(s).

**RESPONDING TO THREATS**

Successful management of a threatening situation can require substantial time and effort. Management of these situations comprises three related functions:

1. controlling/containing the situation and/or student in a way that will prevent the possibility of an attack;
2. protecting and aiding possible targets to the extent possible; and
3. providing support and guidance to help the student deal successfully with his or her problems.

If it is determined that the student poses a threat of violence, the threat assessment team shall develop, implement, and monitor an individualized plan to intervene and reduce the threat. The individualized plan is to be documented in the **Student Threat Assessment and Response Report**.

The student who made the threat and any impacted students are to be assisted in accessing appropriate school and community-based resources for support and/or assistance.

A member of the threat assessment team shall be designated case manager to monitor the status of the student and to notify the threat assessment team of any change in status or additional information that would be cause for a re-assessment. Additional information from monitoring and any re-assessment are to be documented in the **Student Threat Assessment and Response Report Update** to be submitted at least every 30 days until the case is resolved. Resolution of the case is to be documented in the Verification of Case Closure portion of the **Student Threat Assessment and Response Report**.

### **Threat Assessment and Disciplinary Responses**

Response strategies selected should be the ones with the greatest potential for long-term preventive power. While holding students accountable for their actions, school administrators must be fair and reasonable in disciplinary responses. A broad range of corrective disciplinary actions may be employed including admonition and counseling, student behavior contract, after-school or in-school detention, and suspension of student privileges for a specified period. These disciplinary responses may be combined with other actions such as parent conferences, modifications of student classroom assignment or schedule, and referrals to in-school and community-based programs such as mediation and community service.

It is important for threat assessment teams to recognize that even fair and reasonable discipline can be perceived as another grievance to which the student may react. In such cases, the disciplinary response could lead to escalation in threatening behavior.

The most punitive responses may or may not prevent acts of violence. Suspension or expulsion of a student *can* create the risk of triggering either an immediate or a delayed violent response unless such actions are coupled with containment and support. A student who is expelled may conclude: "I have lost everything. I have only a short time to act. I will give them what they deserve." In addition, a student who is suspended or expelled is often under less supervision than if he or she were to remain in a school setting.

Although detaining a student may be necessary in a particular situation, without careful attention to the need for confinement, weapons removal, or interpersonal intervention, that action may be insufficient to prevent an eventual attack at school or otherwise protect a target. Similarly, referring a student to the mental health system, without seeing that referral in the context of an overall monitoring/management plan, may not be sufficient to prevent violence.

### **Low Risk Threat Responses**

A low risk threat is one in which the person/situation does not appear to pose a threat of violence and any underlying issues can be resolved easily. The response to such a threat depends on the context of the threat, whether the threat requires some form of disciplinary action, and what is necessary to resolve the situation. All low risk threats must end in an apology, retraction, or explanation that indicates that the threat is over. School administrators should do the following:

- Since low risk threats by definition do not appear to pose a threat and can be easily resolved, action to protect the person(s) to whom the threat was directed may not be necessary. When the person to whom the threat was directed is a student, his/her parents or guardian may be notified, at the discretion of the threat assessment team. If parents of a threatened student are notified, they should be contacted promptly and reassured that the threat has been resolved.
- All low risk threats are subject to disciplinary action based on school board policy. Regardless of disciplinary action, the parent or guardian of the subject student is to be notified of the incident and of the disciplinary action taken.
- When the threat assessment team determines a threat to be low risk, the case may be resolved entirely with no further action or resolved with referral to appropriate school or community-based resources. When students are referred for services, a member of the threat assessment team is designated case manager to

monitor the student and the ongoing situation. At any time that new information is made available after the initial assessment, the team should review the new information and re-evaluate the threat accordingly.

### **Moderate Risk Threat Responses**

A moderate risk threat will typically result in notifying the intended victim(s) of the threat and taking precautions to protect them, taking steps to monitor and supervise the subject student, and taking disciplinary action in accordance with existing discipline policy. The threat assessment team will also work to address the conflict or problem that led to the threat. Examples of strategies that may be employed include but are not limited to:

- Take precautions to protect potential victims. Precautions typically include:
  - Provide direct supervision so the student cannot carry out the threat while at school or on the bus.
  - Caution the student who made the threat about the consequences of carrying out the threat.
  - Contact the subject student's parents to assume responsibility for supervision of the student and to enlist their support in preventing the student from carrying out the threat.
  - Notify the intended victim(s) and their parents. The intended victim(s) and their parents must be notified of the seriousness of the threat, the identity of the student who made the threat, and what actions are being taken to ensure student safety. The intended victim and his/her parents should be notified before the student who made the threat leaves school grounds.
- Consult with the school resource officer to assist in monitoring and supervising the subject student as well as determining the need, if any, for law enforcement action.
- Follow applicable disciplinary procedure in accordance with conduct policy.
- Where appropriate, refer the subject student for counseling, conflict mediation, or other interventions to reduce the threat of violence and to address the underlying conflict or issues that led to the threat. The school administrator should involve school-based professionals, such as the psychologist, counselor, or social worker, who can provide assistance in resolving the conflict and appropriate intervention.
- At the discretion of the threat assessment team, a mental health evaluation may be conducted, following parameters for response to high risk threats below.
- If warranted by findings from the mental health evaluation, the threat assessment team shall convene to complete and implement a written safety plan to address the immediate steps taken to prevent the threat from being carried out and a plan for further action before the subject student is permitted to return to school or an alternative educational environment.

### **High Risk Threat Responses**

Threats to rape, kill, inflict severe injury, or use weapons, or other actions indicating intent to commit such offenses require the immediate involvement of the threat assessment team. When the threat is determined to be high risk, the threat assessment team must:

- Notify law enforcement per regulation to contain the threat and consult with the central office.
- Take immediate precautions to protect potential victims:
  - Provide direct supervision so the subject student cannot carry out the threat while at school or on the bus.
  - Caution the student who made the threat about the consequences of carrying out the threat.

- Contact the subject student's parents and enlist their support in preventing the student from carrying out the threat; either law enforcement or the student's parents should assume responsibility for supervising the student.
  - Notify the intended victim(s) and their parents. The intended victim(s) and their parents must be fully notified of the seriousness of the threat, the identity of the student who made the threat, and what actions are being taken to ensure student safety. The intended victim and his/her parents should be notified before the student who made the threat leaves school grounds.
- Follow applicable disciplinary procedure in accordance with conduct policy.
  - A mental health evaluation is to be conducted either by a clinically qualified team member or by someone contracted to provide the assessment. The clinician conducting the evaluation should not have a treatment relationship with the student. The assessment should be based on a review of all available information as well as information from the student. The written report must identify the problem or conflict that prompted the threat and recommend strategies to address the problem and to reduce the risk of violence.
  - The school administrator will determine the conditions of readmission to school that may include the requirement to cooperate in a mental health evaluation. The parents are to be notified of all requirements and any failure to comply. A re-admission meeting must be held prior to the subject student's return to school.
  - Every effort will be made by threat assessment team members to obtain any required signed permission for release and exchange of information with mental health provider(s), if any, and local law enforcement agencies.
  - After receiving the mental health evaluation report, the threat assessment team shall convene to complete and implement a written safety plan to address the immediate steps taken to prevent the threat from being carried out and a plan for further action before the subject student is permitted to return to school or an alternative educational environment.

The safety plan should include:

- conditions under which the subject student may return to school;
- interventions, such as counseling or mediation, that are needed to reduce risk;
- scheduled follow-up contact with the subject student and parent to assess changes in risk and update the safety plan over time, until the perceived threat is resolved; and
- person(s) who are responsible for monitoring and verifying that the safety plan recommendations are being followed.

### **Imminent Threat Responses**

An imminent threat exists when the person/situation appears to pose a clear and immediate threat of serious violence toward others. Such threats require immediate containment and action to protect identified target(s) and referral to law enforcement and consultation with school security.

Following immediate containment and action to protect identified target(s), these threats require the involvement of the threat assessment team for the purpose of conducting/coordinating appropriate mental health assessment and developing a safety plan.

Procedures for notification of the superintendent or designee, senior division administrator, and parents of the subject student and intended target student(s) that are set forth for high risk threats are to be followed.

Following mental health assessment, the threat assessment team shall complete and implement a written safety plan to address the immediate steps taken to prevent the threat from being carried out and a plan for further

action before the subject student is permitted to return to school or an alternative educational environment. The safety plan should include:

- conditions under which the subject student may return to school;
- interventions, such as counseling or mediation, that are needed to reduce risk;
- scheduled follow-up contact with the subject student and parent to assess changes in risk and update the safety plan over time, until the perceived threat is resolved; and
- identification of person(s) who are responsible for monitoring and verifying that the safety plan recommendations are being followed.



## Student Threat Assessment and Response Report

PART I. THREAT REPORTED	
<b>Instructions:</b> <i>This form should be completed by the school threat assessment team following a preliminary assessment by the school administrator.</i>	
Administrator completing form:	
Position:	
School:	
Source of report: <input type="checkbox"/> Teacher, instructional staff <input type="checkbox"/> Support staff (bus driver, cafeteria, maintenance) <input type="checkbox"/> Student <input type="checkbox"/> Anonymous <input type="checkbox"/> Other (specify):	
Date assessment completed:	
<b>Information on student making threat/engaging in concerning behavior:</b>	
Name of student:	
Date of birth:	Grade:
Address:	
Home phone:	
Emergency contact:	Relationship:
Is there a history of violent behavior in school?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Is there a history of violent behavior away from school?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Is there a history of discipline referrals?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Other information:	
<b>Information about the threat/concerning behaviors:</b>	
Date threat occurred:	Date administrator learned of threat:
Where the threat was made:	
Who reported the threat:	
What was reported (quote as closely as possible; use quotation marks to identify direct quotes):	
<b>Information on target/recipient(s) of threat:</b>	
Has the intended target and/or victim(s) been identified? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name(s) and grade of victim(s):	

Primary recipient(s) of the threat (check all that apply):

Student

Teacher

Parent

Administrator

Other

## PART II. FINDINGS FROM INTERVIEWS

### Student Interview

What exactly was said or done:

What was meant by what was said or done:

Student's understanding of how what was said/done would make target feel:

Reason student said or did concerning act:

What student now plans:

### Witness Interview

What exactly the student said or did:

What witness thinks student meant:

What witness thinks was motive for what student said/did:

### Threat Recipient(s) Interview (if applicable)

What exactly the student said or did, if witnessed:

Nature of relationship with student; whether there is history of conflict or prior threats:

What recipient thinks was motive for what student said/did:

**PART III. ANALYSIS OF FINDINGS**

1. What are the student's motive(s) and goals?

2. Have there been any communications suggesting ideas or intent to attack?

3. Has the subject shown inappropriate interest in:

- school attacks or attackers  
 weapons (including recent acquisition of any relevant weapon)  
 incidents of mass violence (terrorism, workplace violence, mass murderers)

If yes, describe:

4. Has the student engaged in attack-related behaviors such as

- developing an attack idea or plan  
 making efforts to acquire or practice with weapons  
 casing, or checking out, possible sites and areas for attack  
 rehearsing attacks or ambushes

If yes, describe:

5. Does the student have the means to carry out an act of targeted violence?

6. Is the student experiencing hopelessness, desperation, and/or despair?

7. Does the student have a trusting relationship with at least one responsible adult?

8. Does the student see violence as an acceptable – or desirable – or the only – way to solve problems?

9. Is the student's conversation and "story" consistent with his or her actions?

10. Are other people concerned about the student's potential for violence?

11. What circumstances might affect the likelihood of an attack?

12. Are any of the following indicators of potential for violence present?

Indicators		Comments
Ideas or plans about injuring him/herself or attacking a school or persons at school	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Communications or writings that suggest that the student has an unusual or worrisome interest in school attacks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Comments that express or imply the student is considering mounting an attack at school	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	

Recent weapon-seeking behavior, especially if weapon-seeking is linked to ideas about attack or expressions about interest in attack	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Communications or writings suggesting the student condones or is considering violence to redress a grievance or solve a problem	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Rehearsals of attacks or ambushes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	

**PART IV. DETERMINATION OF THREAT LEVEL**

Check one:

- Imminent threat  High risk threat  Moderate risk threat  Low risk threat

Basis for determination:

**PART V. RESPONSE**

Once the threat is classified, follow **all corresponding, prescribed responses specified below.**

**Imminent Threat Response**

Steps taken to contain the threat:

**Low Risk Moderate Risk High Risk/Imminent**

RESPONSES TO LOW RISK THREAT	RESPONSES TO MODERATE RISK THREAT	RESPONSES TO HIGH RISK/IMMINENT THREAT
<input type="checkbox"/> Consult with threat assessment team, as needed <input type="checkbox"/> Contact subject student's parents and/or guardians, if necessary <input type="checkbox"/> Notify intended victim(s)'s parents and/or guardians, if necessary <input type="checkbox"/> See that threat is resolved through explanation, apology, or making amends <input type="checkbox"/> Consult with SRO, if necessary <input type="checkbox"/> Refer subject student for services to resolve problem, if appropriate <input type="checkbox"/> Follow discipline procedures as per conduct policy <input type="checkbox"/> Develop behavior intervention plan and/or contract, as appropriate <input type="checkbox"/> Refer for school- or community-based services, as appropriate <input type="checkbox"/> Assign a case manager to monitor student and status of intervention, as appropriate	<input type="checkbox"/> Mobilize threat assessment team <input type="checkbox"/> Notify subject student's parents and/or guardians <input type="checkbox"/> Provide direct supervision of subject student until parents and/or guardians assume control <input type="checkbox"/> Caution the subject student about the consequences of carrying out the threat <input type="checkbox"/> Protect and notify intended victim(s) and parents and/or guardians of victim(s) <input type="checkbox"/> Consult with SRO to assist in monitoring/ supervising subject student and determining need for law enforcement action. <input type="checkbox"/> Notify superintendent or designee <input type="checkbox"/> Follow discipline procedures as per conduct policy <input type="checkbox"/> If needed, refer subject student for mental health assessment	<input type="checkbox"/> Notify law enforcement per regulation to contain threat; and consult with Safety and Security <input type="checkbox"/> Mobilize threat assessment team <input type="checkbox"/> Provide direct supervision of subject student until removed from campus by law enforcement or parent/guardian. <input type="checkbox"/> Caution the subject student about the consequences of carrying out the threat <input type="checkbox"/> Protect and notify intended victim(s) and parents and/or guardians of victim(s) <input type="checkbox"/> Notify subject student's parents and/or guardians <input type="checkbox"/> Notify superintendent or designee <input type="checkbox"/> Follow discipline procedures as per conduct policy <input type="checkbox"/> Refer subject student for mental health assessment, notifying parents

<p><b>Documentation</b></p> <p><input type="checkbox"/> Complete appropriate Parts of Student Threat Assessment and Response Report and maintain with student's discipline record</p>	<p><input type="checkbox"/> Assign a team member to monitor student and status of intervention, as appropriate</p> <p><input type="checkbox"/> If warranted by findings of mental health assessment, develop/monitor safety plan.</p> <p><b>Documentation</b></p> <p><input type="checkbox"/> Submit report to central office within 72 hours of receipt of threat.</p> <p><input type="checkbox"/> Submit updated report every 30 days until resolution and closure of case</p> <p><input type="checkbox"/> Maintain threat assessment documentation in the Student Threat Assessment and Response Report.</p>	<p>of requirements for re-admission to school</p> <p><input type="checkbox"/> Assign team member to monitor student and intervention/safety plan.</p> <p><input type="checkbox"/> Develop/monitor safety plan</p> <p><b>Documentation</b></p> <p><input type="checkbox"/> Submit report to central office within 72 hours of receipt of threat.</p> <p><input type="checkbox"/> Submit updated report every 30 days until resolution and closure of case</p> <p><input type="checkbox"/> Maintain threat assessment documentation in the Student Threat Assessment and Response Report.</p>
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Print name of administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of administrator: \_\_\_\_\_  
*(Signature indicates agreement with identified level of threat and the above actions have been taken.)*

**PART VI. STUDENT THREAT ASSESSMENT AND RESPONSE REPORT UPDATE**

**Instructions:**

*This section should be completed by the administrator **and** other team members such as the school psychologist, school social worker, or others, as appropriate, within one week of incident.*

**Date of Update**

Disciplinary action(s) taken:

Student suspended?  Yes  No

Student recommended for expulsion?  Yes  No

Student recommended for further disciplinary action and/or consideration?  Yes  No

Comment:

Special Education? If yes:

Recommendation to reconvene IEP team?  Yes  No

Develop Functional Behavioral Assessment and/or Behavior Intervention Plan for IEP?  Yes  No

If no, should the student be referred to Child Study or Local Screening?  Yes  No

Comment:

**Actions with potential victim(s) of the threat or students impacted by the threat:**

Case Manager Name:

Case Manager Job Title:

Offered or provided brief supportive counseling?  Yes  No  Provided  Declined

Communicated with victim(s) and parent(s) or guardian(s)?  Yes  No

Altered schedule to minimize contact with student who made the threat?  Yes  No

Advised victim(s) and/or parent(s) or guardian(s) of their right to contact police?  Yes  No

Name of staff member who provided this information:

Student services staff to monitor student at regular intervals?  Yes  No

Name of staff member who will monitor student:
Informed victim(s) and parent(s) or guardian(s) of re-entry date and plan for re-entry of student who made the threat, if applicable? <input type="checkbox"/> Yes <input type="checkbox"/> No
Additional Comments:
<b>Actions with student making the threat:</b>
Case Manager Name:
Case Manager Job Title:
Alter schedule to minimize contact with threatened student? <input type="checkbox"/> Yes <input type="checkbox"/> No
Student services staff to monitor? <input type="checkbox"/> Yes <input type="checkbox"/> No
Name of staff member who will monitor student:
School-based supportive counseling offered or planned? <input type="checkbox"/> Yes <input type="checkbox"/> No
Name/position of staff member who will provide counseling to student:
Referral for private or community-based mental health services? <input type="checkbox"/> Yes <input type="checkbox"/> No
Consult with any other agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
Agency & Name of Contact:
Other actions planned:
Print name of administrator: _____ Date: _____
Signature of administrator: _____ (Signature indicates agreement with identified level of threat and the above actions have been taken.)
<b>PART VII. VERIFICATION OF CASE CLOSURE</b>
This case has been resolved and necessary actions have been taken to provide support or assistance to the student who made the threat and to any impacted students.
Signature of case manager (if appropriate): _____ Date: _____
Signature of administrator: _____ Date: _____

### **Related Reading on Student Threat Assessment**

Albrecht, S. (February 2010). Threat assessment teams: Workplace and school violence prevention. *FBI Law Enforcement Bulletin*. Washington, DC: Federal Bureau of Investigation. Available online at: [www.fbi.gov/stats-services/publications/law-enforcement-bulletin/february-2010/threat-assessment-teams](http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin/february-2010/threat-assessment-teams)

Brunner, J. & Lewis, D. (2012, February). Strategic safety: Little things are the big things. *Principal Leadership*, 12(6). Available online at [www.nassp.org/Content.aspx?topic=Strategic\\_Safety\\_0212](http://www.nassp.org/Content.aspx?topic=Strategic_Safety_0212)

Colorado School Safety Resource Center (November 2011). *Essentials of school threat assessment: Preventing targeted school violence*. Available online at [www.colorado.gov/cs/Satellite/CDPS-SafeSchools/CBON/1251622848436](http://www.colorado.gov/cs/Satellite/CDPS-SafeSchools/CBON/1251622848436)

Cornell, D. & Sheras, P. (2006). *Guidelines for responding to student threats of violence*. Longmont, CO: Sopris West.

Cornell, D. (April 2009). Recommended practices for Virginia college threat assessment. Richmond, VA: Virginia Department of Criminal Justice Services. Available online at [www.dcjs.virginia.gov/vcss/ocps/documents/RecommendedPracticesVCTA.pdf](http://www.dcjs.virginia.gov/vcss/ocps/documents/RecommendedPracticesVCTA.pdf)

Deisinger, G., Randazzo, M., O'Neill, D. & Savage, J. (2008). *The handbook for campus threat assessment and management teams*. Boston, MA: Applied Risk Management.

Drysdale, D.A., Modzeleski, W., & Simons, A.B. (April 2010). *Campus attacks: Targeted violence affecting institutions of higher education*. Washington, DC: United States Secret Service, United States Department of Education, and Federal Bureau of Investigation. Available online at: <http://www2.ed.gov/admins/lead/safety/campus-attacks.pdf>

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National Association of School Psychologists (n.d.). *Threat assessment: Predicting and preventing school violence*. Available online at [www.nasponline.org/resources/factsheets/threatassess\\_fs.aspx](http://www.nasponline.org/resources/factsheets/threatassess_fs.aspx)

Nolan, J.J., Randazzo, M.R., & Deisinger, G. (2011). Campus threat assessment and management teams: What risk managers need to know now. University Risk Management and Insurance Association (URIMA) Journal Reprint.

O'Toole, M. E. (2000). *The school shooter: A threat assessment perspective*. Quantico, VA: National Center for the Analysis of Violent Crime, Federal Bureau of Investigation.

Pollack, W. S., Modzeleski, W., & Rooney, G. (2008). *Prior knowledge of potential school-based violence: Information students learn may prevent a targeted attack*. Washington, DC: United States Secret Service and United States Department of Education. Available online at [www.secretservice.gov/ntac/bystander\\_study.pdf](http://www.secretservice.gov/ntac/bystander_study.pdf)

Reddy, M., Borum, R., Berglund, J. Vossekuil, B., Fein, R., & Modzeleski, W. (2001). Evaluating risk for targeted violence in schools: Comparing risk assessment, threat assessment, and other approaches. *Psychology in the Schools*, 38(2), 157-172. Available online at: [http://www.secretservice.gov/ntac/ntac\\_threat\\_postpress.pdf](http://www.secretservice.gov/ntac/ntac_threat_postpress.pdf)

U.S. Department of Education (2007). *Practical information on crisis planning: A guide for schools and communities*. Available online at [www2.ed.gov/admins/lead/safety/emergencyplan/crisisplanning.pdf](http://www2.ed.gov/admins/lead/safety/emergencyplan/crisisplanning.pdf)

U.S. Department of Education (2013). *Guide for developing high quality school emergency operations plans*. Available online at: <http://www2.ed.gov/about/offices/list/oese/oshs/rem-k-12-guide.pdf>

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## **Related Resources**

### **National Center on Safe Supportive Learning Environments (NCSSE)**

<http://safesupportiveschools.ed.gov/index.php?id=01>

The Center is funded by the U.S. Department of Education's Office of Safe and Healthy Students and the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) to:

- provide training and support to state administrators, including 11 grantees funded under the Safe and Supportive Schools grant program; school and district administrators; institutions of higher education; teachers; support staff at schools; communities and families; and students and
- seek to improve schools' conditions for learning through measurement and program implementation, so that all students have the opportunity to realize academic success in safe and supportive environments.

The Center's website includes information about the Center's training and technical assistance, products and tools, and latest research findings.

### **Youth Violence Project of the Curry School of Education, University of Virginia**

<http://curry.virginia.edu/research/labs/youth-violence-project>

The Youth Violence Project conducts research on effective methods and policies for youth violence prevention and school safety. The project's website contains extensive information about the Virginia model of threat assessment, an approach to violence prevention that emphasizes early attention to problems such as bullying, teasing, and other forms of student conflict before they escalate into violent behavior. School staff members are encouraged to adopt a flexible, problem-solving approach, as distinguished from a more punitive, zero tolerance approach to student misbehavior.



## **APPENDIX A. Selected Virginia Laws on Threat Assessment**

### **§ 22.1-79.4. Threat assessment teams and oversight committees.**

- A. Each local school board shall adopt policies for the establishment of threat assessment teams, including the assessment of and intervention with students whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School Safety in accordance with § [9.1-184](#). Such policies shall include procedures for referrals to community services boards or health care providers for evaluation or treatment, when appropriate.
- B. The superintendent of each school division may establish a committee charged with oversight of the threat assessment teams operating within the division, which may be an existing committee established by the division. The committee shall include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.
- C. Each division superintendent shall establish, for each school, a threat assessment team that shall include persons with expertise in counseling, instruction, school administration, and law enforcement. Threat assessment teams may be established to serve one or more schools as determined by the division superintendent. Each team shall (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) implement policies adopted by the local school board pursuant to subsection A.
- D. Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the division superintendent or his designee. The division superintendent or his designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude school division personnel from acting immediately to address an imminent threat.
- E. Each threat assessment team established pursuant to this section shall report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

(2013, c. [710](#).)

### **§8.01-47. Immunity of persons investigating or reporting certain incidents at schools.**

In addition to any other immunity he may have, any person who, in good faith with reasonable cause and without malice, acts to report, investigate or cause any investigation to be made into the activities of any student or students or any other person or persons as they related to conduct involving bome threats, firebombs, explosive materials or other similar devices as described in clauses (vi) and (vii) of subsection A of §22.1-279.3:1, alcohol or drug use or abuse in or related to the school or institution or in connection with any school or institution activity, or information that an individual poses any credible danger of serious bodily injury or death to one or more students, school personnel, or others on school property shall be immune from all civil liability that might otherwise be incurred or imposed as the result of the making of such a report, investigation, or disclosure.

(2013, c. 665.)

### **§ 22.1-272.1. Suicide prevention in public schools**

Responsibility to contact parent of student at imminent risk of suicide; notice to be given to social services if parental abuse or neglect; Board of Education, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, to develop guidelines for parental contact.

- A. Any person licensed as administrative or instructional personnel by the Board of Education and employed by a local school board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student. Such contact shall be made in accordance with the provisions of the guidelines required by subsection C.
- B. If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, this contact shall not be made with the parent. Instead, the person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline, as required by § [63.2-1509](#). When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.
- C. The Board of Education, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, shall develop guidelines for making the contact required by subsection A. These guidelines shall include, but need not be limited to, (i) criteria to assess the suicide risks of students, (ii) characteristics to identify potentially suicidal students, (iii) appropriate responses to students expressing suicidal intentions, (iv) available and appropriate community services for students expressing suicidal intentions, (v) suicide prevention strategies which may be implemented by local schools for students expressing suicidal intentions, (vi) criteria for notification of and discussions with parents of students expressing suicidal intentions, (vii) criteria for as-soon-as-practicable contact with the parents, (viii) appropriate sensitivity to religious beliefs, and (ix) legal requirements and criteria for notification of public service agencies, including, but not limited to, the local or state social services and mental health agencies. These guidelines may include case studies and problem-solving exercises and may be designed as materials for in-service training programs for licensed administrative and instructional personnel.

(1999, c. [425](#); 2009, cc. [813](#), [840](#).)

**§9.1-184. Virginia Center for School Safety created; duties.**

- A. From such funds as may be appropriated, the Virginia Center for School Safety (the Center) is hereby established within the Department. The Center shall:
  - 1. Provide training for Virginia public school personnel in school safety, on evidence-based antibullying tactics, and in the effective identification of students who may be at risk for violent behavior and in need of special services or assistance;
  - 2. Serve as a resource and referral center for Virginia school divisions by conducting research, sponsoring workshops, and providing information regarding current school safety concerns, such as conflict management and peer mediation, bullying, school facility design and technology, current state and federal statutory and regulatory school safety requirements, and legal and constitutional issues regarding school safety and individual rights;
  - 3. Maintain and disseminate information to local school divisions on effective school safety initiatives in Virginia and across the nation;
  - 4. Collect, analyze, and disseminate various Virginia school safety data, including school safety audit information submitted to it pursuant to § [22.1-279.8](#), collected by the Department;
  - 5. Encourage the development of partnerships between the public and private sectors to promote school safety in Virginia;
  - 6. Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety, including threat assessment-based protocols with such funds as may be available for such purpose;

7. Develop a memorandum of understanding between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction to ensure collaboration and coordination of roles and responsibilities in areas of mutual concern, such as school safety audits and crime prevention;
  8. Provide training for and certification of school security officers, as defined in § [9.1-101](#) and consistent with § [9.1-110](#);
  9. Develop, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, a model critical incident response training program for public school personnel and others providing services to schools that shall also be made available to private schools in the Commonwealth; and
  10. In consultation with the Department of Education, provide schools with a model policy for the establishment of threat assessment teams, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students.
- B. All agencies of the Commonwealth shall cooperate with the Center and, upon request, assist the Center in the performance of its duties and responsibilities.

(2000, c. [519](#), § 9-173.21; 2001, cc. [436](#), [440](#), [844](#); 2002, cc. [836](#), [868](#); 2012, cc. [281](#), [433](#); 2013, cc. [676](#), [710](#).)

**APPENDIX B. Association of Threat Assessment Professionals Model Violence Risk Assessment Process**

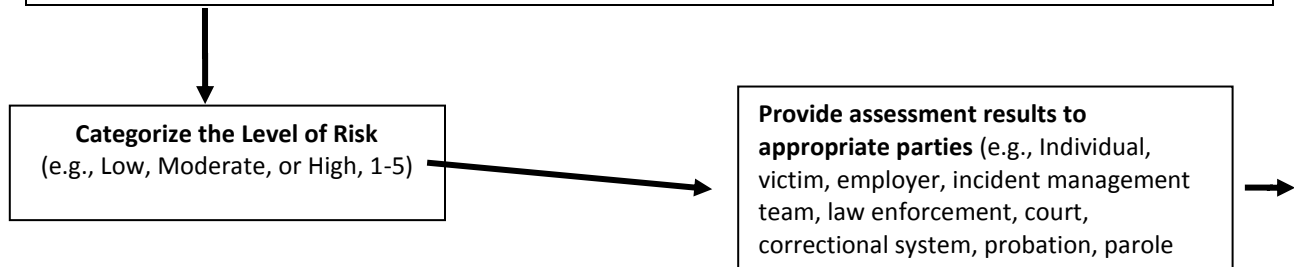
Source: *Risk Assessment Guideline Elements for Violence: Considerations for Assessing the Risk of Future Violent Behavior (2006)*. Association of Threat Assessment Professionals



### Analysis Guidelines

Consideration of multiple behavioral and risk factors:

- Must involve consideration of contextual factors, mitigation factors, or inhibitors to risk as well as risk factors, potential stressors – as well as resiliency factors
- Access to sufficient, credible, first-hand collateral data sources
- Must assess the impact of gathering information and investigative/threat assessment process itself upon risk
- Avoid over-reliance on single factors (factors considered must be scientifically relevant or those considered within the field based upon empirical and published literature)
- When conceptualizing risk level, must recognize professional limitations pertinent to the threat assessment – seek out relevant consultation or expertise when necessary
- Qualify assessment when necessary (e.g., availability of information, recognize assumptions, potential changes in relevant context, time-limited nature of assessment)
- Assessor must be aware of the complex contextual, legal, ethical, and regulatory issues that impact the violence risk assessment process



## **EMERGENCY FIRST AID, CPR AND AED CERTIFIED PERSONNEL**

In school buildings with an instructional and administrative staff of ten or more, there shall be at least three employees who have current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). If one or more students diagnosed as having diabetes attend such school, there shall be at least two employees who have been trained in the administration of insulin and glucagon.

In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least two employees who have current certification or training in emergency first aid, CPR and the use of an AED. If one or more students diagnosed as having diabetes attend such school, there shall be at least one employee who has been trained in the administration of insulin and glucagon.

When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration of insulin or administer glucagon. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagon.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-274, 22.1-274.4.

Cross Ref.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan  
JHCD Administering Medicines to Students

## PERSONNEL TRAINING-VIRAL INFECTIONS

All school personnel having direct contact with students shall receive appropriate training in the etiology, prevention, transmission modes, and effects of blood-borne pathogens, specifically, hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia Occupational Safety and Health Program within the Department of Labor and Industry.

Legal Ref: Code of Virginia, § 22.1-271.3.

Cross Refs:	EBAB	Reporting of Possible Exposure to Viral Infections
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

## **SAFETY DRILLS**

### Fire Drills

Each school holds a fire drill twice during the first 20 school days of each session. Each school holds at least two additional fire drills during the remainder of the school session. No fire drills are conducted during periods of mandatory testing required by the Board of Education.

### Lock-Down Drills

Each school has a lock-down drill at least twice during the first 20 school days of each school session. Each school holds at least two additional lock-down drills during the remainder of the school session. Lock-down plans and drills are in compliance with the Statewide Fire Prevention Code, Va. Code § 27-94 et seq.

### School Bus Emergency Drills

Each school having school buses holds a drill in leaving school buses under emergency circumstances at least once during the first ninety calendar days of each school session and more often if necessary.

### Tornado Drills

There is at least one tornado drill every school year in every school.

Legal Refs.: Code of Virginia, §§ 22.1-137, 22.1-137.1, 22.1-137.2, 22.1-184.  
Acts 2006, c. 164.

Cross Refs.: EB School Crisis, Emergency Management and Medical Emergency Response Plan



## **SCHOOL CLOSINGS**

The superintendent or his/her designee may order the closing, the delay in opening or the early dismissal of any or all schools in order to protect the safety and welfare of the students and staff.

Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract and division policy.

During adverse weather or emergency conditions, however, employees will follow guidelines related to work schedules. The guidelines may be reviewed by the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-98.

Cross Refs.: GAA Staff Time Schedules

## **BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE**

The superintendent will have the general responsibility for the care, custody, and safekeeping of all school property. The principal of each school will be responsible for the operation, supervision, care, and maintenance of the school plant.

The school division shall maintain documentation of any pesticide application that includes the target pest, the formulation applied, and the specific location of the application.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79(3), 22.1-132.2, 22.1-293.D.

Cross Refs.:	CF	School Building Administration
	EA	Support Services
	EBA	Buildings and Grounds Inspection
	FE	Playground Equipment
	IIBEA-R/ GAB-R	Acceptable Computer System Use
	KF	Distribution of Information/Materials
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises
	KJ	Advertising in the Schools
	KL	Public Complaints
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## INVENTORY AND REPORTING OF LOSS OR DAMAGE

### I. Inventories

The superintendent shall devise an adequate system of inventory of school property to identify items for the purpose of insurance and to control the loss of property.

The inventory shall include, but not be limited to the following: buildings, movable equipment, vehicles and all other items of significant value. Each school shall keep a complete inventory of all equipment, listing make, source, date of purchase, model, serial number, and other identifying data.

### II. Reporting Losses

All loss of or damage to school property shall be promptly reported to the superintendent.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	EC	Buildings and Grounds Management and Maintenance
	ECAB	Vandalism
	EI	Insurance Management
	JFC-R	Standards of Student Conduct

## VANDALISM

The School Board urges staff, students and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

The School Board may institute action and recover from the parents or either of them of any minor living with such parents or either of them up to (\$2,500) for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor.

In addition, a student who damages or destroys public property will be subject to whatever disciplinary action is deemed necessary and advisable by the school principal.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-78, 22.1-253.13:7.C.3.

Cross Refs.:	ECA	Inventory and Reporting of Loss or Damage
	IIBEA/GAB	Acceptable Computer System Use
	JFC-R	Standards of Student Conduct

## **BUILDINGS AND GROUNDS MAINTENANCE**

A program of preventive maintenance is a requirement for efficient, economic building operation. The superintendent is directed to maintain a program of preventive maintenance.

School buildings and grounds will be maintained in a safe and attractive condition. The principal of each school will be responsible for the operation, supervision, care and maintenance of the school plant.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3), 22.1-134, 22.1-135, 22.1-293(D).

## **AUTHORIZED USE OF SCHOOL-OWNED MATERIALS**

To ensure the security and efficient use of school property, the superintendent shall develop regulations governing the use of all school owned property. The regulation shall address the use of school division facilities, supplies, materials and equipment by employees and outside organizations.

Employees are prohibited from utilizing school property for personal use or gain.

Legal Ref.: Code of Virginia, §§ 22.1-70, 22.1-131, 22.1-132.

Cross Refs.:	DN	Disposal of Surplus Items
	GBEC/JFCH	Tobacco-Free School for Staff and Students
	IIBEA/GAB	Acceptable Computer System Use
	KF	Distribution of Information/Materials
	KG	Community Use of School Facilities
	KGA	Sales and Solicitations in Schools
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises

## STUDENT TRANSPORTATION SERVICES

The School Board provides for the transportation of students as required by state and federal laws and regulations.

The superintendent collaborates with the local social services agency to develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged and funded for the duration of time in foster care. The procedures ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S. C. § 675(4)(A) and ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the school division will provide transportation to the school of origin if the local social services agency agrees to reimburse the local school division for the cost of such transportation, the school division agrees to pay for the cost of such transportation or the school division and the local social services agency agree to share the cost of such transportation

Students may be suspended from using school transportation services for violations of the Student Code of Conduct or when the student endangers the health, safety or welfare of other riders. In such cases the parent or guardian is responsible for transporting the student to school.

Legal Ref.: 20 U.S.C. § 6312.  
Code of Virginia, §§ 22.1-78, 22.1-176, 22.1-221, 22.1-254.

Cross Refs.:	EEAB	School Bus Scheduling and Routing
	EEAC	School Bus Safety Program
	IICA	Field Trips
	JCA	Transfer Requests by Student Victims of Crime
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JECB (Opt. 1)	Admission of Nonpublic Students for Part-Time Enrollment
	JEG	Exclusions and Exemptions from School Attendance
	JFCC	Student Conduct on School Buses
	JFC-R	Standards of Student Conduct
	LC-E	Charter School Application Addendum

## **SCHOOL BUS SCHEDULING AND ROUTING**

The operation of school buses is scheduled to maximize safety and efficiency.

School bus routes, school sites, and safety of students at designated school bus stops are reviewed at least once each year and as changes occur. Routes are reviewed for safety hazards, fuel conservation, and to assure the most efficient use of buses. School administrators shall evaluate the safety of pupils at bus stops periodically and shall, at the request of the School Board, report the results annually to the School Board.

A written vehicular and pedestrian traffic control plan for each school shall be reviewed annually for safety hazards. All new school site plans shall include provisions that promote vehicular and pedestrian safety.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.  
8 VAC 20-70-150.  
8 VAC 20-70-160.

Cross Ref.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan



## **SCHOOL BUS SAFETY PROGRAM**

All buses and other vehicles owned and operated by the school division are inspected for safety in accordance with the regulations prescribed by the Department of Education.

All accidents, regardless of the amount of damage involved, are reported to the transportation supervisor.

Crashes involving school buses resulting in property damage of \$1,500 or more or personal injury are reported to the Virginia Department of Education at least once per month. The superintendent or superintendent's designee notifies the Virginia Department of Education of any school bus crash involving serious injuries, requiring professional medical treatment, or death within the next working day after the crash.

No person uses any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this policy prohibits the use of two-way radio devices or wireless telecommunications devices that are used hands free to allow live communication between the driver and school or public safety officials.

Legal Refs.: Code of Virginia, 1950, as amended, § 46.2-919.1.  
8 VAC 20-70-130.  
8 VAC 20-70-140.

## STUDENT CONDUCT ON SCHOOL BUSES

The school principal will have the authority to suspend the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions.

In those instances where students have the riding privileges suspended it shall be the responsibility of the parents (or guardians) of the student to see that their child/children get to and from school safely.

The bus driver shall be responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal, and provide a copy to the transportation office.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-176, 22.1-181,  
22.1-293 (B), 22.1-293 (D).  
8 VAC 20-70-390.

Cross Refs.: EEA Student Transportation Services  
JFC Student Conduct  
JFC-R Standards of Student Conduct

## STUDENT CONDUCT ON SCHOOL BUSES

Riding the school bus to and from school is a privilege given to students by the Scott County School Board. Students who do not behave properly in waiting for and riding the bus may have this privilege taken away. In addition, students may be given detention, in-school suspension, suspension, placement in an alternative program, or expulsion for misbehaving on the bus. Inappropriate behavior can lead to accidents and injuries. Safety is our greatest concern.

Students are expected to obey the following bus rules:

- a. Obey promptly and courteously the request and directions of the bus driver.
- b. Be seated quickly and remain properly seated while on the bus. Do not sit on feet or books.
- c. Follow assignment of seats as deemed necessary by the driver or school administrator.
- d. Function in an orderly manner at all times for the safety and welfare of the entire group.
- e. Follow all safety and operational regulations.
- f. Refrain from using profane, abusive, or disruptive language and suggestive mannerisms.
- g. Respect the property of others, including the bus. Make a personal effort to keep the bus clean.
- h. Understand that riding the bus is a privilege, which can be continued or discontinued based on the conduct of the individual (Virginia Code 22.1-175[1]).
- i. Be ready to board the bus at the designated stop and approach the bus only after it has completely stopped.
- j. Cross the road carefully upon signal from the driver at a point ten feet in front of the bus.
- k. Use the same procedures as above when leaving the bus, and immediately move away from the bus.
- l. Keep hands, arms, head, and any other objects inside the bus windows.
- m. Refrain from throwing any objects on, at, or from a school bus.
- n. Refrain from talking to others alongside the bus and talk in a normal conversational voice to student on the same seat.
- o. Do not use explosives or anything that could be used as a weapon or looks like a weapon. Students who bring such things on the bus will be severely punished.
- p. Refrain from bringing the following on the bus: bottles, animals, radios, games, large class projects, recorders, posters, stickers, food, pins, water pistols, and any other items that may cause a disturbance.
- q. In cases where such items are needed for a school activity, the parent should make arrangements to bring the child to school or to box/package the item(s) to minimize disturbance on the bus.
- r. In no way block the aisle.
- s. Have proper written permission before changing from assigned bus and regular stop.
- t. The bus driver will not drop off any unaccompanied Pre-K through 3rd grade student without an adult being visible at the bus stop. The driver will return your child to the custody of a school official until a parent or emergency contact can be reached.
- **If you cannot be visible at the bus stop, then you may provide a note releasing us from liability. The note should be sent to the school stating it is acceptable to let your child off the bus without you being there. When the principal receives a note from you, then the principal will inform the bus driver. The driver will then drop your child off without you being visible.**

### **SPECIAL USE OF SCHOOL BUSES**

The use of school buses for purposes other than transporting children to school for the regular school hours is permitted with prior approval of the superintendent and in accordance with regulations pertaining to field trips.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-176, 22.1-182.

Cross Ref.: IICA Field Trips and Excursions

## **FOOD SERVICE MANAGEMENT**

The superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the superintendent shall report to the School Board on the financial status of the division's food service operations.

Legal Refs.: 42 U.S.C. § 1751 et seq.  
Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.  
8 VAC 20-290-10.

Cross Refs.: DI Financial Accounting and Reporting  
EFB Free and Reduced Price Food Services  
JHCF Student Wellness

## FREE AND REDUCED PRICE FOOD SERVICES

The Scott County school division provides free and reduced-price breakfasts, lunches and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program and the Special Milk Program.

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee establishes rules and procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals and milk is publicly announced at the beginning of each school year and provided to parents of all children in attendance at Scott County public schools.

The division's policy with regard to situations in which a student who is eligible for a reduced-price meal does not have money on account or in hand to cover the portion of the cost of the meal at the time of service is stated in Policy JHCH School Meals and Snacks. Policy JHCH School Meals and Snacks is delivered to all households at the start of the school year and to households that transfer into the school division during the school year.

The students who participate in the free or reduced-cost meals and milk programs are not overtly identified, distinguished or served differently than other students.

Legal Refs.: 42 U.S.C. §§ 1758, 1772 and 1773.  
7 C.F.R. §§ 210.9, 220.20, 245.5, 245.8.  
Code of Virginia, 1950, as amended, § 22.1-207.3.  
8 VAC 20-290-10.

Cross Refs: JHCF Student Wellness  
JHCH School Meals and Snacks

## **FOOD SANITATION PROGRAM**

The personnel and the facilities used for food services in the school division are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated by the State Board of Health.

Legal Ref.: Code of Virginia, 1950, as amended, §35.1-1.  
12 VAC5-421-430.

## **FOOD SERVICE RECORDS AND REPORTS**

From time to time the superintendent shall report to the School Board on the financial status of the division's food service operations.

The superintendent, or his/her designee, will supervise the storage and distribution of all donated foods allocated by the U.S.D.A. for the school lunch program in such a manner as will ensure compliance with the terms and conditions of the agreement.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-24, 22.1-70, 22.1-89.1, 22.1-115.



## REPRODUCTION AND USE OF COPYRIGHTED MATERIALS

The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The superintendent is responsible for promoting an understanding of the applicable law among staff members and students.

The Scott County School Board encourages its staff and students to enrich the educational experience by making proper use of supplementary materials. However, each staff member and student is responsible for complying with copyright law and with any regulations or procedures developed by the superintendent. Any employee or student who is uncertain as to whether reproducing or using copyrighted materials complies with the division procedures or is permissible under law should contact Jennifer Frazier, Supervisor of Secondary Education, who will provide clarification and assist staff members and students in obtaining proper authorization to copy or use protected material when such authorization is required.

At no time is it necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time is it necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion.

Legal Ref: 17 U.S.C § 101 et seq.

Cross Ref: JFC-R Standards of Student Conduct  
GAB/IIBEA Acceptable Computer System Use  
GCPD Professional Staff Discipline

## REPRODUCTION OF COPYRIGHTED MATERIALS INTERPRETATION FOR EDUCATORS IN SCOTT COUNTY SCHOOLS

### Introduction

Teachers and administrators in Scott County Schools desire to provide students with access to quality materials at the lowest cost possible. The copyright law does provide fair use limits for educators who need to use copyrighted works. This document represents the interpretation of the Copyright Law for School County Schools (classified as nonprofit educational institutes). The best option is to plan in advance and to receive written permission from publishers to use copyrighted material. In seeking such permission, the request should include:

1. title, author(s) or editor(s), edition number
2. exact amount (pages) of material to be used, preferably including a photocopy of the material involved
3. number of copies to be made
4. description of how material will be used, for what purpose and/or course and frequency of use if for more than one occasion
5. type of duplication (photocopy, ditto, etc.)

### Photocopying

#### Single Copy

Teachers preparing to teach a class may make or request to have made a single copy of:

- a book chapter
- an article from a newspaper or periodical
- a short story, essay, or short poem
- a chart, graph, diagram, cartoon, drawing, or picture from book, periodical, or newspaper

### Multiple Copies

Teachers desiring to duplicate a copy of a work for **EACH** student must:

-include a notice of copyright with each copy **AND meet these three tests:**

1. **BREVITY TEST:** For **POETRY**; a copy of a poem if less than 250 words and if printed on no more than two pages, or no more that 250 words if from a longer poem;
2. For **PROSE**: Any complete story, essay, or article under 2,500 or excerpts of not more than 1,000 words or 10% of the work; for **SPECIAL, SHORTER WORKS**, so designated because they contain illustrations (e.g. children's stories) may not be copied in their entirety even though they contain less than 2,500 words. Educators may **NOT** copy more than two published pages containing no more than 10% of the text.
3. For **ILLUSTRATIONS**: No more than one chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.
4. **SPONTANEITY TEST:** "Inspiration and decision to use the work" must occur so soon prior to classroom use that it would not be feasible for the teacher to write for and receive permission to duplicate the material. The teacher must request the copying and not as directed by an administrator.
5. **CUMULATIVE EFFECT TEST:** Copies of the material must be for only one course in the school in which copies are made;

No more than one short poem, article, story, essay or two excerpts may be copied from the same author;

No more than three copies from the same collective work or periodical during one class term.

There must not be more than nine instance of such multiple copying for one course during one class term.

#### Prohibited Copying

- Some uses are prohibited regardless of the otherwise permissible copying.
- Educators may not create through photocopying their own anthologies, compilations or collective works whether brought together in one collection or reproduced and used separately.
- Copying must NOT substitute for the purchase of books, periodicals, or reprints.
- THIS ESPECIALLY APPLIES TO THE DUPLICATION OF “CONSUMABLE” MATERIALS SUCH AS WORKBOOKS, TEST BOOKLETS, AND STANDARDIZED TESTS WHICH MAY NOT BE DUPLICATED.
- The teacher must not duplicate the same item from one term to another.

#### Music

(See also: Audio Visual Materials — Audio Disc, Cassettes, Tape Recordings)

#### Permissible Copying

- Educators are permitted to make copies of music in an emergency defined as “replace purchased copies which for any reason are not available for an IMMEDIATE performance AS LONG AS replacement copies are purchased later”.
- For academic purposes other than performances, a teacher or researcher may duplicate a single copy of an “entire performable unit (section, movement, aria, etc.)” if that unit is unavailable except in a larger work and if it is out of print, as confirmed by the copyright proprietor. For other nonperformance educational purposes, multiple copies of no more than 10% of the whole work may be made as long as the excerpt does not comprise a performable unit. This multiple copying should not exceed one copy per student.
- Printed copies of purchased music may be edited or simplified EXCEPT alterations or addition of lyrics.
- A single copy of a sound recording of copyrighted music may be made for use in “constructing aural exercises or examinations”—THIS APPLIES TO THE COPYRIGHT OF THE MUSIC ITSELF AND NOT TO ANY COPYRIGHT THAT MAY EXIST IN THE SOUND RECORDING.
- A single copy of a recording of performance(s) by students is permissible for evaluation or rehearsal purposes and may be retained by the teacher or educational institution.

#### Prohibited Copying

- “To create or replace or substitute for anthologies, compilations or collective works.”
- Copying from works intended to be “consumable” such as workbooks, exercises, standardized tests and answer sheets.
- For performance except as above.

### Photocopying by Library Media Staff

Copying is to take place ONLY at the specific request of users or other libraries.

Under Section 108 of the Copyrights Act, library employees are permitted to make a SINGLE copy of a work as long as the library receives no financial gain, and affixes notice of copyright on all duplicated works.

In addition to the above requirements, the library media center may make copies only under the following conditions:

- It may duplicate in facsimile form a published, copyrighted work that is damaged, deteriorating, lost or stolen if a reasonable effort determines no possibility for replacement.
- Recordings are to be shown to students no more than twice during the 10-day period...the second time for instructional reinforcement only.
- After the 10-day period, the recordings may be viewed only by teachers.
- If several teachers request videotaping of the same program, duplicate copies are permitted. (ALL copies are subject to the same restrictions as the original.)
- Off-air recordings may not be physically or electronically altered or combined with others to form anthologies, but do not have to be shown in their entirety.
- All copies of the recordings must include the copyright notice on the broadcast program as recorded.
- Schools may not build library collections of videotapes of television programs.

### From Public Broadcasting Services

Four public broadcasting services drew up a joint policy statement that allows schools specific videotaping privileges for their production: Public Broadcasting Service, Public Television Library, Great Plains National Instructional Television Library, Agency for Instructional Television. Educators may record broadcasts from these agencies on the following conditions:

- Recordings may be made only by students, faculty or staff members in accredited, nonprofit education institutions.
- May be used only for instruction or educationally related activities in a classroom, laboratory, or auditorium.
- May be used only in the school for which they were made.
- The recordings may be used "only during the seven day period of local ETV and other educational broadcast licensed by the distribution agency, and will be erased or destroyed immediately at the end of the period..."
- ALL REQUESTS FOR TAPING MUST COME DIRECTLY FROM TEACHERS AND MUST BE SHOWN ONLY TO STUDENTS AND FACULTY FOR INSTRUCTIONAL PURPOSES.

### Television Broadcasts Taped by Teachers

- At this time there is no specific court ruling or legislation directly addressing this particular activity. The 1984 US Supreme Court Sony decision affirmed the right of individuals to use videocassette recordings in their homes. This right was upheld primarily on the basis of "private, noncommercial time-shifting in the home." The majority did not address the use of privately taped programs for public performances or for educational purposes.

### Videocassette Programs Rented, Purchased or Taped at Home by Teachers

- Programs must relate to specific objectives in the classroom program of studies and/or SOL's.
- Programs may NOT be used for recreational or entertainment purposes.
- Programs purchased by the school or teacher and marked "For Home Use Only" may be used in the classroom if directly related to the instructional goals.

- Programs rented by the teacher and marked :“For Home Use Only” may not be used in the classroom UNLESS the merchant provides a WRITTEN and SIGNED release form giving permission for classroom use.
- Teachers may not tape a program at home from either a broadcast or cable transmission for use in the classroom. Refer to the two sections above for allowable taping from commercial and cable transmission.
- Use of programs from direct broadcast must be approved by the principal, division level curriculum specialists or department chairperson.

Penalties for Infringement of Copyright

- EDUCATORS, EDUCATION INSTITUTIONS, AND SCHOOL DIVISION MAY BE SUED IF THEY VIOLATE OR INFRINGE THE RIGHTS OF COPYRIGHT.
- The legal or insurance protection of Scott County Schools will not be extended to employees who knowingly violate copyright laws.
- The copyright law specifies a normal penalty of from \$250 to \$10,000 in statutory damages for each violation, but the penalty can be as much as \$50,000 for a willful violation. Even if a defendant is judged not to be in violation of the law, court costs and attorneys’ fees must be borne by the individual and/or organization charged with the copyright infringement.
- Educators should be aware that criminal charges of copyright violation can be brought. Those found guilty of “willfully infringing a copyright for private or commercial financial gain, could be fined up to \$10,000 or imprisoned for up to one year or both.

## **INSURANCE MANAGEMENT**

The School Board maintains such insurance on school property, including vehicles, as it deems necessary or as is required by law. The School Board may provide liability insurance, or may provide self-insurance, for certain or all of its officers and employees and for student teachers and other persons performing functions or services for any school in the school division, regardless of whether payment is made for such functions or services. Such insurance, including workers' compensation and all property and casualty insurance, is placed with insurance companies authorized to do business in Virginia or provided by insurance pools, groups, or self-insured programs authorized by the state Bureau of Insurance.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2700 through 15.2-2709, 22.1-84, 22.1-188 through 22.1-198.

## EDUCATIONAL TECHNOLOGY FOUNDATION AND PUBLIC SCHOOL FOUNDATIONS

The School Board may establish educational technology foundations for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in the division. The School Board may also establish public school foundations for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board. Such foundations may be established directly by the School Board or by the School Board and other organizations or persons, on behalf of the School Board by a third party, or through a contract with a corporation as defined by Va. Code § 2.2-212.2:2. The foundations may be established as a cooperative regional effort with other school boards.

### I. Requirements

Upon establishing or contracting with a corporation, whether or not other organizations, school boards, or persons are involved, the School Board shall:

- Review and approve the articles of incorporation and bylaws
- Establish a system of accounting to protect public funds
- Establish agreement that, upon dissolution of the corporation, any assets remaining after payment of just debts shall be transferred to and become the property of the School Board or, if a regional effort, the procedure by which the property may be divided among the school boards
- Require, in any instance in which the School Board advances, contributes or loans funds to the corporation, that such contract shall provide for the posting of a bond with surety by the officers of the corporation conditioned to protect the rights of the School Board
- Establish terms for the allocation of any profits or revenues between the School Board and the corporation
- Take such other steps as may be necessary to comply with applicable law

### II. Funding

The School Board may (i) advance, contribute or loan funds to such foundations, and (ii) establish an escrow fund for the purpose of funding various educational technology projects.

### III. Procurement

In making purchases through its public school foundation or purchasing educational technology through its educational technology foundation, the School Board is exempt from the Virginia Public Procurement Act, except, relative to such purchases, the School Board shall comply with the provisions of sections 2.2-4311 and 2.2-4367 through 2.2-4377 of the Act.

Legal Ref: Code of Virginia, §§ 2.2-4311, 2.2-4343, 2.2-4367 through 2.2-4377, 22.1-212.2:2.

Cross Refs.:	KA	Goals for School-Community Relations
	KH	Public Gifts to the Schools
	KM	Relations with Community Organizations
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

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## SECTION F: Facilities Development

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## **FACILITIES DEVELOPMENT**

Any educational program is influenced greatly by the environment within which it functions. The development of a quality educational program and school facilities which help to implement it must go hand in hand.

The School Board's goal is to provide facilities of the kind and size that will best support and accommodate the division's educational program and the number of students enrolled.

The School Board will constantly strive to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching.

The Board aims specifically toward:

1. New buildings and renovations that will accommodate and facilitate those new organizational and instructional patterns that support the division's educational philosophy and instructional goals.
2. Meeting all safety requirements through the remodeling of older structures.
3. Providing such building renovations as needed to meet requirements on the availability of public school facilities to disabled persons.
4. Building design and construction that will lend themselves to low maintenance costs and the conservation of energy. These two factors will also be given special consideration in the renovation of buildings.
5. Decisions pertaining to educational specifications of new buildings and those undergoing extensive remodeling will be developed and with the viewpoints of teachers, students, and the community considered.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79 (3), 22.1-253.13:6.B.

## FACILITIES PLANNING

The School Board is responsible for the regular operation and orderly development of all school facilities. The Board concerns itself with both short and long-range planning.

The superintendent presents to the School Board annually, or as necessary to coordinate with the planning process of the appropriating body, a Capital Improvement Program which includes recommendations regarding timing, location, costs and savings associated with:

- new building requirements
- restoration and renewal of existing school facilities

The superintendent may make recommendations for new buildings and renovations after input concerning facilities utilization, development and closure from a broad based committee representing the staff and community.

Recommendations are supported by data that supports the feasibility and need for construction and/or renovation.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3).

Cross Ref.: AF Comprehensive Plan  
BCF Advisory Committees to the School Board

## **PLAYGROUND EQUIPMENT**

When any playground equipment is installed on School Board property the Board assumes ownership of that equipment unless specifically stated otherwise by agreement. For this reason the maintenance of the playground equipment installed by a school or community group is the responsibility of the School Board.

Once equipment is installed on School Board property, the principal of the school has the responsibility to inspect the equipment on a regular basis and the authority, to order its repair or removal from the school property. The principal may also restrict or deny the use of such equipment until such time as, in his or her opinion, it is restored to safe a condition.

Consideration should be given to designing the outdoor learning environment to support classroom learning.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79, 22.1-293.

Guidelines for School Facilities in Virginia's Public Schools (Virginia Department of Education, September 2013).

## EDUCATIONAL FACILITIES SPECIFICATIONS

To ensure that all new and remodeled facilities are designed to best implement the educational program, the superintendent will provide for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications are detailed descriptions of:

1. All the activities that are expected to take place in the building;
2. The curriculum to be housed in the building;
3. Specific architectural characteristics desired; and
4. The facilities needed, their equipment requirements, and their relationship to other facility elements.

When educational specifications are prepared, an introductory section will also be included which will be devoted to a brief description of the community and the educational philosophy of the division. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and approved by the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-79(3), 22.1-138, 22.1-140.

Cross Refs.:

AF	Comprehensive Plan
FA	Facilities Development
FB	Facilities Planning
FECBA	Energy-Conserving Construction
FECBB	Accommodations for the Disabled
FEG	Construction Planning

## **ENERGY-CONSERVING CONSTRUCTION**

Efficient use of energy in construction and operation of school division buildings is a high priority. To the extent permitted by the Public Procurement Act, a proposed project which contains the most energy-efficient plans within an acceptable budget shall have priority. Energy efficiency will be considered in the architectural evaluation.

A continuous study of energy use shall be maintained by the administration for future planning in new construction.

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78.

Cross Refs.: DJF Purchasing Procedures  
FA Facilities Development  
FEA Educational Facilities Specifications

## **ACCOMMODATIONS FOR THE DISABLED**

Plans for new buildings and renovations or alterations of existing buildings will offer such design and accommodations as to make the newly constructed buildings and renovated or altered areas accessible to disabled persons as required by law.

Legal Refs.: 29 U.S.C. § 794.  
42 U.S.C. §§ 12182, 12183.

Cross Ref.: AC Nondiscrimination

## **CONSTRUCTION PLANNING**

No public school building or addition or alteration thereto, for either permanent or temporary use, is advertised for bid, contracted for, erected or otherwise acquired until the plans and specifications therefor have been approved in writing by the superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects that such plans and specifications are, in the professional opinion and belief of the architect or professional engineer, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The superintendent's approval, architect's or engineer's statement and a copy of the final plans and specifications are submitted to the Superintendent of Public Instruction.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-140.

Cross Ref: FEA Educational Facilities Specifications

## **PUBLIC DEDICATION OF NEW FACILITIES**

The School Board may have a public dedication ceremony following completion of major building projects.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Ref.: FFA Naming School Facilities



## NAMING SCHOOL FACILITIES

It is the responsibility of the Scott County School Board to determine the name of schools and school facilities in the division. The Board will solicit and accept input from the public regarding the names of schools and school facilities but reserves the right to make the final decision regarding the name of any school or school facility. Suggestions regarding the name of a school or school facility must be in writing, must state the name of the person or group making the suggestion and must state the reasons supporting the suggestion. The School Board may create a committee to make recommendations to the Board on the naming of any school or school facility.

No school or school facility will be named for a living individual. Schools and school facilities may be named for individuals who have been deceased for at least 10 years.

The Board may rename a school or school facility upon a determination that it is appropriate to do so. The procedure for renaming a school or school facility will be the same as the procedure outlined above.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-79.

Cross Ref.: BCE School Board Committees  
FF Public Dedication of New Facilities

## **RETIREMENT OF FACILITIES**

School division buildings may become unsuitable for their present use, but may be used to benefit the school division or public in other ways. The superintendent reviews division schools and facilities on a continuing basis. The superintendent may recommend to the School Board that a particular school or school facility should be retired or its use changed. In determining whether a facility is to be retired, the School Board may consider the following factors, among others:

1. The adaptability of the building for continued use for its present purpose;
2. The suitability of the site of the building;
3. The maintenance and upkeep costs of the building;
4. The historic value of the building to the community.

The School Board shall invite the viewpoints of community residents and staff in making its decision to retire a school building.

If the School Board determines to close a facility, it will first consider other uses that the school division might make of the building prior to considering relinquishing possession of the building.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-129, 22.1-135, 22.1-136.

Cross Ref.: KG Community Use of School Facilities

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## PERSONNEL POLICIES GOALS

The goal of the employment policies and practices of the Scott County School Board is to promote the employment and retention of highly qualified personnel to effectively serve the educational needs of students.

No employee, contractor or agent of the Scott County School Board may assist a school board employee, contractor or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the employee, contractor or agent knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of law. This prohibition does not apply if the information giving rise to probable cause

1. A. has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct and
- B. has been properly reported to any other authorities as required by federal or state law, including title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) and the regulations implementing it and
2. A. the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor in violation of law;
- B. the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
- C. the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor or agent within 4 years of the date on which the information was reported to a law enforcement agency.

Legal Ref.: 20 U.S.C. § 7926.  
Code of Virginia, 1950, as amended, § 22.1-295.

Cross Refs.: AC Nondiscrimination  
GAE/JHG Child Abuse and Neglect Reporting  
GB Equal Employment Opportunity/Nondiscrimination  
GBL Personnel Records  
GBN Staff Hiring Procedure

## STAFF TIME SCHEDULES

### Work Schedules

The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the student and school are completed. Elementary school teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Work schedules for other employees are defined by the superintendent or superintendent's designee consistent with the Fair Labor Standards Act and the provisions of this policy.

### Workweek Defined

Working hours for all employees not exempted under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. For purposes of compliance with the Fair Labor Standards Act, the workweek for school district employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.

### Overtime and Compensatory Time

The Scott County School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

- (1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
- (2) is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee will be paid for any unused compensatory time at the rate of not less than the higher of

- (1) the average regular rate received by the employee during his/her last three years of employment, or
- (2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.

#### Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Legal Refs.:       29 U.S.C. § 201 et seq.  
                      29 C.F.R § 516.1 et seq.  
                      Code of Virginia, 1950, as amended, §§ 22.1-291.1, 40.1-28.8 et seq.

Cross Ref.:       IC/ID                School Year/School Day



## **Acceptable Use Policy for Electronic Information, Services, and Networks**

Current policy approved by School Board 06/05/2007

(Revised 7/10/15)

The School Board provides a computer system, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, image & document scanners, tape drives, servers, mainframe and personal computers, the Internet and other internal or external networks.

The purpose of telecommunications technology in Scott County Public Schools is to support research, communication, and education and to provide access to unique resources and opportunities for collaborative work. The use of SCPS computer networks, including Internet access, must be in support of education and consistent with the educational objectives of Scott County Public Schools and the Virginia Board of Education.

This policy applies to all users of SCPS electronic information, services, and networks. By using or accessing Division facilities or services, the user agrees to abide by this policy.

In accordance with Va. Code § 22.1-70.2, Scott County Public Schools requires all students/staff to receive NetSmartz Internet safety training or division developed Internet safety training. Internet safety is both taught to and practiced by all students and staff, grades K-12, with special emphasis placed in both the SCPS Grade 5 and Grade 8 curriculum.

Electronic information research skills are now fundamental for productive citizens and employees. Access to the Internet enables students, teachers, and administrators to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging information with people around the world. The Division expects that its teachers will blend thoughtful use of the Internet throughout the curriculum and will provide guidance and instruction to students in its use. As much as possible, access from school to Internet resources should be structured in ways which point students to those which have been evaluated prior to use. While students will be able to move beyond those resources to others that have not been previewed, they will be subject to supervision in an effort to provide Internet use that is particularly suited to learning objectives.

Scott County Public Schools will use a filter which seeks to prevent access to pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256, obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460, material which the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors. However, it is recognized that this filter alone is no guarantee that users will not be able to find Internet resources which are profane, offensive, obscene, or otherwise objectionable. The ultimate responsibility for appropriate use of Internet resources lies with the user. Parents and guardians may request alternative activities not requiring Internet use for their minor children.

Students utilizing SCPS-provided Internet access must first have the permission of and must be supervised by the Division's professional staff. Students utilizing school-provided Internet access are responsible for good behavior on-line just as they are in a classroom or other area of the school. The same general rules for behavior and communications apply. To remain eligible as users, students' use must be in support of and consistent with the educational objectives of the Division. Access is a privilege, not a right. Access requires responsibility.

## **Computer System Use-Terms and Conditions.**

**1. Acceptable Use.** Scott County Public Schools provides employees and students with access to its telecommunication systems. The purpose of these systems is not general access but has a more specific limited educational purpose. This purpose includes use of telecommunication systems for professional SCPS business, classroom instructional activities, professional and career development and to further educational personal goals consistent with the school division mission, goals, and objectives and school policies. Uses which might be acceptable on a user's personal account on another system may not be acceptable on these limited purpose systems. Access to the Division's computer system shall be for the purposes of education or research and be consistent with the educational objectives of the Division or for legitimate school business.

### **Internet Guidelines:**

The school division will provide access to the Internet based on the following guidelines:

1. In elementary schools (K-4), teachers will actively supervise student use of the Internet. Access is password driven. Teachers will make every effort to ensure that students are directed to sites with only age- and topic-appropriate material. Best teaching practice recommends teachers bookmark or use portals to direct usage.
2. In upper elementary school (5-6), teachers will supervise and model appropriate use of the Internet. Students will continue to have Internet access under direct teacher supervision; however, students will, also, experience guided practice leading towards gaining skills to become an independent, responsible user of the Internet. Teachers will model skills needed to search for information within an area of study, to filter information for credibility and worth, and to recognize areas of inappropriate information sources or access. Teachers will explore an Internet site before directing students to that site. Teachers will make every effort to ensure that students are directed only to sites with age- and topic-appropriate material and resources.
3. In middle school (7-8), teachers will provide guided practice and model appropriate use of the Internet. Teachers will supervise student initiated information search activities and provide support for students as they begin to assume responsibility for becoming independent users of the Internet. Teachers will make every effort to ensure that students explore only sites with age and topic-appropriate material and resources.
4. In high school (9-12), students will participate in independent Internet use with teachers assuming less of a monitoring role and more of an advisory role.

**2. Privilege.** The use of the Division's computer system is a privilege, not a right.

**3. Unacceptable Use.** Each user is responsible for his or her actions on the computer system as described below.

### **Prohibited Conduct Includes:**

- ♦ to use the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal, state or local law.
- ♦ to send, receive, view or download illegal material via the computer system.
- ♦ to download unauthorized software .
- ♦ to download copyrighted material for unauthorized use.
- ♦ to use the computer system for private financial or commercial gain.
- ♦ to transmit profane, obscene, abusive, sexually explicit, or threatening language.
- ♦ to wastefully use resources, such as file space.
- ♦ to gain unauthorized access to resources or entities.
- ♦ to post material unauthorized or created by another without his or her consent.
- ♦ to use the computer system for commercial or private advertising.
- ♦ to "hack into" or otherwise access data not intended for the user including, but not limited to, other users' files and administrative data.

- ◆ to share passwords with others, circumvent the menu/password and/or internet filtering software installed on Division computers.
- ◆ to access, upload, download, or distribute profane, pornographic, obscene, sexually explicit, or illegal material.
- ◆ to transmit profane, obscene, abusive, sexually explicit, or threatening language; to violate any local, state, or federal law.
- ◆ to vandalize, damage, or disable the property of another individual or organization
- ◆ including destroying data by creating or spreading viruses or by other means.
- ◆ to violate copyright or otherwise use the intellectual property of another individual or organization without permission.
- ◆ to download or install any network monitoring software as well as any computer monitoring software

The following uses of school-provided computer networks including Internet access are not permitted by students unless authorized by the Scott County Public Schools Technology Department:

- ◆ to access the school division computer network with privately owned laptop computers
- ◆ to download and/or install software on the school division's computers

**4. Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:

- ◆ Be polite.
- ◆ Users shall not forge, intercept or interfere with electronic mail messages.
- ◆ Users shall use appropriate language. The use of obscene, lewd, profane, threatening, discriminatory remarks or disrespectful language is prohibited.
- ◆ Users shall not post personal contact information about themselves or others.
- ◆ Users shall respect the computer system's resource limits.
- ◆ Users shall not post chain letters or download large files.
- ◆ Users shall not use the computer system to disrupt others.
- ◆ Users shall not read, modify or delete data owned by others.

**5. Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs, or damages incurred by the School board relating to or arising out of any violation of these procedures.

**6. Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

Users should not expect that files stored on school-based computers will be private. Electronic messages and files stored on school-based computers are always regarded as property of the Division. Authorized administrators and faculty may review files and logs of Internet use at any time, without reason or prior notice, to maintain system integrity and determine that users are acting responsibly or otherwise consistent with this policy.

**7. Vandalism.** Intentional destruction of or interferences with any part of the computer system through creating or downloading computer viruses or by any means is prohibited.

**8. Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone, data, or long distance charges.

**9. Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an

educational tool. Electronic mail is not private. Student's electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

**10. Enforcement.** Software will be installed on the Division's computers having Internet access to filter or block Internet access through such computers to child pornography and obscenity. The online activities of minors may also be monitored manually. Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.

Any violation of Division policy and rules may result in immediate termination of Division-provided access to the Internet. Additional disciplinary action may be determined at the building level in keeping with existing procedures and practices regarding inappropriate conduct. When and where applicable, law enforcement agencies may be involved.

The Scott County School Board makes no warranties of any kind, neither expressed nor implied, for the Internet access it is providing. The Division will not be responsible for any damages users suffer, including--but not limited to--loss of data resulting from delays or interruptions in service; the accuracy, nature, or quality of information stored on Division diskettes, hard drives, or servers; the accuracy, nature, or quality of information gathered through Division-provided Internet access; personal property used to access Division computers or networks or for Division-provided Internet access; nor for unauthorized financial obligations resulting from Division-provided access to the Internet.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

**11. Portable Communication Devices.** "Portable Communication Devices" are defined to include portable two-way telecommunication devices, including but not limited to cellular telephones, beepers, walkie-talkies, personal digital assistants, digital media players such as IPOD, Zoom, MP3 Players or any other digital media player, any text messaging device and other hand-held computing devices (when such device is being used as a communication device). This definition will also include any new technology developed for similar purposes.

**Possession, Display and Use**

- ◆ Students in schools may possess, display and use "Portable Communication Devices" before or after the school day only as set forth in this regulation.
- ◆ The school may revoke the privilege to possess or use the Portable Communication Devices for violation of this regulation. Students being identified as needing assistive technology devices as prescribed in IDEA or Section 504 would be excluded from this regulation and would be permitted the use of technology devices as prescribed in their IEP.
- ◆ To avoid disruption of the instructional process, students shall not display, use, activate, or permit Portable Communication Devices to be activated during the school day. The "school day" includes, but is not limited to, study halls, lunch break, class changes and any other structured or non-structured instructional activity that occurs during the normal school day (Normal school day begins when students enter a bus and ends when dropped off). Students are responsible to ensure that their devices are turned off and out of sight during the school day.
- ◆ Before or after the end of the school day, students may possess, display and use such Portable Communication Devices, as long as such Portable Communication Devices are not displayed, activated or used inside school buildings or on school buses unless use inside school buildings or buses is specifically permitted by school administration.

### **Responsibility/Liability**

The School Board will assume no responsibility in any circumstance for the loss/destruction/damage or theft of Portable Communication Devices or for any communication bill associated with the authorized or unauthorized

### **Discipline**

School officials shall take possession of Portable Communication Devices for any violation of this regulation and parents/legal guardians must make arrangements with school officials to claim such devices. Specific days and times may be established by school officials for parents/legal guardians to retrieve such devices. Confiscated Portable Communication Devices will not be released to students under any circumstances.

In addition to school officials taking possession of these Portable Communication Devices until the parents/legal guardians retrieve such Portable Communication Devices, students who violate this regulation shall be subject to discipline in accordance with the Scott County Public Schools Discipline Guidelines as specified in the Code of Student Conduct. Such Discipline Guidelines shall include but not be limited to revocation of the privilege to possess or use a Portable Communication Device on school property, a school bus, or at a school sponsored event.

**12. Camera Devices.** “Camera Devices” are defined as any device used to input media into a recording device. Devices, including but not limited to cellular telephones with cameras, digital cameras, camcorders and any other imaging devices (when such device is being used as an imaging device). This definition will also include any new technology developed for similar purposes.

- ◆ Camera devices may not be used in any unethical or illegal manner.
- ◆ Camera devices may not be used to photograph another person who has a reasonable expectation of privacy without that person’s knowledge and consent.
- ◆ Camera devices may not be used in a way that would violate another person’s copyright.
- ◆ Camera devices may not be used to harass, intimidate, or bully another person or to invade another person’s privacy.
- ◆ An image taken using a camera device may not be published, broadcast, or transmitted to any other person, by any means, without the knowledge and consent of each person appearing in that image who had a reasonable expectation of privacy at the time the image was recorded, or the person who owns the copyright in the material appearing in that image.

### **Prohibited Locations**

- ◆ Camera devices may not be used on school board property without a teacher’s or principal’s permission that specifies the purpose and duration of the use.
- ◆ Camera devices may not be used in any locker room, restroom, or any other place where other people have a reasonable expectation of privacy.

**13. Surveillance Cameras.** The Scott County School Board authorizes the use of closed circuit cameras on school premises to ensure the health, safety, and well being of all staff, students, and visitors, and to safeguard district facilities and property. Cameras may be used in common areas as determined to be appropriate by the superintendent. “Common areas” means those locations to which students, employees and/or visitors have access and there is not an expectation of privacy, such as but not limited to parking lots, hallways, gymnasiums, auditoriums, and buses.

Surveillance recordings may be used to determine if staff, students, or visitors have violated board policies, administrative directives, building rules, or laws. Staff, students, or visitors may be subject to disciplinary action and/or referred to law enforcement regarding conduct observed by viewing surveillance recordings. The administration is authorized to determine the frequency that surveillance recordings will be regularly reviewed as well as the placement and focus point of all cameras.

Surveillance cameras will not be used as part of a teacher evaluation, without teacher consent.

The recordings shall be retained for a minimum of three days. The district shall have no duty to retain recordings longer than this retention period.

### **Use of Personal Devices**

Students of Scott County Public Schools may bring personal mobile internet devices to school to use as educational tools but only with direct teacher permission. The use of these devices during instructional time will be at the teacher's discretion and only for instructional purposes. Students must obtain teacher permission before using an electronic device during classroom instruction and must turn off and put away an electronic device when requested by a teacher.

Personal Electronic Devices (PED) includes but is not limited to iPods, iPads, other tablets, e-readers, and cell phones. All users must adhere to the Acceptable Use Agreement Form signed by the student and the parent/guardian.

### **Fiscal Responsibility**

Scott County Public Schools (SCPS) assumes no responsibility in any circumstance for loss, destruction, damage, theft, or charges made on monthly statements for personal devices.

### **Data Responsibility**

SCPS assumes no responsibility for any data contained on any personal electronic device. SCPS does not guarantee the privacy or security of any item stored on or transmitted by any privately owned electronics devices.

The use of a personal device carries no right or expectation of privacy. SCPS reserves the right to monitor, review, and restrict the use of any PED. The contents of the equipment shall be subject to review if reasonable suspicion exists that the student violated the law and/or school rules.

The students are responsible for knowing how to properly and effectively use their PED and are personally responsible for the equipment. Any damage to the equipment and charges related to the use of the device is the responsibility of the individual. **Division technicians will not support, service, or repair any equipment that does not belong to the school division.**

Students are not to download software or other SCPS programs to their PEDS.

At all times of appropriate use, sound must be turned off and backgrounds and screensavers must be appropriate for school.

Music, video, or other large data files required for a specific assignment must be stored on the device and not streamed or downloaded while on the school network.

Students are not permitted to use their personal electronic device to access the Internet by any manner other than connecting through the secure wireless network provided.

Legal Refs:        18 U.S.C. §§ 1460, 2256.  
                          47 U.S.C. § 254.  
                          Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.  
                          Guidelines and Resources for Internet Safety in Schools, Virginia Department of Education  
                          (Second Edition October 2007)

Cross Refs:        EGAA                    Reproduction of Copyrighted Materials  
                          GCPD                   Professional Staff Discipline  
                          JFC                      Student Conduct  
                          JFC-R                   Standards of Student Conduct

## Acceptable Use Policy for Electronic Information, Services, and Networks

**Each employee must sign this Agreement as a condition for using the School Division's computer system. Each student and his or her parent/guardian must sign this Agreement before being permitted to use the School Division's computer system. Read this Agreement carefully before signing.**

Prior to signing this Agreement, read Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R, Acceptable Computer System Use. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Name \_\_\_\_\_  
(Please Print)

Student/Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

I have read this Agreement and Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R. I understand that access to the computer system is intended for educational purposes and Scott County School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy, and regulation with my student.

I grant permission for my student to use the computer system in accordance with Scott County School Division's policies and regulations and for the School Division to issue an account for my student

Parent/Guardian Name \_\_\_\_\_  
(Please Print)

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

**LETTER TO PARENTS:  
Acceptable Use Policy for Electronic Information, Services, and Networks**

Dear Parent/Guardian:

The Scott County School Board offers your child the use of electronic communications through the Scott County School Division's computer system. Your child will be able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

Part of the School Division's responsibility in preparing students for the 21st century is to provide them access to the tools they will be using as adults. The Internet will likely be one of these tools. Through the Division's computer system your child will have access to databases, libraries and computer services from all over the world. We accept the responsibility of teaching your child about his/her role as a "network" citizen and the code of ethics involved with this new community.

With this educational opportunity also comes responsibility on the part of your child. It is important that you and your child read the enclosed Division policy, administrative regulation and agreement form and discuss these requirements. The Division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

In order for your child to take advantage of this educational opportunity, your authorization is needed. Attached to this letter are the Acceptable Computer System Use Policy and Regulation (GAB/IIBEA) and the Acceptable Computer System Use Agreement which both you and your child must sign before your child may use the computer system. Please review these materials carefully with your child before signing the required agreement.

Sincerely,



## **SOCIAL MEDIA GUIDELINES**

In accordance with GAB/IIBEA, Acceptable Computer System Use Policy, Scott County Public Schools provides a computer system for technological communications, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. Scott County Public Schools has no legal responsibility for content of or to regulate/review off-campus Internet activity or e-communications. Internet activity is defined as blogs, IM, Chat social networks and Web sites including but not limited to Facebook, Flickr, LinkedIn, MySpace, Second Life, Twitter, Wikis, online forums, virtual worlds, YouTube, Chat Room, other emerging sites. E-communication acts of employees are defined as texting and/or IM. However, SCPS reserves the right to discipline employees for actions taken off-campus, which would violate the aforementioned policy and plan stipulations if occurring on-site, if such actions adversely affect the safety, well-being or performance of students while in school, on school buses, at school activities or coming to and from school; if such actions threaten violence against a student or employee, if such actions violate local, state or federal law, or School Board policies or regulations, or if such actions disrupt the learning environment, administration, or orderly conduct of the school. Employees will be held responsible for their disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party. When information is posted on the Internet, it is posted for public display. As such, the SCPS employee has no expectation of privacy for any information he posts on the Internet. Consequently, the division may take disciplinary measures, up to and including dismissal, for employee off-campus Internet and/or e-communication activities which are inconsistent with the professional and ethical standards expected of SCPS employees. In accordance with GCPD Professional Staff Discipline and GCPF Suspension of Staff Members, the division may take disciplinary measures, up to and including dismissal, for employee off-campus Internet and e-communication activities.

## **ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS**

The Scott County School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the Board will not be liable for having the information but will not use the information to gain access to the employee's social media account.

This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding.

Legal Ref.: Code of Virginia, 1950, as amended, § 40.1-28.7:5.

Cross Ref.: GAB/IIBEA                      Acceptable Computer System Use

## CHILD ABUSE AND NEGLECT REPORTING

### Reporting Requirement

Every employee of the Scott County School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

### Notice of Reporting Requirement

The School Board posts in each school a notice that

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and
- all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

### Complaints of Abuse and Neglect

The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.A, 22.1-291.3, 63.2-1509, 63.2-1511.

Cross Refs.: JFHA/GBA Prohibition Against Harassment and Retaliation  
GBLA Third Party Complaints Against Employees

## SCHOOL EMPLOYEE CONFLICT OF INTERESTS

### A. Purpose

The State and Local Government Conflict of Interests Act (the Act), applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The purpose of this policy is to provide an introduction to the Act for employees. Additional information regarding the Act may be obtained from Policy BBFA Conflict of Interests and Disclosure of Economic Interests and from the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) which assists with compliance with the Act.

### B. Compliance

School board employees are required to read and be familiar with the Act. The superintendent provides employees with information regarding how to access the Act and how to contact the Ethics Council.

The Act's provisions are complex and their application is fact-specific. A violation of the Act could result in civil or criminal penalties. Therefore, if an employee has any question whether an interest the employee has in a contract or transaction involving the school division is prohibited under the Act, the employee should contact the superintendent's office or the Ethics Council for assistance.

### C. Areas of Regulation

The Act prohibits school employees from having a "personal interest," as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee's immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).

Under the Act, an employee may be considered to have a prohibited conflict arising from:

- a personal interest in a contract;
- a personal interest in a transaction;
- business opportunities tied to official acts;
- misuse of confidential information; or
- receipt or solicitation of certain gifts.

Examples of prohibited conduct include:

- soliciting or accepting money or other thing of value for services performed within the scope of the employee's official duties, except for the employee's compensation, expenses or other remuneration paid by the division;
- using for the employee's own economic benefit or that of another party, confidential information that the employee has acquired by reason of the employee's public position and which is not available to the public;
- accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the employee in the performance of the employee's official duties;
- accepting any business or professional opportunity when the employee knows that there is a reasonable likelihood that the opportunity is being afforded to influence the employee in the performance of the employee's official duties;
- entering into contracts with the school division under certain circumstances;

- accepting a gift from a person who has interests that may be substantially affected by the performance of the employee’s official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee’s impartiality in the matter affecting the donor; and
- accepting gifts from sources on a basis so frequent as to raise an appearance of the use of the employee’s position for private gain.

D. Awards to Employees for Exceptional Service

The Act does not prohibit or apply to the acceptance by a teacher or other employee of the Scott County School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

E. Advisory Opinions

Employees may seek written opinions regarding application of the Act from the local Commonwealth’s Attorney, the local county attorney or the Ethics Council. Good faith reliance on a written opinion of the Commonwealth’s Attorney or a formal opinion or written informal advice of the Ethics Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion or advice was made after a full disclosure of the facts. If the employee relies on written informal advice given by the Ethics Council in a prosecution for a knowing violation of the Act, the record of the request and the written informal advice given shall be a public record and released upon request. An opinion of the local county attorney may be introduced at trial as evidence that the employee did not knowingly violate the Act.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3121, 2.2-3124 and 30-356.

Cross Ref.:	BBFA	Conflict of Interests and Disclosure Requirements
	CBCA	Disclosure Statement Required of Superintendent
	DJG	Vendor Relations
	GCCB	Employment of Family Members
	GCQA	Nonschool Employment by Staff Members
	KGA	Sales and Solicitations in Schools
	KJ	Advertising in the Schools

## **EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION**

### **I. Policy Statement**

The Scott County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, religion, national origin, ancestry, political affiliation, sex, gender, gender identity, age, marital status, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The Scott County School Board provides facilities, programs and activities that are accessible, usable and available to qualified disabled persons. Further, the Scott County School Board does not discriminate against qualified disabled persons in the provision of health, welfare and other social services.

The statement, "The Scott County School Board is an equal opportunity employer," is placed on all employment application forms.

### **II. Notice of Policy/Prevention**

This policy is (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination is included in employee in-service training.

### **III. Complaint Procedure**

#### **A. File Report**

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the Compliance Officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the Compliance Officers designated in this policy. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

#### **B. Investigation**

Upon receipt of a report of alleged discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the superintendent. If

the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the superintendent has violated this policy, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

#### C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a written decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the Compliance Officer's report or the time a committee is appointed, if there is no standing committee. The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken.

The written decision must be mailed to or personally delivered to the complainant within 5 calendar days of the issuance of the decision. If the superintendent, superintendent's designee or committee concludes that prohibited discrimination occurred, the BLANK School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including dismissal.

#### D. Appeal

If the superintendent, superintendent's designee or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent, superintendent's designee or the committee, whichever issued the written decision,

and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

E. Compliance Officer and Alternate Compliance Officer

The Scott County School Board has designated **Brenda Robinette, 340 East Jackson Street, Gate City, VA 24251, 276-386-6118, [brenda.robinette@scottschools.com](mailto:brenda.robinette@scottschools.com)**, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer **Jason Smith, [jason.smith@scottschools.com](mailto:jason.smith@scottschools.com), or Jennifer Frazier, [jennifer.frazier@scottschools.com](mailto:jennifer.frazier@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118.**

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity and has the authority to protect the alleged victim and others during the investigation.

IV. Retaliation

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints and who participate in investigations of how to report any subsequent problems.

V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent discrimination is included in employee orientations and in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to school personnel and (2) included in employee handbooks. All employees are notified annually of the names and contact information of the Compliance Officers.

VII. False Charges

Employees who knowingly make false charges of discrimination are subject to disciplinary action.

Legal Refs.:           20 U.S.C. § 1681 et seq.  
                              29 U.S.C. § 701.  
                              42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq.



Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	BCE	School Board Committees
	GB-F	Report of Discrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	GCPD	Professional Staff Discipline
	JB	Equal Educational Opportunities/Nondiscrimination
	KKA	Service Animals in Public Schools

### REPORT OF DISCRIMINATION

Name of Complainant: \_\_\_\_\_

For Employees, Position: \_\_\_\_\_

For Applicants, Position Applied For: \_\_\_\_\_

Address, Phone Number  
and Email Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date(s) of Alleged Discrimination: \_\_\_\_\_

Name(s) of person(s) you believe discriminated against you or others: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Complaint Received By: \_\_\_\_\_  
Compliance Officer

\_\_\_\_\_  
Date

## PROHIBITION AGAINST HARASSMENT AND RETALIATION

### Policy Statement

The Scott County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Scott County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

#### The school division

- promptly investigates all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

### Definitions

#### A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact

- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

**B. Harassment Based on Race, National Origin, Disability or Religion**

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

**C. Additional Prohibited Behavior**

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, perceived sexual orientation or gender identity.

**Complaint Procedure**

**A. Formal Procedure**

**1. File Report**

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to

one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

## 2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

### 3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Scott County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

### 4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

### 5. Compliance Officer and Alternate Compliance Officer

The Scott County School Board has designated **Brenda Robinette**, [brenda.robinette@scottschools.com](mailto:brenda.robinette@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Office **Jason Smith**, [jason.smith@scottschools.com](mailto:jason.smith@scottschools.com), or **Jennifer Frazier**, [jennifer.frazier@scottschools.com](mailto:jennifer.frazier@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118.

The Compliance Officer shall

- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and

- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

**B. Informal Procedure**

If the complainant and the person accused of harassment agree, the student’s principal or principal’s designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal’s designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

**Retaliation**

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

**Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

**Prevention and Notice of Policy**

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

**False Charges**

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Legal Refs: 20 U.S.C. §§ 1681-1688.  
 29 U.S.C. § 794.  
 42 U.S.C. §§ 2000d-2000d-7.  
 42 U.S.C. §§ 2000e-2000e-17.  
 42 U.S.C. § 2000ff-1.  
 34 C.F.R. 106.9.  
 Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs: AC Nondiscrimination

AD	Educational Philosophy
GB	Equal Employment Opportunity/Nondiscrimination
GBM	Professional Staff Grievances
GBMA	Support Staff Grievances
JB	Equal Educational Opportunities/Nondiscrimination
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JFHA-F/GBA-F	Report of Harassment
GCPD	Professional Staff Discipline
JHG	Child Abuse and Neglect Reporting
KKA	Service Animals in Public Schools



### Report of Harassment

Name of Complainant: \_\_\_\_\_

For Students, School Attending: \_\_\_\_\_

For Employees, Position and Location: \_\_\_\_\_

Address, Phone Number  
and Email Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date(s) of Alleged Incident(s) of Harassment: \_\_\_\_\_

Name of person(s) you believe harassed you or others: \_\_\_\_\_

\_\_\_\_\_

If the alleged harassment was toward another, please identify that person: \_\_\_\_\_

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Complaint Received By: \_\_\_\_\_

(Principal or Compliance Officer)

\_\_\_\_\_  
Date

## **STAFF COMPENSATION PROCEDURES**

Employees will be paid in accordance with the Scott County school division pay schedule. Employees who work less than 12 months will be given a copy of the document entitled "Written Notice of How Employees Who Work Less Than 12 Months are to be Paid."

Legal Ref.: 26 U.S.C. § 409A

## **STAFF COMPENSATION PROCEDURES**

Teachers, who complete a Master's Degree and wish to have the Master's supplement added to their contract for the following year, must submit a letter to the Human Resource Manager by February 1 so the monies can be added to the next school year's budget.

Scott County Schools will be charging for request of additional copies of paystubs (\$5.00) and additional copies of W-2's (\$7.00), effective 9/1/13. There is a five day turnaround time once the request has been made.

**DEFERRED WAGE PAYMENT ELECTION FORM**

This is to notify the Scott County school division that I have elected, beginning with the 2010-2011 school year, to have the salary for the period I actually perform services paid out over a 12-month period.

In the event that a separation from service occurs before the end of the 12-month payment period, I will be entitled to an additional payment for the amount I have actually earned from the beginning of the 12-month pay period until the date of my separation from service, but which has not yet been paid. This additional payment will be included in my final paycheck. For this purpose, "separation from service" has the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations.

This notice is irrevocable for any particular school year, and may not be changed or withdrawn after the beginning of the school year in which I am working. This notice will be effective for the 2010-2011 school year and all following school years unless I change my election. If I choose not to have my salary deferred in any future school year and be paid only during the period that I actually perform services, I will so notify the Scott County school division in writing prior to beginning work for that school year.

This notice will have no effect if it is not submitted to the division prior to the time I begin working for the 2010-2011 school year.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name

**NOTICE OF HOW EMPLOYEES WHO WORK LESS THAN  
12 MONTHS ARE TO BE PAID**

This notifies **[name of employee]** that Scott County school division requires him or her to be paid over 12 months regardless of the fact that he or she will actually work over a shorter time period. Specifically **[name of employee]** will receive **[school division should choose one of the following]**

12 equal monthly payments of **[dollar amount of each payment]** beginning on **[date]**

24 equal bi-monthly payments (or 26 equal payments every two weeks) of **[dollar amounts of each payment]** beginning on **[date]**.

In the event that a separation from service occurs before the end of the 12-month payment period, **[name of employee]** will be entitled to an additional payment for the amount actually earned from the beginning of the 12-month pay period until the date of separation from service which has not yet been paid. This additional payment will be included in the employee's final paycheck. For this purpose, "separation from service" has the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations.

## **BOARD-STAFF COMMUNICATIONS**

The Scott County School Board supports and encourages two-way communication between the Board and employees. The superintendent is the official representative of the School Board as its chief administrative officer in its relations and communications with its employees. A description of the two-way communication system is included in this policy manual.

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the School Board and/or the administrative staff.

The School Board desires to develop and maintain the best possible working relationship with the employees of the school division. The School Board welcomes the viewpoints of employees, and it shall allow time at its meetings for employees to be heard.

The School Board does not discriminate against any employee by reason of his or her membership in an employee organization, or participation in any lawful activities of the organization.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.1.

## **COMMUNICATIONS POLICY SCOTT COUNTY PUBLIC SCHOOLS**

1. Charge

The Communications Representatives will seek to reach common understanding, based on a consensus process, which they will present jointly to the Board for its consideration.

2. Definitions

Representatives will consist of one elected professional employee from each school, one School Board member, and the Superintendent or his/her designee.

3. Procedure

Beginning no later than October 1 of each year, the Communications Committee will meet to examine problems and proposals and to establish a schedule of meetings, times, and places agreeable to members. These meetings will be held at the discretion of the Committee.

Matters on which consensus cannot be reached by the Committee may be submitted to the Board with the opportunity for individual to provide rationale for their position concerning these matters.

This procedure will in no way act to prohibit any individual or group from submitting recommendations to the Board or the administration as deemed necessary.

## STAFF HEALTH

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

### Physical Exams for School Bus Drivers

No person shall be employed as a bus driver unless he or she has a physical exam of the scope required by the Board of Education and provides the School Board the results of the exam on the form prescribed by the Board of Education. Such exam and report may be provided by a licensed nurse practitioner or physician assistant.

The School Board may also require alcohol and drug testing in accordance with Policy GDQ School Bus Drivers.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1-300, 22.1-301, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	GDQ	School Bus Drivers
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

## **STAFF HEALTH (Employee Assistance Program)**

Most human problems can be successfully treated, provided they are identified in the early stages and referred to an appropriate type of care. The cause of these problems may stem from substance abuse or emotional or family concerns. The purpose of the Employee Assistance Program (EAP) is to offer a method for identification and referral so that division employees and their families can take constructive action in dealing with personal problems.

### General Guidelines

1. Program participation is voluntary and confidential. The employee may enter the program through self-referral or supervisory referral. In either case, all matters will be conducted on a strictly confidential and humane basis. Exceptions to this would be cases of suspected child abuse, which must be reported to appropriate authorities in accordance with Virginia State Statutes and established division procedures, and other unprofessional or inappropriate conduct involving students.
2. Employees who have a problem are encouraged to seek counseling and information on a voluntary basis by contacting the Supervisor of Personnel.
3. No documentation regarding the employee's participation in the EAP program will become part of the employee's personnel file, and at no time shall the division discriminate against any employee in terms of job security or promotional considerations as a result of that employee participating or not participating in this program.
4. At employee request, sick leave may be granted for treatment or rehabilitation on the same basis as is granted for ordinary health problems.
5. If there are costs incurred as a result of a program referral that exceed those covered by the employee's insurance benefits, these costs will be the responsibility of the employee.

### DRUG FREE WORK PLACE FOR EMPLOYEES

It is the policy of the Scott County Public School System that no employee while on school premises or while in the conduct of official school activities off school premises shall possess, allege to possess, use, allege to use, sell, allege to sell, transmit, allege to transmit, be under the influence of any narcotic drug, hallucinogenic drug, stimulant drug, amphetamine, intoxicant of any kind, or mood behavior altering substance of any kind.

Any employee identified as involved in substance abuse will be subject to appropriate disciplinary measures by the Scott County School Board, including:

1. referral to and completion of an appropriate rehabilitation program
2. referral for prosecution
3. termination of employment

The abuse of legal or prescription drugs that adversely affects an employee's ability to perform his/her duties in any way may result in the immediate removal of such employee from school premises, and the employee will be subject to discipline up to and including termination of employment.

All employees shall be given a copy of this Drug Free Work Place Policy and the statement of disciplinary sanctions required and shall be notified that compliance with this Policy is mandatory.



**SOURCES FOR HELP**

Southwest Virginia Alcohol  
Safety Action Program  
104 East Jackson Street  
Gate City, Virginia 24251  
(540) 386-6011

Holston Mental Health  
210 colonial Heights Road  
Kingsport, TN 37663  
(423) 239-7131

Holston Alcohol & Drug Council  
1735 Fort Henry Drive  
Kingsport, TN 37660  
1-800-251-7596 (From Virginia)

Virginia Drug and Alcohol Information  
1-800-468-1359

Indian Path Pavilion  
2300 Pavilion Drive  
Kingsport, TN 37660  
(423)378-7500

Alcoholics Anonymous  
(Kingsport Area)  
(423) 245-1440

Alcohol Helpline  
1-800-252-6465

St. Mary's Center  
910 Virginia Ave.  
Norton, VA 24273

Woodridge Hospital  
403 State of Franklin Road  
Johnson City, TN 37604  
(423) 928-7111

St. Albans Hospital  
P.O. Box 3608  
Radford, VA 24143

**UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING,  
POSSESSION OR USE OF A CONTROLLED SUBSTANCE**

The Scott County School Board is committed to maintaining a Drug-Free Workplace.

Prohibited Conduct

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity or on any school-sponsored trip. It is a condition of employment that each employee of the Scott County School Board will not engage in such prohibited conduct and will notify the Scott County School Board of any criminal drug conviction for a violation occurring on school property, at any school activity or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Discipline

The superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction on, or the requiring of the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted of a violation occurring on school property, at any school activity or on any school-sponsored trip.

Distribution of Policy

All employees shall be given a copy of this policy.

Drug-Free Awareness Program

The Scott County School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

Legal Refs.: 41 U.S.C. §§ 8103, 8104.  
Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: GCPD Professional Staff Discipline  
GDQ School Bus Drivers

## **DRUG AND ALCOHOL TESTING**

The Scott County School Board seeks to provide a drug-free, safe, and secure work environment for all employees of the Board and all students served by the School Division. All employees will receive a copy of the Drug and Alcohol Testing Policy and will sign a statement certifying that he/she has received a copy of the policy and the division shall maintain this signed copy.

### **REQUIRED TESTING**

- Testing for Employees Required to Maintain Commercial Drivers Licenses (CDLs)

All employees who are required to maintain a CDL for employment activities will be required to submit to drug and alcohol testing in accordance with Policy File GDQ.

- Testing Where There is Reasonable Suspicion

An employee is required to undergo drug and/or alcohol testing if school administration determines there is a reasonable suspicion that the employee is under the influence of drugs and/or alcohol. Reasonable suspicion means suspicion, based upon objective and articulable facts, sufficient to lend a prudent supervisor to suspect that an employee is under the influence of alcohol and/or drugs. Such objective and articulable facts may include, but are not limited to, impaired motor coordination, smell of alcohol, observed use, possession and/or sale of alcohol and/or drugs, violation of drug statutes, frequent tardiness and/or absences, and poor job performance.

- Testing for Employees Involved In or Connected With Accidents

If an employee is involved in or connected with an accident involving personal injury or property damage while on the job or an accident involving a government-owned vehicle, he/she may be tested for drug and/or alcohol use if recommended by an immediate supervisor.

- Random Testing

If there is determined to be a need by the Division Superintendent, school personnel may be subject to random drug screens as deemed necessary to further the educational interests and/or welfare of the school division. Before the implementation of such random testing, the Division Superintendent shall provide notice, in writing, to school personnel of the reasons for such testing. School personnel is defined for this policy provision as all employees of the Scott County School Board regardless of employment position.

### **PROCEDURES**

If an employee is requested to submit to a test for the presence of drugs and/or alcohol, the employee will be given a full explanation of the testing procedure and will be required to sign a consent form. Drug tests will consist of testing for substances, which may include marijuana, synthetic cannabinoids, opiates, cocaine, amphetamines, phencyclidine, MDMA, and/or any other substance defined as a "controlled substance" by either Virginia or Federal law. Drug testing will be conducted by obtaining a specimen of oral fluid and/or urine or as otherwise permitted by law. An Evidential Breath Test (EBT) using an EBT device operated by a trained technician will be used to test for alcohol.

Testing will be performed on a very private, strictly confidential basis. All medical information will be considered confidential and will be available only to staff members authorized to access personnel records.

Where there is reasonable suspicion that an employee is under the influence or using drugs and/or alcohol in violation of this policy, a school official shall transport the suspected employee to a pre-approved testing site to submit to testing for alcohol and/or drugs.

An employee involved in a work-related accident shall, upon direction of his/her immediate supervisor, as soon as reasonably possible, submit to testing for alcohol and/or drugs at a pre-approved testing site.

The employee must remain available for drug and/or alcohol testing until the testing has been conducted. An employee who fails to remain readily available for such testing shall be deemed to have refused to submit to testing.

#### CONSEQUENCES

An employee who is tested for reasonable suspicion shall be placed on leave with pay until the test results are received. Any employee who refuses to submit to testing, attempts to tamper with the results of a drug and/or alcohol test, or refuses to release the results of a drug and/or alcohol test shall be charged with insubordination and suspended with pay in accordance with Policy GCPF and/or may be subject to further disciplinary actions up to, and including termination. Any employee so suspended shall continue to receive his/her then applicable salary unless and until the school board, after a hearing, determines otherwise in accordance with Policy GCPF.

Any employee whose test yields a confirmed positive result for alcohol and/or drugs may be subjected to disciplinary action, up to and including termination, and/or may be required to satisfactorily participate in and complete a drug abuse assistance or rehabilitation program. An employee may also be required, as a condition of continued employment, to submit to follow-up and return-to-duty testing, and/or testing pursuant to an agreed to testing schedule.

#### SEARCHES

Scott County Public Schools reserves the right to search, without employee consent, all areas and property in which it maintains either full control or joint control with the employee, including, but not limited to, Scott County Public Schools' vehicles, property, and equipment, under the following circumstances:

1. when an employee is required to submit to reasonable suspicion testing;
2. when an employee is required to submit to post-accident testing; and/or
3. when an employee who is subject to random testing receives a confirmed positive result.

Searches may be conducted only by authorized administrative personnel. Nothing in this policy, however, shall be interpreted to prohibit any search by law enforcement.

#### COST

Scott County Public Schools shall bear the cost of all initial testing requested by a school official. All costs associated with a re-test of a confirmed positive test result shall be borne by the employee.

Adopted: June 26, 2014

## **STAFF WEAPONS IN SCHOOL**

No one may possess or use any firearm or any weapon, as defined in Policy JFCD Weapons in School, on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place or on any school bus without authorization of the superintendent or superintendent's designee.

Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal.

Illegal conduct will be reported to law enforcement officials.

Legal Refs: Code of Virginia, 1950, as amended, §§ 18.2-308.1, 22.1-78, 22.1-279.3:1, 22.1-280.2:1.  
8 VAC 20-560-10.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
JFCD Weapons in School  
KGB Public Conduct on School Property

## **TOBACCO-FREE SCHOOL FOR STAFF AND STUDENTS**

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy,

1. "School property" means:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
  - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

### Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

### Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Legal Refs.: 20 U.S.C. §§ 6083, 7183.  
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2825, 15.2-2827, 22.1-79.5, 22.1-279.6.

Cross Refs.:      GBECA            Electronic Cigarettes  
                         JFCH            Tobacco-Free School for Staff and Students  
                         KG              Community Use of School Facilities  
                         KGC            Use of Tobacco and Electronic Cigarettes on School Premises

## **ELECTRONIC CIGARETTES**

The use of electronic cigarettes is prohibited on school buses, on school premises, and at school-sponsored activities.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-79.5.

Cross Refs.:	GBEC/JFCH	Tobacco-Free School for Staff and Students
	JFC-R	Standards of Student Conduct
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises



## **LACTATION SUPPORT**

The superintendent shall designate a non-restroom location in each school as an area in which any mother who is employed by the Scott County School Board or enrolled as a student in the division may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one. The area must be shielded from public view.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-79.6.

## **STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

The Scott County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in his or her political activities, an employee may not

- use his or her position within the school division to further a political cause;
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

## **STAFF GIFTS AND SOLICITATIONS**

Exchange of gifts between students and staff is discouraged.

No school division employee shall solicit goods or services for personal use or for student use during school hours on school property without written authorization from the superintendent.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

## PERSONNEL RECORDS

Present and past employees have access to their personnel information maintained by the Scott County School Division. No separate employee files shall be maintained which are not available for that employee's inspection.

If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records.

The superintendent or superintendent's designee is responsible for maintaining a system of personnel records for all employees of the School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format.

Teacher performance indicators, or other data collected by or for the Department of Education or the School Board or made available to and able to be used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise, is confidential but may be disclosed, in a form that does not personally identify any student or other teacher, (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3705.1, 2.2-3800 et seq., 22.1-295.1.

Cross Ref.: CBA                      Qualifications and Duties for the Superintendent  
                  GBLA                    Third Party Complaints Against Employees

### **THIRD-PARTY COMPLAINTS AGAINST EMPLOYEES**

Any parent or guardian of a student enrolled in Scott County Public Schools or any resident of Scott County may file a complaint regarding an employee of the Scott County School Board. Such complaint should be filed with the superintendent or superintendent's designee. If the complaint involves allegations that an employee of the Scott County School Board has abused or neglected a child in the course of his employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505 and 63.2-1516.1.

Information determined to be unfounded after a reasonable administrative review will not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code §§ 2.2-3800 et seq., will be settled through the employee grievance procedure as provided in Va. Code §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals lodging a complaint will be notified in writing that the complaint has been received and is being investigated.

The complaint should be filed as soon as possible after the alleged incident, usually within 15 school days, and will be processed promptly, usually within 15 days.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3800 et seq., 22.1-70, 22.1-78, 22.1-295.1.

Cross Refs.:	GB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBL	Personnel Records
	JB	Equal Educational Opportunities/Nondiscrimination
	JHG	Child Abuse and Neglect Reporting

## **PROFESSIONAL STAFF GRIEVANCES**

The Scott County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.C.8, and 22.1-306 et seq.  
8 VAC 20-90-10 through 8 VAC 20-90-80 and accompanying forms.

**Procedure for  
Adjusting Grievances for Professional Staff**

8 VAC 20-90-10 et seq.

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## **8VAC20-90-10. Definitions.**

### **Part I. Definitions**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

"Business day" means any day that the relevant school board office is open.

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever the last day for performing an act required by this procedure falls on a Saturday, Sunday, or legal holiday, the act may be performed on the next day that is not a Saturday, Sunday, or legal holiday.

"Dismissal" means the dismissal of any teacher within the term of such teacher's contract.

"Grievance" means, for the purpose of Part II (8VAC20-90-20 et seq.), a complaint or a dispute by a teacher relating to his employment, including but not necessarily limited to the application or interpretation of personnel policies, rules and regulations, ordinances, and statutes; acts of reprisal against a teacher for filing or processing a grievance, or participating as a witness in any step, meeting, or hearing related to a grievance; or complaints of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex.

"Grievance" means, for the purposes of Part III (8VAC20-90-60 et seq.), a complaint or a dispute involving a teacher relating to his employment involving dismissal. The term "grievance" shall not include a complaint or dispute by a teacher relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status; the establishment or contents of ordinances, statutes or personnel policies, procedures, rules and regulations; failure to promote; discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment in or abolition of a particular subject, or insufficient funding; hiring, transfer, assignment and retention of teachers within the school division; suspension from duties; the methods, means and personnel by which the school division's operations are to be carried on; or coaching or extracurricular activity sponsorship. While these management rights are reserved to the school board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the school board is grievable.

"Hearing officer" means an impartial hearing officer from outside the school division who possesses some knowledge and expertise in public education and education law and who is capable of presiding over an administrative hearing.

"Personnel file" means, for the purposes of Part III (8VAC20-90-60 et seq.), any and all memoranda, entries or other documents included in the teacher's file as maintained in the central school administration office or in any file regarding the teacher maintained within a school in which the teacher serves.

"Teacher" or "teachers" means, for the purposes of Part II (8VAC20-90-20 et seq.), all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees. "Teacher" means, for the purposes of Part III (8VAC20-90-60 et seq.), all regularly licensed professional public school personnel employed by any school division under a written contract as provided by § 22.1-302 of the Code of Virginia as a teacher or as an assistant principal, principal, or supervisor as provided by § 22.1-294 of the Code of Virginia.

"Shall file," "shall respond in writing," or "shall serve written notice" means the document is either delivered personally or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this procedure to the grievant or office of the proper school board representative.

"Supervisory employee" means any person having authority in the interest of the board (i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and (ii) to direct other employees; or (iii) to adjust the grievance of other employees; or (iv) to recommend any action set forth in clause



(i), (ii), or (iii) above; provided that the authority to act as set forth in clause (i), (ii), (iii), or (iv) requires the exercise of independent judgment and is not merely routine and clerical in nature.

"Written grievance appeal" means a written or typed statement describing the event or action complained of, the date of the event or action complained of, and a concise description of those policies, rules, regulations, or statutes upon which the teacher bases his claim. The grievant shall specify what he expects to obtain through use of the grievance procedure. A written grievance appeal shall be on forms prescribed by the Board of Education and supplied by the local school board.

#### **Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

#### **Historical Notes**

Derived from VR270-01-0008 § 1.1, eff. February 1, 1986; amended, Virginia Register Volume 21, Issue 14, eff.

### **8VAC20-90-20. Purpose of Part II of This Grievance Procedure.**

#### **Part II. Grievance Procedure**

The purpose of Part II of the Procedure for Adjusting Grievances is to provide an orderly procedure for resolving disputes concerning the application, interpretation, or violation of any of the provisions of local school board policies, rules and regulations as they affect the work of teachers, other than dismissals. An equitable solution of grievances should be secured at the most immediate administrative level. The procedure should not be construed as limiting the right of any teacher to discuss any matter of concern with any member of the school administration, nor should the procedure be construed to restrict any teacher's right to seek, or the school division administration's right to provide, review of complaints that are not included within the definition of a grievance. Nothing in this procedure shall be interpreted to limit a school board's exclusive final authority over the management and operation of the school division.

#### **Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

#### **Historical Notes**

Derived from VR270-01-0008 § 2.1, eff. February 1, 1986; amended, Volume 33, Issue 05, eff. November 30, 2016.

### **8VAC20-90-30. Grievance Procedure.**

Recognizing that grievances should begin and should be settled promptly, a grievance must be initiated within 15 business days following either the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

1. Step 1 -- Informal. The first step shall be an informal conference between the teacher and his immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher present the grievance informally prior to proceeding to Step 2.
2. Step 2 -- Principal. If for any reason the grievance is not resolved informally in Step 1 to the satisfaction of the teacher, the teacher must perfect his grievance by filing a written grievance appeal on the required form within 15 business days following the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief expected. Regardless of the outcome of Step 1, if a written grievance appeal is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (or his designee or both) and the teacher (or his designee or both) within five business days of the receipt by the principal of the written grievance. At such meeting the teacher or other party involved, or both, shall be entitled to present appropriate witnesses and to be accompanied by a representative other than an attorney. The principal (or his designee or both) shall respond in writing within five business days following such meeting.

The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The teacher shall file an answer thereto within 10 business days, and the meeting must then be held within five business days thereafter.

3. Step 3 -- Superintendent. If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original written grievance appeal form within five business days after receipt of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the superintendent (or his designee or both) and the teacher (or his designee or both) at a mutually agreeable time within five business days. The superintendent or designee may make a written request for more specific information from the teacher, but only if such information was not requested in Step 2. The teacher shall file an answer to such request within 10 business days, and the meeting shall be held within five business days of the date on which the answer was received. At such meeting both the superintendent and the teacher shall be entitled to present witnesses and to be accompanied by a representative who may be an attorney. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the superintendent without violating the provisions of § 54.1-3904 of the Code of Virginia. If no settlement can be reached in said meeting, the superintendent (or his designee) shall respond in writing within five business days following such meeting. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may request a decision by the school board pursuant to Step 4.

4. Step 4 -- Decision by the school board.

a. If a teacher elects to request a decision by the school board as provided for in Step 3, he must notify the superintendent in writing of the intention to make the request of the board within five business days after receipt of the answer as required in Step 3 or the due date thereof. Upon receipt of such notice, the board may hold a hearing on the grievance, may elect to have the hearing conducted by a hearing officer appointed by the school board consistent with the procedures in § 22.1-311 of the Code of Virginia, or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.

b. In any case in which the school board elects to hold a hearing or elects to have a hearing officer conduct the hearing, the hearing shall be set within 30 days of the school board's receipt of the notice required by subdivision 4 a of this section (Step 4a), and the teacher must be given at least 15 days' written notice of the date, time, and place of the hearing.

The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing shall be private, unless the teacher requests a public hearing. The school board or the hearing officer, as the case may be, shall establish the rules for the conduct of the hearing. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the school board or the hearing officer.

In the case of a hearing conducted by the school board, the school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings, the grievant, the grievant's attorney or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board that has as its purpose reaching a decision on the grievance. However, immediately after a decision has been made

and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative, and the superintendent, may join the school board in executive session to assist in the writing of the decision.

A stenographic record or tape recording of the hearing shall be taken. However, the recording may be dispensed with entirely by mutual consent of the parties. If the recording is not dispensed with, the two parties shall share the cost of the recording equally, and if either party requests a transcript, that party shall bear the expense of its preparation.

c. In the event of a hearing conducted by a hearing officer, the recommendation of the hearing officer shall be based exclusively upon the evidence presented at the hearing. Upon the hearing officer's own motion or upon application by either party to the grievance, the hearing officer may reopen the hearing for the purpose of hearing after-discovered evidence upon a finding of good cause by the hearing officer at any time before his recommendation is due. The hearing officer shall transmit his written recommendation and a record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing.

d. In the event of a hearing by a hearing officer, the school board may make its decision upon the record or recording of such hearing or the school board may elect to conduct a further hearing to receive additional evidence. The school board must hold such further hearing as soon as practicable and must give written notice of the time and place of such further hearing to the division superintendent and the teacher within 10 business days after the board received the record or recording of the initial hearing. The notice must specify each matter to be inquired into by the school board. The school board shall determine the procedure to be followed at such further hearing.

e. In the event of a hearing before the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after the hearing. The decision of the school board shall be reached after considering the evidence and information presented at the school board hearing.

f. In the event of a hearing before a hearing officer followed by a further hearing by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after such further hearing. The decision of the school board shall be reached after considering the record or recording of the initial hearing, the recommendations of the hearing officer, and the evidence and information presented at the further hearing before the school board.

g. In the event of a hearing before a hearing officer in cases in which no further hearing is conducted by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after receiving the record or recording of the hearing. The decision of the school board shall be reached after considering the record or recording of the hearing and the recommendations of the hearing officer.

h. The school board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel.

**Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Historical Notes**

Derived from VR270-01-0008 § 2.2, eff. February 1, 1986; amended, Volume 21, Issue 14, eff. May 2, 2005; Volume 33, Issue 05, eff. November 30, 2016.

**8VAC20-90-40. Grievability.**

A. Initial determination of grievability. Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division administration or grievant and such decision shall be made within 10 business days of such request. The school board shall reach its decision only after allowing the division administration and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be at the discretion of the school board. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any hearing by the board or a hearing officer, or the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-business-day period shall entitle the grievant to advance to the next step as if the matter were grievable.

B. Appeal of determination on grievability. Decisions of the school board may be appealed to the circuit court having jurisdiction in the school division for a hearing on the issue of grievability.

1. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 business days after the date of the decision and giving a copy thereof to all other parties.

2. Within 10 business days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken, a copy of its decision, a copy of the notice of appeal, and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court may, on motion of the grievant, issue a writ of certiorari requiring the school board to transmit the records on or before a certain date.

3. Within 10 business days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court may, in its discretion, receive such other evidence as the ends of justice require.

4. The court may affirm the decision of the school board or may reverse or modify the decision. The decision of the court shall be rendered not later than 15 days from the date of the conclusion of the court's hearing.

#### **Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

#### **Historical Notes**

Derived from VR270-01-0008 § 2.3, eff. February 1, 1986; amended, Volume 21, Issue 14, eff. May 2, 2005; Volume 33, Issue 05, eff. November 30, 2016.

#### **8VAC20-90-50. Time Limitations.**

A. The right of any party to proceed at any step of this Part II grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this procedure.

B. The failure of the teacher to comply with all substantial procedural requirements including initiation of the grievance and notice of appeal to the next step in the procedure, shall eliminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.

C. The failure of the school board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.

D. The determination as to whether the substantial procedural requirements of this Part II of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure

to comply, the school board shall have the option of allowing the grievant to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

**Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Historical Notes**

Derived from VR270-01-0008 § 2.4, eff. February 1, 1986.

**8VAC20-90-60. Dispute Resolution.**

**Part III. Procedure for Dismissals**

This Part III of the Procedure for Adjusting Grievances adopted by the Board of Education in accordance with the statutory mandate of Article 3 (§ 22.1-306 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia and the Standards of Quality for school divisions, Chapter 13.1 (§ 22.1-253.13:1 et seq.) of Title 22.1 of the Code of Virginia, is to provide an orderly procedure for the expeditious resolution of disputes involving the dismissal of any teacher.

**Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Historical Notes**

Derived from VR270-01-0008, eff. February 1, 1986; amended, Volume 33, Issue 05, eff. November 30, 2016.

**8VAC20-90-70. Procedure for Dismissals.**

A. Notice to teacher of recommendation for dismissal.

1. In the event a division superintendent determines to recommend dismissal of any teacher, written notice shall be sent to the teacher on forms prescribed by the Board of Education notifying him of the proposed dismissal and informing the teacher that within 10 business days after receiving the notice, the teacher may request a hearing before the school board or, at the option of the school board, a hearing officer appointed by the school board, as provided in § 22.1-311 of the Code of Virginia.

2. During such 10-business-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.

3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to § 22.1-311 or 22.1-312 of the Code of Virginia, the division superintendent shall provide, within 10 days of the request, the teacher, or his representative, with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal. Within 10 days of the request of the division superintendent, the teacher, or his representative, shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal. The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party.

4. Upon a timely request for a hearing, the school board or, at the school board's option, a hearing officer appointed by the school board shall set a hearing within 15 days of the request and the teacher shall be given at least five days' written notice of the time and the place of the hearing.

## B. Procedure for hearing.

1. The hearing shall be conducted by the school board or, at the school board's option, a hearing officer appointed by the school board. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing shall be private, unless the teacher requests a public hearing. The school board or hearing officer, as the case may be, shall establish the rules for the conduct of the hearing, and such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses, and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board or hearing officer.

2. The parties shall produce such additional evidence as the school board or hearing officer may deem necessary to an understanding and determination of the dispute. The school board or hearing officer shall determine the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the school board or hearing officer and of the parties.

3. Exhibits offered by the teacher or the division superintendent may be received in evidence by the school board or hearing officer and, when so received, shall be marked and made a part of the record.

4. A stenographic record or tape recording of the proceedings shall be taken. The two parties shall share the cost of the recording equally. The record or recording of the proceedings shall be preserved for a period of six months. If the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the transcription.

5. The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent and the hearing officer.

6. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

7. In the event of a hearing conducted by a hearing officer, the recommendation of the hearing officer shall be based exclusively upon the evidence presented at the hearing. Upon the hearing officer's own motion or upon application by the teacher or the division superintendent, the hearing officer may reopen the hearing for the purpose of hearing after-discovered evidence upon a finding of good cause by the hearing officer at any time before his recommendation is due. The hearing officer shall transmit his written recommendation and a record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing.

8. In the event of a hearing by a hearing officer, the school board may make its decision upon the record or recording of such hearing or the school board may elect to conduct a further hearing to receive additional evidence. The school board must hold such further hearing as soon as practicable and must give written notice of the time and place of such further hearing to the division superintendent and the teacher within 10 business days after the board received the record or recording of the initial hearing. The notice must specify each matter to be inquired into by the school board. The school board shall determine the procedure to be followed at such further hearing.

## C. School board determination.

1. In the event of a hearing before the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after the hearing. The decision of the school board shall be reached after considering the evidence and information presented at the school board hearing.

2. In the event of a hearing before a hearing officer followed by a further hearing by the school board pursuant to subdivision B 8 of this section, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after such further hearing. The decision of the school board shall be reached after considering the record or recording of the initial hearing, the recommendations of the hearing officer, and the evidence and information presented at the further hearing before the school board.

3. In the event of a hearing before a hearing officer in cases in which no further hearing is conducted by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after receiving the record or recording of the hearing. The decision of the school board shall be reached after considering the record or recording of the hearing and the recommendations of the hearing officer.

4. The school board may dismiss or suspend a teacher upon a majority vote of a quorum of the school board. The school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings; the grievant; the grievant's attorney or representative; and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board that has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

**Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Historical Notes**

Derived from VR270-01-0008 § 3.1, eff. February 1, 1986; amended, Volume 21, Issue 14, eff. May 2, 2005; Volume 33, Issue 05, eff. November 30, 2016.

**8VAC20-90-80. Time Limitations.**

The right of any party to proceed at any step of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this grievance procedure.

1. The failure of the grievant to comply with all substantial procedural requirements shall terminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.
2. The failure of the school board or of any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.
3. The determination as to whether the substantial procedural requirements of this Part III of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievance to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

**Statutory Authority**

§§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Historical Notes**

Derived from VR270-01-0008 § 3.2, eff. February 1, 1986.

**Forms (8VAC20-90)**

Statement of Grievance (rev. 4/2016)

Principal's Decision (rev. 4/2016)

Superintendent's Decision (rev. 4/2016)

Request for Hearing (rev. 4/2016)

Notice of Proposed Dismissal (rev. 4/2016)



**STATEMENT OF GRIEVANCE**

STEP 2 – TO BE PRESENTED TO PRINCIPAL

Name of grievant: _____	Date filed: _____
School/department of assignment: _____	Subject area or grade: _____
Immediate superior and/or principal: _____	Grievant's representative: _____

Policy, procedure, regulation, ordinance, statute being grieved:

\_\_\_\_\_

Date you knew or reasonably should have known of its occurrence:

\_\_\_\_\_

Statement of grievance:

\_\_\_\_\_

\_\_\_\_\_

Specific relief requested:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Grievant's Signature

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Grievant's Name

\_\_\_\_\_  
Representative's Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Date: April 28, 2016

**PRINCIPAL'S DECISION**

STEP 2 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant:	Date grievance received:
-------------------	--------------------------

Decision of principal or designee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ I lack the authority to grant the relief requested.

_____ Signature of principal or designee	_____ Date
_____ Name of principal or designee	

Is the above decision acceptable to grievant?    ___ Yes    ___ No
--

\_\_\_ I hereby appeal this decision to Step 3, Superintendent.

\_\_\_\_\_  
Grievant's Signature

\_\_\_\_\_  
Grievant's Name

\_\_\_\_\_  
Date

Date: April 28, 2016

**SUPERINTENDENT'S DECISION**

STEP 3 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant:	Date appeal received:
-------------------	-----------------------

Decision of superintendent or designee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

_____ Signature of superintendent or designee	_____ Date
_____ Name of superintendent or designee	

Is the above decision acceptable to grievant? _____ Yes _____ No
--

\_\_\_\_\_ I hereby appeal this decision to Step 4, School Board.

\_\_\_\_\_  
Grievant's Signature

\_\_\_\_\_  
Grievant's Name

\_\_\_\_\_  
Date

Date: April 28, 2016

**REQUEST FOR HEARING**

\_\_\_\_\_  
Name of Teacher

I hereby request that I be afforded a hearing on the Superintendent's recommendation for my dismissal before that School Board or, at the School Board's option, a hearing before a Hearing Officer to be appointed by the School Board.

\_\_\_\_\_  
Teacher's Signature

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Teacher's Name

\_\_\_\_\_  
Representative's Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Date: April 28, 2016

**NOTICE OF PROPOSED DISMISSAL**

Date: \_\_\_\_\_

\_\_\_\_\_  
Name of teacher

\_\_\_\_\_  
School/Department of assignment

The Division Superintendent will recommend to the School Board that you be dismissed from your position as:

\_\_\_\_\_  
(Position)

At your request reasons for this recommendation will be provided to you in writing or in a personal interview.

You have ten business days from receipt of this form to request, in writing, a hearing before the School Board or, at the option of the School Board, a hearing before a Hearing Officer. A copy of the Request for Hearing Form is attached.

\_\_\_\_\_  
Division Superintendent's Signature

\_\_\_\_\_  
Division Superintendent's Name

\_\_\_\_\_  
Date

Date: April 28, 2016

## **SUPPORT STAFF GRIEVANCES**

The Scott County School Board adopts the following procedure in accordance with § 22.1-79(6) of the Code of Virginia, as amended. Nothing in this procedure is intended to create, nor shall it be construed as creating, a property right in employment, nor shall this procedure be interpreted to limit in any way whatsoever the School Board's exclusive final authority over the employment and supervision of its personnel.

The following words and terms are defined as indicated when used in this procedure, unless the context clearly indicates otherwise.

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday or legal holiday, the period of time for taking action under this procedure shall be extended to the next day that is not a Saturday, Sunday or legal holiday. "Working days" means those days that the Scott County School Board office is open for business.

"Dismissal" means the termination of employment of any covered employee with or without cause during the term of such employee's employment.

"Employee" or "employees" means all full-time employees of the Scott County School Board who have completed the required probationary period except the division superintendent and those employees covered under the provisions of Articles 2 and 3 of Chapter 15 of Title 22.1 of the Code of Virginia, as amended. "Employee" does not mean a part-time or temporary employee.

"Grievance" means a complaint or dispute involving the dismissal or other disciplinary action of an employee. A dismissal, reassignment or other action pursuant to a Reduction in Force (RIF) is not a disciplinary action and is not grievable. Employee evaluations are not disciplinary actions and are not grievable. "Grievance" does not mean a complaint or dispute regarding the suspension of an employee. The procedure for the suspension of employees is set forth in Policy GCPF Suspension of Staff Members.

### Procedure

1. Written notice of the proposed action, along with a statement of the reasons for the action, shall be given to the employee by his building\_administrator/department head. Upon receipt of the recommendation, the employee is required to meet with a Human Resources administrator. During this meeting the employee will receive a copy of this policy as notice of his grievance rights. The employee may file a written request for a hearing with the superintendent within five (5) working days of receiving the written notice. The failure to file such a request within the prescribed time will constitute a waiver of the right to a hearing and the proposed action will become final without a hearing or further notice.
2. Upon receiving a timely written request, the superintendent shall select an external hearing officer to hear the grievance. The hearing officer will be selected from a list approved by the School Board. The hearing officer will hold a hearing within fifteen (15) working days of receipt of the employee's request. Notice of the hearing shall be given orally or in writing to the employee at least five (5) working days before the hearing. The employee and the school division will share the cost of the hearing officer and the cost of recording the hearing equally.
3. The employee and his supervisor may be represented by legal counsel or a lay advocate at the hearing, but not both. The division may also be represented by legal counsel at the hearing. The hearing will be private and the hearing officer will have full discretion over the conduct of the hearing. However, the employee and the division may make opening statements, may present all material and relevant

evidence, including the testimony of witnesses, and may cross examine witnesses. Witnesses may be questioned by the hearing officer.

4. The hearing officer shall give the employee a written decision within five (5) working days after the completion of the hearing. The decision shall be based on the evidence relevant to the issues produced at the hearing in the presence of each party.
5. The employee may appeal the decision to the School Board by providing written notice of appeal to the superintendent within five (5) working days of receiving the decision of the hearing officer. Upon timely appeal, the School Board shall decide the appeal on the written record and render its decision within thirty (30) days of the appeal.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-79(6), 22.1-313.

Cross Refs.: GCPF Suspension of Staff Members  
GDG Support Staff Probation

## STAFF HIRING PROCEDURES

It is the desire of the Scott County School Board to recruit, hire, and retain the best possible qualified applicants.

The Superintendent is responsible for developing procedures for advertising vacancies and new positions. Those procedures will be designed to ensure that all openings are properly advertised to give all interested and qualified parties the opportunity to apply. While most positions will be filled using those procedures, the School Board may, at the request of the Superintendent, fill positions in other ways. For example, the School Board may authorize the filling of a position to accommodate the disability of an employee, to transfer an employee when it is determined to be in the best interest of the school division, to satisfy the rights of employees returning from leave, to move an employee whose performance is unsuccessful to a position in which the employee might be successful or to discipline an employee for conduct deficiencies.

Current division employees are given an opportunity to apply for positions for which they are qualified.

Vacancies and new positions within the division are advertised on the internet, in each school and in the Central Office.

The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate.

Application for employment in Scott County Public Schools shall be made in writing on forms provided by the Central Office.

It is the responsibility of the applicant to furnish accurate information and any falsification of either information or credentials is cause for dismissal or refusal to employ.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Refs.: AC Nondiscrimination  
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect



## **VIRGINIA RETIREMENT SYSTEM**

All eligible employees must be members of the Virginia Retirement System. Employee retirement benefits are governed by the rules and regulations established by the Virginia Retirement System.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 51.1-135.

Cross Ref.: GBR Voluntary Retirement Savings Program

## **VOLUNTARY RETIREMENT SAVINGS PROGRAM**

The Scott County School Division offers its employees the opportunity to participate in a defined contribution retirement plan, also known as a tax sheltered annuity or 403(b) program. This program is maintained and operated pursuant to a written plan.

The written plan contains all the material terms and conditions for eligibility, benefits, applicable limitations, the contracts available under the plan and the time and form under which benefit distributions may be made.

The written plan also addresses any optional features, including hardship withdrawal distributions, loans, plan-to-plan or annuity contract-to-annuity contract transfers and acceptance of rollovers to the plan, which are included in the Division's program.

The written plan may

- allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements
- assign such responsibilities to parties other than the school division, but not to participants (unless the administration of the plan is a substantial portion of the duties of the participant)
- incorporate by reference other documents which thereupon become part of the written plan
- address termination of the program

Every employee of the school division is notified annually about the program.

Legal Refs.: 26 U.S.C. § 403(b).  
26 CFR 1.403(b)-1 et seq.  
Code of Virginia, 1950, as amended, §§ 51.1-603, 51.1-603.1

Cross Ref.: GBO Virginia Retirement System

## PROFESSIONAL STAFF

- No teacher is regularly employed by the School Board or paid from public funds unless such teacher
- holds a license or provisional license issued by the Board of Education,
  - holds a three-year license to teach high school career and technical education courses in specified subject areas or
  - is hired to teach in a trade and industrial education program and for whom the teacher licensure requirements have been waived by the Virginia Department of Education.

If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

The Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license. On recommendation of the superintendent, the School Board may waive applicable licensing requirements as specified Va. Code § 22.1-298.1 for any individual the School Board seeks to employ as a career and technical education teacher who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-298.1, 22.1-299, 22.1- 299.5 and 22.1-299.6.

## PROFESSIONAL STAFF CONTRACTS

The School Board shall enter into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-440-10 before such employees assume their duties except as noted below. Contracts will be in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts shall be signed in duplicate, with a copy furnished to each party.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid shall be separate from the employee's primary contract and termination of the separate contract shall not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.  
8 VAC 20-440-10.

Cross Ref.:	GCBB	Supplementary Pay
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCE	Part-Time and Substitute Professional Staff Employment
	GCG	Professional Staff Probationary Term and Continuing Contract
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

## **PROFESSIONAL STAFF CONTRACTS AND COMPENSATION PLANS**

Written contracts shall be made by the School Board with each teacher, principal, or supervisor employed by it, except those temporarily employed as substitute teachers, before such employee assumes his or her duties. Contracts will be in the form prescribed by the State Board of Education, with special covenants added by the local School Board, as appropriate. Contracts shall be signed in duplicate, with a copy thereof furnished to both parties.

The following definitions shall apply in this policy:

“Teacher” shall mean a person who is regularly employed full time as a classroom teacher, visiting teacher, guidance counselor, or librarian and who holds a valid teaching certificate.

“Principal” shall mean a person who is regularly employed full time as a principal or assistant principal and who holds a valid teaching certificate.

“Supervisor” shall mean a person who is regularly employed full time in a supervisory capacity and who is required by the Board of Education to hold a certificate to be employed in that position.

Only persons regularly employed full time by a School Board as teachers, principals, or supervisors shall be eligible for continuing contract status.

A probationary term of service of five years in the same school division is required prior to the issuance of a continuing contract. Once a continuing contract status has been attained in a school division elsewhere in the state, a two-year probationary period shall be served in the Scott County School Division prior to the issuance of a continuing contract. A teacher holding probationary contract status in another school division in the state shall be required to serve a five probationary term in the Scott County School Division prior to the issuance of a continuing contract.

A person employed as a principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the Scott County School Division before acquiring continuing contract status as a principal or supervisor. Continuing contract status acquired by a principal or supervisor shall not be construed as prohibiting a Board from reassigning the administrative or supervisory personnel to a teaching position.

If a principal or supervisor is reassigned to a teaching position, such reassignment shall be to continuing contract status.

In calculating probationary terms of service for teachers, principals, and supervisors, employment for 160 or more teaching days during one school year shall constitute a single year of service.

If a teacher, principal, or supervisor separates from service during his or her probationary period and does not return to service in the same school division by the beginning of the year following the year of separation, such person shall be required to begin a new probationary period.

If a teacher who has attained continuing contract status separates from service and does not return to teaching in Virginia Public Schools for a period longer than two years, such person shall be required to begin a new five-year probationary period.

Teaching service outside of the Virginia Public School System shall not be counted as meeting in whole or part the required probationary term.

Continuing contracts may be executed in behalf of persons holding a valid postgraduate, collegiate professional, or vocational certificate.

The contractual period is that prescribed by the State Board.

Employees going from a 12 month contractual period to an 11 or 10 month contractual period and employees going from an 11 month to a 10 month contractual period will not receive a check for the months of July and/or August depending on the contract change.

Compensation is provided for a 10-month contractual period and shall include:

1. One-hundred and eighty teaching days, minimum required by law.
2. Ten days minimum for such activities as teaching, planning for the opening of school, evaluation, completing records and reports, incident to the closing of each semester or school year, committee assignments, and conferences as defined by the School Board.
3. Ten days for the continuation of activities above and/or such other activities as may be assigned or approved at the discretion of the School Board. These days are subject to optional use as determined by the School Board.

Supervisors and principals shall be given contracts for ten (10), eleven (11), or twelve (12) months as determined by the School Board.

## **STAFF SALARY SCHEDULES**

The School Board shall annually establish and approve salaries for all school employees.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-289.1, 22.1-313.

## **SUPPLEMENTARY PAY**

The Scott County School Board will approve all categories of athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The Board will also establish the amount of compensation for employees who coach or supervise such activities.

A separate contract in the form permitted by the Board of Education shall be executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching. All such contracts will require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof will become effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302 and 22.1-313.  
8 VAC 20-440-110.  
8 VAC 20-440-120.

Cross Ref.: GCB Professional Staff Contracts



## **STAFF FRINGE BENEFITS**

The Scott County School Board recognizes the need for fringe benefits in order to promote the employment and retention of the highest quality personnel and effectively serve the educational needs of students. Accordingly, fringe benefits shall be provided pursuant to regulations established by the Board.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-85.  
8 VAC 20-460-10.

Cross Ref.: GCBD Staff Leaves and Absences  
GBO Virginia Retirement System

## PROFESSIONAL STAFF FRINGE BENEFITS

Hospitalization and surgical care plans shall be available under group rates for all full-time employees by payroll deduction. The Board shall determine an amount of the premium to be paid for all full-time, salaried employees eligible for membership in the Virginia Retirement System (VRS).

Employees who retire under provisions of the VRS prior to age 65 shall be eligible to continue on the School Board group hospitalization plan under the following conditions:

1. Retirement was effective in the 1985-86 school year or later;
2. Employees will pay full cost of premium with no portion paid from School Board funds;
3. Premiums will be paid in advance on a schedule established by the Superintendent;
4. Employees shall have the option to participate in the individual, family, or other plan available to regular employees;
5. Retirees will be dropped from the School Board plan upon attaining age 65 or upon becoming eligible for the Medicare program;
6. Employees were on full time status in a VRS covered position and were participating in the hospitalization plan at the time of retirement.
7. Early Retirement Incentive Plan (ERIP) establishing a "bridge" until the employee becomes social security eligible. These plans are dependent on annual funding in the school division's budget. Plans with monthly supplements will require both the employer and employee to pay the applicable social security on all payments.

The Board shall pay the full cost of group life insurance premiums required by the state for all employees eligible for membership in the VRS.

Legal Refs.: Code of Virginia, 1950, as amended, SECs. 22.1-85, 55-111.9-55-111.67

Cross Ref.: GBEA                      Staff Protection

## **STAFF LEAVES AND ABSENCES**

All employee leaves and absences are subject to school division policy and regulations. The superintendent shall establish any regulations necessary for the application of the division's policies regarding leaves and absences.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	GCBE	Family and Medical Leave
	GCBEA	Leave Without Pay
	GCBEB	Military Leave and Benefits
	GCQA	Nonschool Employment by Staff Members

**PROFESSIONAL STAFF LEAVES AND ABSENCES/SUPPORT  
STAFF LEAVES AND ABSENCES**

The Scott County School Board recognizes the importance of a sound and inclusive leave policy for the promotion of physical and mental health of its employees and for maintaining good morale.

Personnel employed on a regular salaried basis may request or be placed on leave of absence for temporary medical disability if the School Board determines, after consultation with a physician who has performed a thorough medical examination, that the employee’s condition interferes with the performance of regular duties. The employee’s physician, upon approval of the personnel office, may perform such examination. Such employee has the right to present testimony and/or information relevant to the employee’s fitness to continue the performance of regular duties. The maximum length of a leave of absence for temporary disability shall in no event be more than 180 days.

All leaves, whether paid or unpaid, shall preserve the right of tenure, retirement, annual leave with pay, salary increments, and other benefits provided by law for those employees who return from leave within the agreed time.

The following categories of leaves shall be recognized by the Scott County School Board as applicable to Scott County Public School System personnel who are employed on a regular full-time salaried basis.

PERSONAL BUSINESS LEAVE (Revised 01/14)

Personal business leave is granted all personnel at the rate of three (3) days per year and may accumulate to ten days. If this leave is allowed to accumulate, upon leaving the system, days so accumulated are paid in full. Any days earned over the ten (10) day maximum may be transferred to sick leave.

This leave applies to all ten, eleven, and twelve month full-time employees.

This leave may be taken any time during a contract period at the option of the employee with full pay.

No personal business leave will be accepted from another county.

The Scott County School Board grants each employee three days business leave. These days are to be earned at the rate of one and one-half per semester. If such business leave days are taken before being earned, and the contract is terminated, this will be deducted from the final salary payment.

\*Each full time employee of Scott County Public Schools hired on or after January 1, 2014 will follow the same guidelines listed above regarding earned/accumulated Personal Business Leave.

HOLIDAYS:

All twelve-month employees are entitled to the following eleven (11) paid holidays during the year:

July 4	1	If the 4th falls on a Saturday—Friday will be granted; if the 4th falls on Sunday--the following Monday will be granted.
Labor Day	1	The first Monday in September
Thanksgiving	3	Thanksgiving Day, the day before and after Thanksgiving

Christmas	2	*Christmas Eve and Christmas Day
New Year	2	*New Year's Eve and New Year's Day
Easter	1	**Easter Monday or Good Friday
Memorial Day	1	The last Monday in May.

\* If one or both of the designated Christmas and/or New Year's holidays fall on a weekend, then the employee would be entitled to take the last working day immediately preceding and/or the first day following the weekend as a holiday.

\*\* If schools are closed for both Good Friday and Easter Monday, the employee with the approval of the immediate supervisor would be allowed to take either day for the holiday. If schools operate on one of these dates, the twelve month employees would be entitled to only the day that schools are closed.

VACATION LEAVE (Revised 06/08)

12 Month Employees: Twelve month employees in the Scott County Schools are granted one and one-half (1 1/2) days per month, making a total of eighteen (18) vacation days per year.

1. Each twelve month employee is granted eighteen (18) vacation days as of July 1 of the new contract year. These days must be used between July 1 and June 30 as they are not cumulative.
2. If a twelve month employee leaves the employment of the School Board prior to June 30, and has already used more vacation days at the time of departure than he or she has earned by service, the employer will subtract one day's salary for each of the unearned vacation days used to that time.
3. A vacation day for a month will be considered earned if the employee has worked half of the available working days during the month. This same procedure will also apply if an employee is unable to return to his/her assignment during the year after exhausting all accumulated sick leave. Vacation time earned will continue to accumulate as long as the absence is covered by accumulated sick leave.
4. Twelve month employees with unused vacation days may apply for vacation on days that schools are closed by the annual school calendar. The request must be approved by the employee's immediate supervisor.
5. Calendar changes and/or adjustments requiring school operation on Saturdays will be considered a normal working day for all employees assigned to schools and/or rendering services directly required and essential to the orderly operation of the schools.
6. On all other days, excluding designated holidays and weekends, that schools are closed to students and ten month employees; twelve month employees will be expected to work regular hours. Depending on the nature of their assignment, eleven month employees may be required to work when schools are closed. The contracts of eleven month employees will address this matter.
7. Up to five (5) vacations days not taken by June 30 may be transferred into sick leave.

SICKNESS AND ACCIDENT: (Revised 01/14)

The Scott County School Division operates under the regulations governing the State Sick Leave Plan for Teachers (Revised--Effective September 1, 1980) as supplemented by School Board policies.

The following provisions apply to all full-time employees:

- A. Ten (10), eleven (11), and twelve (12) month employees may earn a maximum of ten (10), eleven (11), and twelve (12) days respectively for each yearly contractual period. This leave must be taken in a minimum of one-half day increments. Such leave, if not used, will have unlimited accumulation for Professional Staff and Non-Professional Staff employees (beginning January 1, 2003). (Non-professional – accumulate 180 days until December 31, 2002). Upon retirement, the Professional Staff employees will be paid at a rate of \$50 per day for unused sick leave days. Non-Professional Staff employees will be paid at a rate of \$25 per day for unused sick leave day. This provision shall not apply to full-time employees hired on or after January 1, 2014 except as denoted below.

\*Each full time employee of Scott County Public Schools hired on or after January 1, 2014 will earn one day of sick leave per month of employment (10, 11, or 12 days each year). A maximum of 90 days of sick leave may be accumulated. Full time employees subject to this provision, upon retirement, shall receive payment for unused sick leave days at the rates mentioned in the above paragraph but **will not** be eligible for the sick leave bank.

- B. Employees shall be permitted to anticipate sick leave earnings for the current contract year. Should the recipient of advanced sick leave terminate employment with the school system prior to earning the amount of sick leave used, the recipient will have the advanced days deducted from the salary.
- C. An employee cannot claim any portion of earned leave unless he has actually reported for duty in accordance with the terms of his contract. However, if an employee is unable, because of accident or illness, to begin work in accordance with the terms of his contract, such employee may use accumulated leave to his credit not to exceed such balances as of June 30 of the immediately preceding school year.
- D. Such leave must be taken in minimum of one-half day increments.
- E. The principal or Superintendent shall have the authority to require reasonable proof of illness when he deems it necessary.

Sick leave shall be allowed for personal illness, including quarantine, injury, pregnancy, temporary physical or mental incapacity, or illness in the immediate family requiring the attendance of the employee for not more than three (3) days in any one case. (The term “immediate family” of an employee shall be regarded to include mother, father, foster parents, adoptive parents, stepmother, stepfather, grandparents, grandchildren, wife, husband, children, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, or any relative living in the household of the employee.) The Superintendent, or his designee, may grant exceptions on a case by case basis. The sick leave days will be deducted from the accumulated sick leave.

Effective July 1, 2005, in the case of childbirth, the birth mother may take up to 35 working days of paid sick leave. Any additional days of paid sick leave would require a physician’s certificate. Additional days taken over 35 would be classified as unpaid sick leave, leave of absence, or family medical leave. Accumulated Business Leave days may also be used.

Employees covered under this policy may transfer from one school system to another in Virginia and likewise transfer any such accumulated leave in the School Board of the system to which the transfer is made signifies its willingness to accept such transfer.

The School Board of Scott County accepts the transfer of accumulated sick leave from other school systems in Virginia for professional instructional, administrative and supervisory personnel only, up to a maximum of 90 days.

An employee will be presumed to have left public school employment if he/she accepts employment other than in the public school system of Virginia, or is unable to be employed in the public schools of Virginia for a period of one (1) year because of illness or physical disability. An employee who leaves employment in the public schools to enter the armed services does not forfeit accumulated earnings unless he/she fails to return to public school employment immediately upon discharge from an original tour of duty in the armed services. However, current earnings cannot be allowed for the period while in the service.

Bus drivers, who are not considered full-time employees, are granted **five (5)** sick leave days per year accumulative to **20** (twenty) days.

#### ADMINISTRATIVE PROCEDURE FOR SCOTT COUNTY PUBLIC SCHOOLS

Effective Date: July 1, 2017

Subject: Return to Work Practices for Work Related Injuries

Purpose: The purpose of this instruction guide is to provide for the implementation of a Return to Work procedure for employees that have sustained work related injuries in the course and scope of employment.

Concept: It is the Practice of Scott County Schools to provide temporary or alternative duty assignments to employees who have been injured because of an incident, which arises out of the course or scope of employment.

1. It shall be the responsibility of Supervisors or Principals to make available a temporary, "alternative" duty assignment for an injured employee under their supervision who is temporarily partially disabled and has been released back to work with restrictions by their treating physician. A Supervisor or Principal may, with the permission and assistance of his or her immediate supervisor, find a temporary alternative duty assignment for the injured employee within another department of the same division or school if the Supervisor or Principal cannot provide a alternative duty assignment due to a clear unavailability of work; a threat to the health, safety, and welfare of the employee in question; a threat to the health, safety, and welfare of fellow employees; or due to a legal bar to providing such alternative duty assignment. However, it is first and foremost the responsibility of the employing department to provide alternative duty assignments.
2. Employees who are offered temporary alternative duty assignments are expected to report for duty and to fulfill their alternative duty assignment during the period of time they are temporarily disabled as they would their regular position. Employees may use their accrued leave time in accordance with the Human Resources Practices and Procedures; however, such leave time may not be utilized for avoiding alternative duty assignment.
3. Temporary alternative duty shall mean all periods of time when the employee's physician has determined that the injured employee may return to some form of restricted duty. Such temporary alternative duty assignment(s) shall continue until terminated by the treating physician; until the injured employee reaches Maximum Medical Improvement; or until all statutory requirements have been exhausted.
4. Such temporary alternative duty shall take into account and accommodate those restrictions, which have been placed upon the injured employee by their treating physician. As restrictions or limitations may change during the recovery process, the Supervisor shall continue to modify the work environment to accommodate the employee.

5. During this alternative duty assignment, the employee shall continue to receive their normal rate of pay for the hours worked in accordance with the salary administration practices of the school board and shall be paid from the employing department's budget. Departments which require shift work which results in total accumulated hours to an employee in excess of 40 hours per week may pay an employee at their normal rate of pay for their normal hourly work week as long as the employee performs an alternative duty position with total accumulated hours of no less than 40 hours per week. Such employees who accumulate less than 40 hours per week shall be paid their normal rate of pay for the number of hours worked. Other benefits to which the employee may be entitled shall be paid in accordance with Virginia Workers' Compensation.
  
6. Once an employee has reached Maximum Medical Improvement, they are responsible to report this to their Supervisor. Upon reaching Maximum Medical Improvement, the employee's medical condition shall be assessed as to their permanent medical restrictions and their ability to perform the duties of the position to which they were hired. If the injured employee cannot return to their regular position, the Superintendent in association with the employee's Supervisor or Principal shall attempt to find employment within the employing department. If such employment cannot be accommodated within the employing department, the Superintendent shall attempt to find employment in another department or school within the school board. Such attempts are not a guarantee that a position will be offered or that future employment is assured.

#### FUNERAL LEAVE: (Revised 07/17)

Employees may be absent without loss of pay and without sick leave deduction in the case of a mother, step-mother, father, step-father, husband, wife, brother, sister, mother-in-law, father-in-law, child, or grandparent for a period **not** to exceed three (3) days per occurrence. The Superintendent, or his designee, may grant exceptions on a case by case basis.

#### CIVIL LEAVE:

Leave with full pay may be granted an employee for any absence necessary for serving on a jury, or attending court as a witness under subpoena. An employee compensated for civil duties, as by jury or witness fees, shall be paid only the difference between such compensation and his/her regular salary for the period of absence unless the absence is charged to earned annual leave. (Verification to be provided by the Clerk of The Court or a copy of the subpoena.)

#### EXTENDED LEAVE:

Extended leave may be granted to tenured teachers, administrators, and instructional supervisors, without pay (life and hospitalization insurance may be maintained during extended leave if the full premiums for these coverages are paid to the division by the employee), for professional full time study (minimum of 24 semester hours), foreign teaching assignments or exchange teaching, serious illness of a member of employee's immediate family, or other activities approved by the School Board. Applications for extended leave shall be made to the Superintendent on a form provided by the School Board prior to March 1 for the succeeding school year. Response to an application will be made as soon as possible or prior to April 15 by the Superintendent. Extended leave shall be for a period of one year.

A second consecutive year may be granted by the Superintendent with approval of the School Board. An employee shall be responsible for verification of activity requiring extension of leave for a second year.

Request for reinstatement following extended leave shall be filed in the Superintendent's office on or before March 1 for the ensuing school year.



An employee returning from extended leave will not be guaranteed his former assignment but will be placed in a comparable position in his field of endorsement for the next school year, if available.

REQUIRED MILITARY RESERVE DUTY POLICY:

An employee who is a member of an officially recognized military reserve unit shall be entitled to fifteen (15) calendar days of military leave for training purposes during a contract period.

Any twelve (12) month employee is eligible to receive military leave with pay\* for field training or active duty. employees who coincide their military time off with their vacation time off shall not be entitled to receive make-up pay in addition to their regular vacation pay.

Less than twelve (12) month employees are not eligible to receive military leave with pay except when the required period of duty can be scheduled only during the contract period. Then, leave, not to exceed fifteen (15) days in any contract period, may be granted with pay.

Personnel are expected to make every effort to schedule military leave at times when the schools are not in session.

Application procedure: Application for military leave for training purposes shall be made in advance, immediately upon receipt by the employee of official notice to report from the appropriate military authorities. A copy of the official orders must accompany the application for leave, which must be approved by the appropriate official and the Superintendent. When possible, military leave for employees on a less-than-twelve-month contract shall be arranged during non-duty periods. The Superintendent may request a change in military orders when it seems to be in the best interest of the school system.

Pay status during leave: The pay status of the employee on military leave for training purposes shall be leave with pay. The employee shall suffer no loss of accumulated leave and/or vacation time. An employee compensated for military training purposes, shall be paid only the difference between such compensation and his/her regular salary for the period of absence unless the absence is charged to earned annual leave.

Leave without pay: The Superintendent or his designee may grant military leave without pay to any employee who is ordered to active duty in the military of the United States. Except in times of national emergency or war, the maximum period of time allowed for military leave without pay will be two years, approved one year at a time.

An employee who returns from military leave will have the advantage of any step increases which would have been due if the employee had remained continuously in the service of the school system. The employee will also have prior sick leave credit restored.

\* Military pay is defined as any form of remuneration other than travel pay received from any branch of the Armed Forces which increases income including but not limited to base pay, longevity, subsistence, flight, hazard or overseas pay.

SICK LEAVE BANK (revised 01/14)

The Scott County School System shall maintain a sick leave bank for full-time employees who have catastrophic or long-term illness or injury that have exhausted their own sick leave as long as one-third of the eligible members participate in the sick leave bank.

Membership Requirements

1. Eligible employees are those full-time employees who receive sick leave benefits. However, full-time employees of Scott County Public Schools hired on or after January 1, 2014, are not eligible for participation in the sick leave bank.
2. Membership in the Sick Leave Bank is voluntary on the part of the eligible employees.

## Enrollment

1. An eligible employee may enroll within the first 30 days of employment. An employee who does not enroll when first eligible may do so between any subsequent September 1 to October 15 by making application.
2. An employee may enroll in the bank by donating one (1) day of sick leave upon joining and one (1) day thereafter whenever an assessment is required during the school year and must be a member 30 days prior to application for benefits.
3. A member not having a sick leave day to contribute at the time of assessment shall automatically be assessed the first sick leave day subsequently earned.

## Rules for Use

1. The Sick Leave Bank will be administered by the Central Office and an Advisory Committee. The Advisory Committee consists of one member from each personnel classification, the Sick Leave Bank Coordinator and the Human Resources Manager.
2. A member must make application for use of the Sick Leave Bank benefit; it is not automatic.
3. The first 10 consecutive contract days of illness or disability will not be covered by the bank but must be covered by the employees own accumulated sick leave days.
4. A member of the bank will not be able to utilize the Sick Leave Bank benefits until his or her sick leave supply is exhausted.
5. For a participating member to be eligible to receive Sick Leave benefits, a physician's certificate is required.
  - a. This certificate must include the date the health condition began, the probable duration of the condition, and the appropriate medical facts.
  - b. For family care, the certification must state that the employee is needed to care for the family member, and must also provide an estimated amount of time that he or she will need.
  - c. The health care provider must certify, based on the employee's statement of the care he or she will provide a family member, that the employee's presence is required or would be beneficial.
  - d. Where the leave is for the employee's own serious health condition, the certification must state the employee is unable to perform the essential elements of his or her job.
  - e. Upon returning to work, where the leave was for the employees own health condition, a doctor's release must be presented. If doctor has not released, and employee returns on their own volition, the employee must sign a waiver releasing the School System of any liability.
6. Sick Leave Bank may be used for the applicant's own personal illness and/or primary care giver of an immediate family member. Such leave may be granted for the following reasons:
  - Immediate family member consists of spouse, child, or parent with a serious health condition;
  - When a serious health condition (physical or psychological) makes the employee unable to perform essential job functions.
  - Maternity requests will be limited to complications up to the birth of the child. The six week period after delivery will be considered normal recovery time for any pregnancy and will not be covered by the sick leave bank. Consideration will be given to post delivery days only when a doctor will certify complications caused the mother to receive special treatment beyond the six weeks.

Special circumstances may be granted at the discretion of the Sick Leave Bank Advisory Board.

7. A maximum of 45 working days each school year can be drawn by any member of the Sick Leave Bank.

8. Days drawn from the bank for any one period of disability must be consecutive.
9. Members receiving Sick Leave Bank benefits must provide a progress assessment from his/her physician at the end of the thirty (30) days to be eligible for the additional fifteen (15) days.
10. Leave from the bank may not be used for disabilities which qualify the member for Worker's Compensation leave and/or insurance benefits. (cases pending will not be paid until resolution of such cases.)
11. The bank will carry over its total days from one school year to the next.
12. A member may withdraw from the bank, but days previously contributed will remain intact.
13. Participating members who have made application for Sick Leave Bank benefits and whose request was disapproved, may appeal the request to the Supervisor of Personnel or his designee.
14. Upon termination of employment or withdrawal of membership, a participant will not be permitted to withdraw his/her contributed day(s).
15. If an employee terminates membership in the Sick Leave Bank, they will not be permitted to join at a later date.
16. The Scott County School System reserves the right to abolish the Sick Leave Bank at any time. The Scott County School System will not assume responsibility for claims by any employee against the Sick Leave Bank from its inception or at any time in the future.
17. If the Sick Leave Bank becomes inoperative for any reason, the sick leave days remaining in the bank at that time will be distributed first to those members receiving benefits. From the remaining bank balance, the sick leave bank days will be credited to the nearest one-half (1/2) day to each participating member, if a sufficient number of days exist. If any insufficient balance exists to do this, the bank shall terminate and no further distribution will be made.

## FAMILY AND MEDICAL LEAVE

### Generally

The Scott County School Board recognizes its obligation to provide its eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601 et seq. This policy describes the benefits available to eligible employees under the Act.

### Definitions

**Covered active duty:** The term covered “active duty” means

- in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

**Covered servicemember:** The term “covered servicemember” means

- a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

**Eligible employee:** To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the BLANK school division and have worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq., in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.

**Instructional employee:** Employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting such as teachers, athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, or auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

**Next of kin:** The term “next of kin” used with respect to an individual, means the nearest blood relative of that individual other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.

Outpatient status: The term “outpatient status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to

- A. a military medical treatment facility as an outpatient; or
- B. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious health condition: A serious health condition is an illness, injury, impairment or condition that involves inpatient care or continuing treatment by a health care provider.

Serious injury or illness: The term “serious injury or illness,” in the case of

- a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period described in 29 U.S.C. § 2611(15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: A rolling 12-month period measured backward from the date an employee uses an FMLA leave.

## Leave

Any eligible employee is entitled to leave for a combined total of twelve (12) weeks per year for the following situations:

1. The birth and care of a newborn child;
2. The adoption or foster placement of a child;
3. To care for an employee's spouse, parent, or child with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the essential functions of the employee’s job; and
5. Because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

However, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to a total of 26 workweeks of leave per year to care for the servicemember. Leave under this paragraph is available only during a single year. During that year the employee is entitled to a combined total of 26 workweeks of leave under this policy.

To the extent that an employee is entitled to compensated leave under other the Scott County school division policies, such paid leave shall be substituted for unpaid FMLA leave. Otherwise, family and medical leave is unpaid. When paid leave is available, the employee must satisfy any procedural requirements of the division’s paid leave policy.

Employees on FMLA leave must report their status and intention regarding returning to work to the school division at least every four weeks.

Notice to Employees of Their Rights under the FMLA

## Posting and General Notice

The Scott County school division shall post, in conspicuous places, on the premises of the school division where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor. Attachment 1 may be used as the notice.

A copy of Attachment 1 will also be given to each employee by including it in the employee handbook or similar document or by distributing it to each new employee upon hiring.

## Eligibility Notice

When an employee requests FMLA leave, or the division has knowledge that an employee's leave may be for an FMLA-qualifying reason, the division should notify the employee of the employee's eligibility to take FMLA leave within five business days. The Eligibility Notice should state whether the employee is eligible for FMLA leave. If the employee is not eligible for FMLA leave, the Notice must state at least one reason why the employee is not eligible (such as, for example, the number of months the employee has worked for the division.) This notification may be accomplished by providing the employee a copy of Attachment 4.

## Notice of Rights and Responsibilities

The division will provide written notice detailing the specific expectations and obligations of the employee and explaining the consequences of the failure to meet those obligations each time the employee is given an Eligibility Notice. This Notice will include, as appropriate:

- that the leave may be designated and counted against the employee's annual FMLA leave entitlement and the 12-month period for FMLA entitlement;
- any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status, and the consequences of failing to provide certification;
- that the division will substitute paid leave for unpaid leave and any conditions related to the substitution and the employee's right to take unpaid FMLA leave if the employee does not meet the conditions for paid leave;
- any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis;
- the employee's rights to maintenance of benefits during the FMLA leave and restoration to the same or an equivalent job upon return from FMLA leave; and
- the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after FMLA leave.

The Notice of Rights and Responsibilities should be accompanied by any required certification form.

The Notice of Rights and Responsibilities will also include notice that employees on FMLA leave must report their status and intention regarding returning to work to the division at least every four weeks.

If the information provided by the Notice of Rights and Responsibilities changes, the division will, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, provide written notice referencing the prior notice and setting forth any of the information in the Notice of Rights and Responsibilities that has changed.

## Designation Notice

When the division has enough information to determine whether the leave is being taken for a FMLA-qualifying reason, the division should give the employee written notice whether the leave will be designated and will be counted as FMLA leave within five business days. If the division determines that the leave will not be designated as FMLA-qualifying, the division must inform the employee of that determination. The division will also notify the employee that paid leave must be substituted for unpaid FMLA leave or that paid leave taken under an existing leave plan be counted as FMLA leave at the time of designating the FMLA leave.

If the division will require the employee to present a fitness-for-duty certification to be restored to employment after taking leave for a continuous period of time, the division will provide notice of the requirement with the Designation Notice. If the division will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the division must so indicate in the Designation Notice and must include a list of the essential functions of the employee's position.

If the division has reasonable safety concerns regarding the ability of an employee who is returning to work after intermittent or reduced leave schedule to perform his or her duties based on the serious health condition for which the employee took leave, it may require the employee to submit a fitness for duty certification unless one has been submitted within the past 30 days.

If the leave is not designated as FMLA leave because it does not meet the requirements of the FMLA, the notice to the employee that the leave is not designated as FMLA leave may be in the form of a simple written statement.

If the information provided by the division to the employee in the Designation Notice changes, the division will provide, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, written notice of the change.

The division will notify the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA-qualifying, the division must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement in the Designation Notice. If it is not possible to provide the hours, days, or weeks that will be counted against the employee's FMLA leave entitlement, then the division must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon request by the employee but no more often than once in a 30-day period and only if leave was taken in that period.

The division's decision to designate leave as FMLA-qualifying will be based only on information received from the employee or the employee's spokesperson. If the division does not have sufficient information about the reason for an employee's use of leave, the division will inquire further of the employee or the spokesperson to ascertain whether leave is potentially FMLA-qualifying. Once the division has knowledge that the leave is being taken for a FMLA-qualifying reason, the division will provide the employee the notice described in this subsection.

An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the division to determine whether the leave is FMLA-qualifying. If the employee fails to explain the reasons, leave may be denied.

#### Leave for the Birth, Adoption or Foster Placement of a Child

The employee's entitlement to leave for a birth, adoption or foster placement of a child expires at the end of the twelve month period beginning on the date of the birth, adoption or foster placement. Leave taken for the birth, adoption or foster placement of a child may be taken intermittently or on a reduced leave schedule if the superintendent agrees to such an arrangement.

If the necessity for leave for the birth, adoption or foster placement of a child is foreseeable based on an expected birth or placement, the employee shall provide the school division with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or

placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

Leave Because of a Serious Health Condition of Employee

Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

- If the necessity for leave is foreseeable based on planned medical treatment, the employee shall
- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
  - (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

The School Board may require that a request for leave because of the employee's own serious health condition be supported by a certification issued by a health care provider of the employee. The division may use Form WH-380-E (Attachment 2) for this certification. The division should request that the employee furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at a later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide a complete and sufficient certification within 15 calendar days after the division's request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

- (1) the name, address, telephone number and fax number of the health care provider and the type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the employee is unable to perform the essential functions of his or her position, the nature of any other work restrictions, and the likely duration of such inability.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of his or her serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates on which such treatment is expected to be given and the duration of such treatment and any period of recovery.

If an employee requests leave on an intermittent or reduced leave schedule because of his or her own serious health condition that may result in unforeseeable episodes of incapacity, the certification shall include information sufficient to establish the medical necessity for the intermittent leave or leave on a reduced leave schedule, and an estimate of the frequency and duration of the episodes of incapacity.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such



contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

#### Leave Because of a Serious Health Condition of a Child, Spouse, or Parent of Employee

Family and medical leave shall be provided when the employee is needed to care for his/her spouse, child or parent with a serious health condition, as defined above. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for an employee's spouse, parent, or child with a serious health condition be supported by a certification issued by a health care provider of the family member in need of care. The division may use Form WH-380-F (Attachment 3) for this medical certification. The division should ask the employee to furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at some later date if it has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification within 15 calendar days after the division's request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

- (1) the name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of a family member's serious health condition, the certification shall include information sufficient to

establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and the duration of such treatments and any periods of recovery.

If an employee requests leave on an intermittent reduced leave schedule in order to care for a family member with a serious health condition, the certification shall include a statement that the employee's intermittent leave or leave on a reduced leave schedule is medically necessary for the care of the son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

#### Leave to Care for a Covered Servicemember

If the necessity for leave is foreseeable based on planned medical treatment for a serious injury or illness of a covered servicemember, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for a covered servicemember with a serious injury or illness be supported by a certification issued by a health care provider of the covered serviceperson. The certification may be completed by any health care provider listed in 29 C.F.R. 825.310(a). The employee shall provide, in a timely manner, a copy of such certification to the school division.

Certification will be sufficient if it states

- (1) the name, address, and appropriate contact information (telephone number, fax number, and/or email address) of the health care provider, the type of medical practice, the medical specialty, and whether the health care provider is one of the following: a (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider or a health care provider as defined in 29 C.F.R. 825.125;
- (2) whether the covered servicemember's injury or illness was incurred in the line of duty on active duty;

- (3) the approximate date on which the serious health condition or serious injury or illness commenced or was aggravated and its probable duration;
- (4) a statement or description of appropriate medical facts regarding the covered servicemember's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (5) information sufficient to establish that the covered servicemember is in need of care and whether the covered servicemember will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.

If an employee requests FMLA leave on an intermittent or reduced leave schedule for planned medical treatment appointments for the covered servicemember, the certification must state that there is a medical necessity for the covered servicemember to have such periodic care and must contain an estimate of the treatment schedule of such appointments.

If an employee requests FMLA leave on an intermittent or reduced schedule basis to care for a covered servicemember other than for planned medical treatment, the certification must contain a statement that there is a medical necessity for the covered servicemember to have such periodic care, and must contain an estimate of the frequency and duration of the periodic care.

In addition to the information listed above, the division may also request that the certification set forth the information on Form WH-385 (Attachment 7.)

In lieu of Form WH-385, the division will accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill servicemember at his or her bedside. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, the employee may take leave to care for the covered servicemember in a continuous block of time or on an intermittent basis.

The information on the certification must relate only to the serious injury or illness for which the current need for leave exists. The division may seek authentication or clarification of the certification, ITO, or ITA but may not seek second or third opinions. The division may require an employee to provide confirmation of covered family relationship to the seriously injured or ill servicemember.

The division will also accept as sufficient certification of the servicemember's serious injury or illness documentation indicating the servicemember's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

#### Leave Related to a Qualifying Exigency arising from Covered Active Duty or a Call to Covered Active Duty

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is on covered active duty or has been notified of an impending call to covered active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The first time an employee requests leave because of a qualifying exigency arising out of the covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of a military member, the division may require the employee to provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service. A copy of new active duty orders or other documentation issued by the military shall be provided to the division if the need for leave because of a qualifying exigency arises out of a different covered active duty or

call to covered active duty status (or notification of an impending call or order to covered active duty) of the same or a different military member.

A request for leave because of a qualifying exigency must be supported by

- (1) a statement or description signed by the employee of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave;
- (2) the approximate date on which the qualifying exigency commenced or will commence;
- (3) the beginning and ending dates of absence if the employee requests leave because of a qualifying exigency for a single, continuous period of time;
- (4) an estimate of the frequency and duration of the qualifying exigency if the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis;
- (5) if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting; and
- (6) if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

The division may use Form WH-384 (Attachment 6) for this certification.

#### Rules for Intermittent and Reduced Schedule Leave

When permitted by the FMLA, intermittent and reduced schedule leave may be used until the aggregate amount of such leave equals twelve weeks or 26 weeks if the leave is taken to care for a covered servicemember in the employee's rolling year. However, when the employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment the school division may temporarily transfer the employee to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

When an eligible employee employed principally in an instructional capacity requests leave to care for a family member with a serious health condition, leave because of the employee's own serious health condition, or leave to care for a covered servicemember and the leave is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the school division may require the employee to elect either

- (1) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
- (2) to transfer temporarily to an available alternative position offered by the school division for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment position.

The school division may require an employee to make such an election when the employee has

- (1) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division, subject to the approval of the health care provider; and
- (2) has provided the division with not less than 30 days' notice before the date the leave is to begin, of the employee's intention to take leave, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

#### Rules for Husband and Wife Employed by BLANK School Division

A husband and wife who are both eligible for family and medical leave and are employed by the Scott County school division shall be granted family and medical leave only for a combined total of twelve weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by the Scott County school division shall be granted family and medical leave only for a combined total of 26 workweeks per year if the leave

- (1) is taken to care for a covered servicemember; or
- (2) is taken as a combination of leave to care for a covered servicemember and leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition. However, if the leave taken by the husband and wife includes leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition, the leave for that reason shall be limited to 12 workweeks per year.

#### Benefits During Family and Medical Leave

Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits shall be provided according to the Scott County school division policy for paid or unpaid leave, whichever applies.

If the employee fails to return to work when the period of leave to which he or she is entitled expires for any reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave, or other circumstances beyond the employee's control, the school division may recover the premium it paid for maintaining the employee's coverage during the period of unpaid leave in accordance with federal law.

#### Return to Work

An employee on family and medical leave shall provide the division at least two work days' notice of the intent to return to work. The employee shall be returned to the same or equivalent position at the end of the family and medical leave unless the division shows that the employee would not otherwise have been employed at the time reinstatement is requested.

The following return to work provisions apply to instructional employees:

1. If an instructional employee begins family and medical leave more than five (5) weeks before the end of an academic term, the employee may be required to continue taking leave until the end of the term if the leave is at least three (3) weeks in duration and the return to work would occur during the last three (3) weeks of the academic term.
2. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the five (5) week period before the end of an academic term, the employee may be required to continue taking leave until the end of the academic term if the leave is longer than two (2) weeks in duration and the return to work would occur during the last two (2) weeks of the academic term.
3. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the three (3) week period before the end of an academic term, the employee may be required to continue taking leave until the end of an academic term if the leave is longer than five (5) working days in duration.

If an instructional employee is required to continue leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be counted against the family and medical leave entitlement. However, the division must continue the group health insurance coverage under the same conditions as if the employee were working.

## Outside Employment

An employee who is on family and medical leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may include termination from employment.

Legal Refs.: 29 U.S.C. §§ 207, 2611, 2612, 2613, 2614, 2618, 2619.

29 C.F.R. 825.110, 825.115, 825.122, 825.124, 825.125, 825.200, 825.203, 825.207, 825.300, 825.301, 825.302, 825.303, 825.305, 825.306, 825.307, 825.309, 825.310, 825.311, 825.312, 825.600, 825.602, 825.603, 825.800.

Cross Refs.:	GCBD	Staff Leaves and Absences
	GCBEA	Leave without Pay
	GCQA	Nonschool Employment by Staff Members

## ATTACHMENTS

- Attachment 1 **Employee Rights and Responsibilities Under the Family and Medical Leave Act** (WHD Publication 1420) (Revised February 2013)  
*Please note: a copy of this poster can be downloaded from*  
<http://www.dol.gov/whd/regs/compliance/posters/fmla.htm>
- Attachment 2 **Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-E) (Revised May 2015)  
*Please note: a copy of the certification form can be downloaded from*  
<http://www.dol.gov/whd/forms/WH-380-E.pdf>
- Attachment 3 **Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-F) (Revised May 2015)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/WH-380-F.pdf>
- Attachment 4 **Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)** (Form WH-381) (Revised February 2013)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/WH-381.pdf>
- Attachment 5 **Designation Notice (Family and Medical Leave Act)**  
(Form WH-382)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/WH-382.pdf>
- Attachment 6 **Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act)**  
(Form WH-384) (Revised February 2013)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/WH-384.pdf>

Attachment 7 **Certification for Serious Injury or Illness of Covered Servicemember—for Military Family Leave (Family and Medical Leave Act)** (Form WH-385) (Revised May 2015)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/WH-385.pdf>

Attachment 8 **Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Family and Medical Leave Act)** (Form WH-385-V (revised May 2015)  
*Please note: a copy of this form may be downloaded from*  
<http://www.dol.gov/whd/forms/wh385V.pdf>

## LEAVE WITHOUT PAY

### Employee's Debilitating or Life-Threatening Illness or Injury

A leave of absence, without pay, may be granted to employees of the school division who have a debilitating or life-threatening illness or injury and who are not eligible for Family and Medical Leave as described in Policy GCBE Family and Medical Leave because they have not worked for the division for 12 months or have not worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

Employees with a debilitating or life-threatening illness who are entitled to leave under this policy may take up to thirty (30) days unpaid leave during their first year of employment with the school division. Leave may be taken only in full-day increments. Leave may be taken only when the employee has no other leave (such as sick leave) available.

Employees must submit medical documentation of their need for leave. Whenever possible, documentation must be provided prior to leave being taken.

Approval must be obtained prior to leave being taken.

All rights under this policy expire at the end of the employee's first year of service.

### Other Work During Leave

Employees who are on unpaid leave pursuant to this policy or any other policy, except those on leave pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (see Policy GCBEB Military Leave and Benefits), may not engage in work for which they receive pay or any other type of remuneration without the prior written approval of the superintendent.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.

Cross Refs.:	GCBD	Staff Leaves and Absences
	GCBE	Family and Medical Leave
	GCBEB	Military Leave and Benefits



## MILITARY LEAVE AND BENEFITS

### Leave

All employees of the Scott County School Board who are members of the state or federal military reserves are entitled to leaves of absence from their duties on all days during which they are engaged in federally funded military duty, including training duty, or when called forth by the Governor.

Immediately upon receipt of official notice to report for duty, the employee will notify his or her supervisor of the need for military leave. A copy of the official orders must accompany the leave request.

### Pay/Paid Leave

All employees on military leave will receive up to 15 days paid leave per federally funded tour of duty. When possible, military leave for employees on less than a 12 month contract will be arranged during non-duty hours.

An employee who is scheduled for a physical examination for military service during working hours, including but not limited to pre-induction physicals, will be given paid leave.

In addition, full-time employees of the Scott County School Division whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component requires his or her absence from employment will receive supplemental pay in the amount of or equal to their school system monthly salary. If the employee's military compensation is less than the regular salary paid to the employee by the school division, the school division will pay the difference.

The employee will be permitted, upon request, to use any vacation, annual, or similar leave that had accrued at the time military leave began.

Except as outlined above, military leave is unpaid.

### Benefits

#### Health Benefits

If the employee so desires, the employee and the employee's dependents may continue to participate in the division's group health plan for up to 24 months while the employee is on military leave. The employee must notify **K.C. Linkous** if he or she wants to continue participation in the division's group health plan. Employees who elect to continue on the division's health plan will be responsible for the following payments:

#### Retirement Benefits

An employee reemployed after military leave will be treated as not having incurred a break in service. The period of military leave will be considered service to the division for purposes of vesting and benefit accrual. The division is responsible for its pension plan funding obligation. The division is not required to make its contribution until the employee is reemployed.

The employee will be allowed, but not required, to make up his or her contributions to a contributory plan. The employee may repay his or her employee contributions for a period of up to three times the period of military service, but not to exceed five years. If the employee's retirement plan is contributory and the employee does not make up his or her contributions, he or she will not receive the employer match or the accrued benefit

attributable to his or her contribution because the employer is required to make contributions that are contingent on the employee's contributions.

The employer and employee contribution will be calculated on the rate of pay the employee would have received but for the absence to serve military duty.

#### Reemployment

An employee who is entitled to military leave by reason of service in the federal military reserves is entitled to be reemployed by the School Board as long as he or she

- has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise impossible or unreasonable);
- has not been absent from his or her job for more than five years; and
- returns to work as outlined below.

If the employee was absent from work for

- less than 31 days, he or she must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
- more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
- more than 180 days, the employee must submit an application for reemployment within 90 days after the completion of service.

Employees who are entitled to military leave due to service in the Virginia military reserves must make written application for reemployment within (1) 14 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services does not exceed 180 days or (2) 90 days of his release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services exceeds 180 days.

Upon returning from duty, an employee will be restored to the same job he held before leaving or to a comparable job. The School Board is not obligated to reemploy persons returning from military leave in certain unusual situations specified by state and federal law.

#### Termination after Reemployment

A person who is reemployed after returning from more than 30 days of military duty will not be discharged except for cause

- within one year after the date of reemployment, if the person's period of military service before the reemployment was more than 180 days; or
- within 180 days after the date of reemployment, if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

#### Discrimination Against Members of Military Reserves Prohibited

Members of the military reserves will not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of that membership.

Legal Refs: 38 U.S.C. §§ 4312, 4313, 4316, 4317.  
20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267.

Code of Virginia, 1950, as amended, §§ 22.1-289.2, 44-93, 44-93.1, 44-93.3, 44-93.4, 44-102.1.

## **CIVIC DUTIES**

### **I. Jury Duty**

The Scott County School Board supports its employees fulfilling the civic duties of serving on federal and state jury panels. Employees called for jury duty may be absent without loss of pay subject to verification of actual days served by the clerk of the court.

### **II. Court Appearances**

Employees subpoenaed as court witnesses or summoned for a job related legal transaction may be absent without loss of pay. The superintendent or designee shall have approval authority to grant such leave for employees. In order to be paid under these circumstances, a copy of the subpoena shall be transmitted to the payroll office.

When attending to personal legal transactions, employees must use personal leave or annual leave, or be placed on a leave without pay status.

## EMPLOYMENT OF FAMILY MEMBERS

The School Board may not employ or pay, and the superintendent may not recommend for employment, any family member of the superintendent or of a School Board member. This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who

- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of the superintendent or any School Board member, or
- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of the family relationship, or
- was employed by the school board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the school board or division superintendent of schools.

A family member employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such board member or division superintendent or to the inception of such relationship.

No family member of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3119.

Cross Ref.: BBFA Conflict of Interests and Disclosure of Economic Interests  
GCI Professional Staff Assignments and Transfers

## EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

### Generally

The Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

### I. APPLICANTS FOR EMPLOYMENT

#### A. Criminal Convictions

As a condition of employment for all of its public school employees, whether full-time or part-time, permanent, or temporary, the Scott County School Board shall require on its application for employment certification (i) that the applicant has not been convicted of a felony or any offense involving the sexual molestation, physical or sexual abuse or rape of a child; and (ii) whether the applicant has been convicted of a crime of moral turpitude.

The Scott County School Board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect shall be guilty of a Class 1 misdemeanor and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with the Scott County School Board shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who are offered or accept employment.

To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, the Scott County School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment of the results of the criminal history record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and the Scott County School Board as provided by statute.

If an applicant is denied employment because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the applicant.

#### B. Founded Complaints of Child Abuse or Neglect

The School Board requires, as a condition of employment, that any applicant who is offered or accepts

employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board shall ensure that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board shall take reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

If an applicant is denied employment because of information appearing on his record in the registry, the School Board shall provide a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services shall be confidential and shall not be disseminated by the School Board.

## II. EMPLOYEE CHARGES AND CONVICTIONS

### A. Criminal Proceedings

An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or a misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with Policy GCPF Suspension of Staff Members.

If a current employee is suspended or dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the employee.

The superintendent shall inform the School Board of any notification of arrest of a school board employee received pursuant to Virginia Code §19.2-83.1. The School Board shall require such employee, whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the employee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee's criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

### B. Founded Complaints of Child Abuse or Neglect

Any employee of the Scott County School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.

III. For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code section 18.2-251 shall be treated as a conviction and as a finding of guilt.

IV. COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECKS

The applicant or employee shall pay for the fingerprinting, criminal record check and abuse and neglect check conducted pursuant to this policy. The cost for fingerprinting is \$40. Cash or money orders will be accepted, no checks.

Legal Ref.: Code of Virginia, as amended, §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, 63.2-1515.

Cross Refs.: GCPF Suspension of Staff Members  
GCPD Professional Staff Discipline

## **PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT**

### Substitute Teachers

Substitute teachers shall:

- be at least 18 years old, with preference given to persons 21 years old or older;
- possess good moral character;
- hold a high school diploma or have passed a high school equivalency examination approved by the Board of Education;
- attend orientation to school policies and procedures.

The Scott County School Board shall seek to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.

A substitute teacher, as used in this section, is (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

### Homebound Teachers

Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.

### Part-Time Teachers

An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time.

Part-time teachers shall meet the certification requirements of the State Board of Education.

### Summer School Teachers

Summer school teachers shall meet all certification requirements.

### Interns

Arrangements for the utilization of interns in the school division should be initiated through the superintendent.

### Student Teachers

The school division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent shall have the responsibility for the assignment and placement of student teachers in the school system.

Student teachers shall not be used as substitute teachers.



Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-302.

Cross Ref.:	GCB	Professional Staff Contracts
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

## **SUBSTITUTE TEACHERS**

Substitute teachers who hold a collegiate professional license to teach in the state of Virginia, after working ten (10) consecutive days in one position as a substitute, will receive \$118 a day. Substitute teachers with a four year degree, after working ten (10) consecutive days in one position as a substitute, will receive \$88 a day. The first ten (10) days will be at the regular substitute rate of pay based on his/her educational experience.

Substitute teachers must be approved by the School Board or their designee.

## PROFESSIONAL STAFF PROBATIONARY TERM AND CONTINUING CONTRACT

### Teachers

#### Probationary Term

A probationary term of service of five years in the Scott County School Division is required before a teacher is issued a continuing contract. Service under a local teacher license does not count towards satisfying this probationary requirement. A mentor teacher is provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers shall be evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. A teacher in his first year of the probationary period is evaluated informally at least once during the first semester of the school year. The superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract. If a probationary teacher's evaluation is not satisfactory, the School Board shall not reemploy the teacher.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. The Scott County School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed two years, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the contract must be given by the board on or before June 15 of each year. If the teacher requests a conference with the superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the superintendent notifies the teacher of his intention with respect to the recommendation.

#### Continuing Contract

Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire. Written notice of noncontinuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than June 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body.

#### Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent, the superintendent's designee or the School Board. Before recommending such reassignment, the superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, his designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a certificate as prescribed by the Board of Education.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304.

Cross Refs.:	GBM	Professional Staff Grievances
	GCB	Professional Staff Contracts
	GCE	Part-Time and Substitute Professional Staff Employment
	GCN	Evaluation of Professional Staff
	GCPA	Reduction in Professional Staff Work Force
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

## PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

### A. Assignment.

The superintendent assigns employees to positions consistent with their abilities.

#### 1. Administrators and supervisors other than principals

Assignment of administrative positions shall be based upon leadership skills, scholarship, character, special abilities or skills, and competence.

#### 2. Principals, assistant principals and teachers

The superintendent is authorized to assign to their respective positions in the school wherein they have been placed by the School Board all teachers, principals and assistant principals.

### B. Reassignments/Transfers

The superintendent may reassign any teacher, principal or assistant principal for that school year to any school within the division provided no change or reassignment during a school year shall affect the salary of such teacher, principal or assistant principal for that school year. Teachers may request a change of assignment within the areas of their certification. The administration shall develop procedures for the handling of voluntary teacher transfer requests.

As used in this policy, "supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-297.

## TEACHER TRANSFER REQUEST

### Voluntary

Teachers who wish to be considered for a transfer to another school in the division shall file written notice on the form provided by the Superintendent's Office no later March 1.

Such requests shall remain active for consideration until two weeks before the commencement of school for students.

Teachers who have requested transfers or reassignments shall be notified as soon as possible of the action on said transfer or assignment. This action will include:

1. the granting of the transfer or assignment, or
2. a letter of denial, or
3. a statement that this request is being held in abeyance with the possibility that it can be granted within a reasonable period of time.

The voluntary reassignment and/or transfer of a teacher should include the consideration of the following:

1. Certification of the teacher and certification requirement of the vacancy,
2. Satisfactory evaluation of performance,
3. Contribution staff members could make to students,
4. Opportunity for professional growth of staff members,
5. Hardships imposed by not granting the request,
6. Availability of vacancy,
7. Other factors that may be relevant to the requested assignment and/or reassignment, such as experience and/or training
8. Length of service within the Scott County School System.

### Involuntary Transfers

In the event the Superintendent deems the transfer of a teacher as necessary to the successful and efficient operation of the school system, the Superintendent (or his designee) shall make an attempt to contact or meet with the teacher involved at which time the teacher will be notified.

If a teacher is not endorsed or certified in the area to which he/she is transferred, an appropriate amount of time will be given to achieve endorsement, and said employee will not be subject to repeated out of subject transfers.

## **PROFESSIONAL STAFF TIME SCHEDULES**

### School Board Administrative Office Personnel Workday

Personnel assigned to teach any part of the school day in a county school shall be on duty for the hours established for teachers in that school or, if assigned to teach in more than one school, the maximum time schedule of the schools served (See Teacher's Regular Workday).

Non-teaching personnel employed in the School Board Administrative Office shall be on duty eight hours each official work day between 8:00 a.m. and 4:30 p.m. with a lunch period of not less than thirty minutes and not more than one hour as well as that time necessary to perform duties to carry out the responsibilities of their positions that must be performed at times other than during office hours.

### Principals Regular Workday

Principals shall be in their buildings by 7:30 a.m. and pursuing their duties each official work day and shall remain as long after the teachers leave as their duties require. It shall also be understood that additional time may be required of principals and assistant principals to insure the orderly and efficient operation of their schools.

### Teachers Professional Non-Teaching Workday

A professional non-teaching workday is defined as a minimum of six hours not including lunch. Professional non-teaching workdays begin at 8:00 a.m. and end at 2:00 p.m. Exceptions to these hours of work may be granted for just cause by the Principal.

## PROFESSIONAL STAFF DEVELOPMENT

The Scott County School Board provides a program of high-quality professional development

- (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels;
- (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;
- (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula,
- (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel, and
- (v) designed to educate School Board employees about bullying and the need to create a bully-free environment.

In addition, the Board provides teachers and principals with high-quality professional development programs each year in

- (i) instructional content;
- (ii) the preparation of tests and other assessment measures;
- (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives;
- (iv) instruction and remediation techniques in English, mathematics, science and history and social science;
- (v) interpreting test data for instructional purposes;
- (vi) technology applications to implement the Standards of Learning; and
- (vii) effective classroom management.

All instructional personnel are required to participate each year in professional development programs.

The Board will annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:5.  
8VAC 20-450-10.



## **PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES**

(Released Time)

The School Board authorized the Administration to grant released time without loss of compensation to individual employees for the purpose of participation in civic activities, the holding of office in community organizations, and attendance at conferences and seminars for the improvement of job skills when, in the judgment of the individual's immediate management supervisor, the following conditions prevail:

- The total number and sequence of absences from regular duties for all foreseeable causes will have minimal cross-purpose effect on delivery of any one of the following services or combination thereof:
  - a. the continuity of instruction of pupils by their regular teacher
  - b. the regular availability of certificated personnel to pupils for individual attention and both formal and informal counseling of individual pupils outside of regular class hours
  - c. the availability of certificated personnel to confer with parents regarding pupil progress
  - d. the regular performance of duties within the scope of an individual's job description as performance relates to achievement of educational missions of the division.
- The purpose of the released time absence from regular service is directly linked to the duties and responsibilities comprising the job description of the employee.
- Released time from service under this policy will be subject to periodic review by the administration and the Board.

All requests for released time will be made in writing, bear the endorsement of the employee's immediate management supervisor, be approved or denied by the Superintendent or his designee, and copies will be kept on file for one year after the date of request. Requests for released time will be made on Form 373 at least 30 days prior to the event.

Except as may be provided by other policies of the School Board, the necessary expenses of employees granted released time will be borne by the civic, technical, or other sponsoring organization or the requesting employee.

Compensation received by the employee while on paid release time, up to and including the employee's daily rate of compensation will be refunded to the division as reimbursement for value of services lost.

## IN-SERVICE CREDIT

Teachers are contracted to work a total of 200 or 220 days. 180 of these days are spent directly with students. The remainder of their contract is to be fulfilled by a combination of extra assignments and staff development activities from the list below.

**A. Divisional Assigned Days (may vary)**

- Pre-service
- Professional Development
- Post-service
- Release Days
- Work days

**B. Principal Assigned/Approved Activities/Staff Development (Minimum of 21.5 Hours)**

(occurring after school hours, weekends, or during the summer)

- Curriculum development work
- Committee meetings
- PTA or Parent Auxiliary meetings
- School sponsored celebrations, dances, proms, etc.
- Faculty meetings
- Club sponsorship (non-paid)
- School sponsored trips (nights, weekends, or summer)
- School sponsored festivals
- Home visitation
- Parent conference (outside of the school day)
- Graduation
- Open house
- Division sponsored staff development workshops
- Regional workshops
- College course (One course not paid by county or used for recertification may be used- max.of 15 hours)
- School sponsored staff development activities
- Conferences
- Other activities (as approved by the Superintendent or designee)

Inservice and workshops in the school should be designed to meet the needs established in the School Plan that are being driven by the SOL test results, accreditation requirements, and NCLB regulations.

Inservice and workshops should include but not be limited to:

- Faculty awareness of SOL's with respect to scope and sequence, pacing guides, blueprints, released test, etc.
- SOL assessment results and their implications toward curriculum and instruction
- Implications and requirements for the VSEP, VGLA, SELP, and VAAP testing
- Local test and assessment preparation to compliment the SOL test
- Use of educational technology, including Smart Boards to enhance instruction
- Instructional strategies to address the needs of gifted students, Limited English Proficient students, and students with identified disabilities in the regular classroom setting
- Utilizing Title I teachers, special education teachers, and other resource personnel to effectively remediate identified at-risk students
- In-class remediation techniques and strategies
- Effective instructional delivery models

- Classroom management/discipline techniques
- Inclusion and collaboration instructional models
- Appropriate public relations and parent involvement procedures
- Attendance, drop-out, and graduation rate issues

## INSERVICE CREDIT FOR LICENSE RENEWAL OR CONTRACT FULFILLMENT

In order to be consistent in awarding License Renewal Points or Contract Fulfillment Hours, please refer to the scale below:

LENGTH	LICENSE RENEWAL	CONTRACT FULFILLMENT
1-hour workshop	1-point	1 HOUR
1 ½ -hour workshop	2 points	1.5 HOURS
2-hour workshop	2 points	2 HOURS
2 ½ -hour workshop	3 points	2.5 HOURS
3-hour workshop	3 points	3 HOURS
3 ½ -hour workshop	4 points	3.5 HOURS
4-hour workshop	4 points	4 HOURS
5-hour workshop	5 points	5 HOURS
6-hour workshop	6 points	6 HOURS

### TRAVEL TIME

You may count travel time toward contract fulfillment if the assigned workshop is outside Scott County, but not towards license renewal.

200	-	contract days
180	-	actual workdays
4	-	pre service days
2	-	post service days
7	-	Central Office assigned days
193	-	Total Days
42	-	Hours remaining for principal approved staff development workshops and assigned activities. <b>(At least 15.5 hours must be spent in staff development activities. 15 hours maximum for any one activity.)</b>

### **RECERTIFICATION:** EARN 180 POINTS IN FIVE (5) YEARS

YOU MUST TAKE: 1 THREE (3) HOUR CREDIT COURSE IN ENDORSEMENT AREA= 90 POINTS  
REMAINING 90 POINTS BY CLASSES, WORKSHOPS, ETC.

MASTER'S DEGREE: EARN 180 POINTS ANY WAY YOU WISH (WORKSHOPS, CLASSES, ETC.) THAT MEETS THE  
CRITERIA OF THE DOMAINS OF PROFESSIONAL COMPETENCY.

\* Additional information about license renewal can be found at:

[http://www.doe.virginia.gov/teaching/licensure/licensure\\_renewal\\_manual.pdf](http://www.doe.virginia.gov/teaching/licensure/licensure_renewal_manual.pdf).

## EVALUATION OF PROFESSIONAL STAFF

Every employee of the Scott County School Board staff will be evaluated on a regular basis at least as frequently as required by law.

The superintendent shall assure that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The primary purposes of evaluation are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals. Evaluations shall include student academic progress as a significant component and an overall summative rating.

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

If a teacher's performance evaluation during the probationary period is not satisfactory, the School Board shall not reemploy the teacher.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-294, 22.1-295, 22.1-303, 22.1-253.13:5, 22.1-253.13:7 and 22.1-276.2.  
Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers (Virginia Board of Education April 2011)  
([http://www.doe.virginia.gov/teaching/performance\\_evaluation/guidelines\\_ups\\_eval\\_criteria\\_teachers.pdf](http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_teachers.pdf)).  
Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals (Virginia Board of Education February 2012)  
([http://www.doe.virginia.gov/teaching/performance\\_evaluation/guidelines\\_ups\\_eval\\_criteria\\_principals.pdf](http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_principals.pdf)).

Cross Ref.: CBG Evaluation of the Superintendent  
GCG Professional Staff Probationary Term and Continuing Contract

## **REDUCTION IN PROFESSIONAL STAFF WORK FORCE**

A decrease in enrollment, abolition of particular subjects, a decrease in the School Board's budget as approved by the appropriating body, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program or department or in the entire school division.

General reduction in total personnel and redistribution of personnel within designated programs shall be done in accordance with regulations adopted by the Board. The regulations will not provide for reductions to be made solely on the basis of seniority; they will include consideration of the performance evaluations of the teachers potentially affected by the reduction in workforce.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-304.

Cross Ref.: GCG Professional Staff Probationary Term and Continuing Contract

## **REDUCTION IN PROFESSIONAL STAFF WORK FORCE PROFESSIONAL PERSONNEL Reduction in Force (RIF)**

### **A. In General**

An orderly and consistent plan shall be followed in the event the Scott County School Board must reduce the number of staff members employed. Reductions may result from consolidation of schools, a decrease in enrollment, elimination and/or cutbacks of programs or subjects, lessening of available local, state, and federal funds, and other extenuating circumstances.

In the event of such circumstances, it shall be the sole discretion of the board, upon the recommendation of the superintendent of schools, to determine the necessity of a reduction in force of personnel and program adjustment.

All reductions shall be based on the best interests of the school system for maintenance of a sound and balanced educational program which meets the laws and regulations by which the board is governed.

The application of the reduction-in-force policy shall be division wide rather than for individual schools. A seniority list will be prepared each year by August 15 for professional personnel under contract with five or fewer years. The same principles and procedures will apply if a list for more than five years is required. This policy applies to probationary contract teachers, certified teaching personnel under continuing contract, school administrative personnel under continuing contract, and central office and service personnel under continuing contract.

### **B. Definition of Terms**

#### **1. Classification of Personnel**

- a. Certificated Teaching Personnel under Continuing Contract Certificated teaching personnel under continuing contract shall include those employees of the school board who, by reason of their position, must have teaching certification from the State Board of Education.
- b. School Administrative Personnel under Continuing Contract School Administrative Personnel under continuing contract shall be those persons who have been assigned to building-level administrative positions.
- c. Central administrative and service personnel under continuing contract shall be those persons who have been assigned to central office administrative and service positions.
- d. Authorized leave shall be a leave of one year or less as granted by the Scott County School Board such as:  
i.e. military leave

#### **2. Seniority**

Seniority shall be that period of time commencing with the most recent term of continuous full-time service in the Scott County Public Schools based on date of contract with the Scott County School Division including authorized leave(s), but excluding employment under temporary or interim contract. Should a tie exist, the tie shall be broken in the following order:

- a. official beginning date of employment as shown on the employee's contract;
- b. the date the School Board took action on the employment of the employee as shown in

- the Board's minutes;
- c. date of employee's signature on the contract; and
- d. selection by lot.

### 3. Endorsement Areas

The teaching endorsements shown on the current teaching certificate as issued by the State Department of Education.

### 4. Seniority Lists

- a. The seniority lists for certificated teaching personnel under continuing contract will be shown in ascending order of seniority and shall be comprised of categories of the various endorsement areas.
- b. The seniority lists for school administrative personnel under continuing contract will be shown in ascending order of seniority and shall be comprised of categories based on job designations.
- c. The seniority lists for central office administrative and service personnel under continuing contract will be shown in ascending order of seniority (least years to most years) and shall be comprised of categories based on job designations.
- d. Experience credit:
  - 1) The certificated teaching employee under continuing contract shall be entered on all seniority lists in areas for which he/she is endorsed at the time the lists are prepared.
  - 2) School administrative personnel under continuing contract shall be entered on seniority lists for total years of experience in Scott County in all areas for which they hold endorsements.
  - 3) Central office administrative and/or service personnel under continuing contract shall be entered on seniority lists for total years of experience in Scott County in all areas for which they hold endorsement.
  - 4) Active Assignment: The endorsement, administrative, or service area in which the individual is actively employed and assigned at such time as it may become necessary to implement reduction-in-force procedures.

## **C. Destaffing Procedures**

### Certificated Teaching Personnel - Probationary Contract Teachers

Destaffing of certificated teaching personnel under probationary contract will be in accordance with the procedures set forth in the Code of Virginia §22.1-305. Destaffing of certificated teaching personnel under probationary contract after June 15 of each school year will be in accordance with the provisions of Code of Virginia and §22.1-304.

No certificated teacher under continuing contract shall be destaffed because of a reduction in force until all certificated teachers under probationary contract in the same category of assignment has been destaffed.

#### 1. Certificated Teaching Personnel – Continuing Contract Teachers

(See Code of Virginia §22.1-303 and §22.1 -304) Destaffing of certificated teaching personnel under continuing contract will be based on seniority as defined in Section B of this policy.

#### 2. School Administrative Personnel Under Continuing Contract

Should a school administrator under continuing contract be eliminated as a part of a reduction in force, the school administrator may be reassigned to a teaching position in accordance with the provisions set forth in the Code of Virginia, §22.1-294.

#### 3. Central Office Administrative and/or Service Personnel under Continuing Contract



Should a central office administrative or service employee under continuing contract be eliminated as a part of a reduction in force, the central office administrative or service employee may be reassigned to a teaching position in accordance with the provisions set forth in the Code of Virginia §22.1-294. If an involuntary transfer of a Central Office Administrator and/or Administrators/ and/or Service Personnel to a teaching position occurs, they will be given their current salary for the first year of reassignment and will then be placed on the teacher scale for the second year.

4. Transfers

Transfers will be made within the school division when feasible to accommodate the retention of employees having seniority in the area affected by reduction in force. The selection of personnel to be transferred from one school or facility to another will be governed by the need to maintain the maximum effectiveness of the schools and programs involved as determined by seniority according to endorsed areas. Should a person refuse an assignment by transfer, he/she may be terminated and will not be listed for recall.

5. Notification

All employees scheduled for destaffing under this policy shall be notified in writing at the earliest possible date but in no case later than April 15 unless inadequate funding or decrease in enrollment after that date requires further adjustment (See Code of Virginia, §22.1-304).

6. Exception

The provisions of Section C of this policy shall not apply in those cases where the employment of certificated teachers whose special skills and/or active assignments is essential to the effective operation of the school program. The termination of essential certificated teachers shall be solely at the discretion of the school board upon the recommendation of the superintendent. (Provisions of this exception shall be used only as a last resort when a program or activity would be eliminated or the safety and/or welfare of the students are in jeopardy.

**D. Recall Procedures**

1. The provisions for recall shall apply to all professional personnel under continuing contract.
2. When an opening occurs, the eligible person with the greatest seniority will be offered the position. If the opening is in a teacher's last assignment, he/she must accept the assignment or lose all recall rights. If the opening is in a teacher's endorsement area but not in his or her last assignment he/she has the option of not accepting the assignment. Eligible certificated employees under continuing contract who have not been recalled within one year from the time of notification of destaffing will have no further recall rights.
3. When an eligible employee is to be recalled, he/she will be notified by certified mail, receipt requested, at his/her last known address. All rights of recall will be forfeited if the offer of employment is not accepted in writing within ten work days or receipt of notice. If notice of recall is undeliverable, all rights of recall will be forfeited. It shall be the responsibility of the employee to maintain an accurate and updated address with the Scott County School Board.
4. The employee will not be eligible for recall if:
  - a. The employee, subsequent to termination, made contractual commitments with another school or school division from which release cannot be obtained prior to July 15. This restriction shall apply to the one year of eligibility for recall.
  - b. The employee fails to maintain a valid certificate to teach.
5. Upon return to employment on recall, eligible employees will resume an appropriate placement on the salary schedule and will not receive credit for the time they were not employed.

6. Unused sick leave accrued prior to termination will be reinstated upon recall to duty.
7. A teacher terminated because of the reduction policy, if desired, will be given priority on the substitute teacher list.

**E. Board Minutes**

To avoid negative implications with regard to the professional recall of an employee destaffed under this policy, the minutes of the board will clearly show that such termination of employment was due to a reduction in force.

**F. Statement of Condition**

If any clause, sentence, paragraph, subdivision, section or part of this policy shall be adjusted by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Legal Reference: Code of Virginia §22.1-294, §22.1 -303, §22.1-304, and §22.1-305.

## RESIGNATION OF STAFF MEMBERS

The superintendent is authorized to approve resignations of employees. Any resignation must be in writing.

A teacher may resign after June 15 of any school year with the approval of the superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the superintendent. In the event that the Board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the superintendent. The superintendent will inform the School Board of the resignation at its next regular meeting.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-304.  
8 VAC 20-440-160.

Cross Refs.: GCPD Professional Staff Discipline  
GDB Support Staff Employment Status

## PROFESSIONAL STAFF DISCIPLINE

### A. Probation and Dismissal

Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause. "Incompetency" includes, but is not be limited to, consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations.

A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the School Board to recommend that the Board of Education revoke such person's license to teach.

In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation.

If a current employee is dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year.

No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board.

### B. Suspension

Employees of the Scott County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

### C. Failure to Perform Nonemergency Health-Related Services

With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

"Health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.

### D. Effect of Probation Pursuant to Va. Code §18.2-251

For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 shall be treated as a conviction and as a finding of guilt.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-274, 22.1-296.2, 22.1-307, 22.1-313, 22.1-315.

Cross Refs.: GCE Part-Time and Substitute Staff Employment  
GCG Professional Staff Probationary Term and Continuing Contract  
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect  
GCPF Suspension of Staff Members  
JHC Student Health Services

## **SUSPENSION OF STAFF MEMBERS**

Employees of the Scott County School Board, whether full-time or part-time, permanent or temporary, may be suspended for good and just cause

- when the safety or welfare of the school division or the students therein is threatened or
  - when the employee has been charged by summons, warrant, indictment or information with the commission of
    - a felony; or
    - a misdemeanor involving
      - sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia,
      - obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia,
      - drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia,
      - moral turpitude, or
      - the physical or sexual abuse or neglect of a child;
- or an equivalent offense in another state.

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the superintendent or appropriate central office designee shall not suspend an employee for longer than sixty (60) days and shall not suspend an employee for a period in excess of five (5) days unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the school board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. Any employee so suspended shall continue to receive his then applicable salary unless and until the school board, after a hearing, determines otherwise. No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above-listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to the employee's salary while on suspended status shall be placed in an interest-bearing demand escrow account. Upon being found not guilty of one of the above-listed criminal offenses or upon the dismissal or nolle prosequi of the charge, such employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

In the event an employee is found guilty by an appropriate court of any of the above-listed criminal offenses and, after all available appeals have been exhausted and such conviction is upheld, all funds in the escrow account shall be repaid to the School Board.

If an employee is suspended because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.

The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.2, 22.1-315.

Cross Refs.

GBMA	Support Staff Grievances
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPD	Professional Staff Discipline
GDG	Support Staff Probationary Period

## **NONSCHOOL EMPLOYMENT BY STAFF MEMBERS**

Employees may, during the hours not required of them to fulfill their responsibilities to the Scott County School Board, engage in other employment as long as such employment does not detract from or interfere with their employment by the Scott County School Board.

An employee who is on leave from the Scott County School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent .

The School Board does not endorse, support, or assume liability for any activity conducted by School Board employees in which division students or employees participate which is not sponsored by the School Board.

Legal Ref.: 29 C.F.R. 825.216(e).  
Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Refs.:	BBFA	School Board Members Conflict of Interest
	GAA	Staff Time Schedules
	GCBE	Family and Medical Leave
	GCBEA	Leave Without Pay
	GCBEB	Military Leave and Benefits
	GCQAB	Tutoring for Pay
	GCQB	Staff Research and Publishing



## **TUTORING FOR PAY**

Staff members may not be paid by anyone other than the Scott County School Board for tutoring students enrolled in a class under their direction.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78

## **STAFF RESEARCH AND PUBLISHING**

The Scott County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of division operations. The superintendent shall establish regulations pursuant to which the ownership rights to works produced by employees within the scope of their employment may be assigned.

Employees who develop materials, including instructional materials and computer programs, outside the scope of their employment that have a connection to or are related to the division shall inform the superintendent in writing of their intent to develop such materials prior to commencing work.

Legal Ref.: 17 U.S.C. §§ 101, 102, and 201.  
Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Refs.: EGAAA            Reproduction of Copyrighted Materials  
GCQA                Nonschool Employment by Staff Members

## **SUPPORT STAFF**

Support staff personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCPB	Resignation of Staff Members
	GCPF	Suspension of Staff Members
	GDB	Support Staff Employment Status

## SUPPORT STAFF EMPLOYMENT STATUS

Support staff are not issued written contracts unless such contracts are required by law.

The school division employs three types of support staff:

- Temporary employees who are hired for short-term needs on a daily basis; these employees do not receive benefits and are paid only for hours worked.
- Probationary employees who are fully qualified new employees assigned to authorized positions; these employees are eligible for salary increases and receive benefits.
- Regular employees who have successfully completed the prescribed probationary period; regular employees receive all employment benefits available under School Board policy.

The employment of support personnel may be terminated with fifteen calendar days' notice. Support personnel may also be subject to immediate dismissal for just cause.

Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment by the Scott County School Board.

Employees of the Scott County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Ref.:	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GDG	Support Staff Probationary Period
	GBMA	Support Staff Grievances
	GCPF	Suspension of Staff Members

## **SUPPORT STAFF PROBATION PERIOD**

The probationary period for all support staff positions is 365 days.

Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.

Cross Ref.: GBMA Support Staff Grievances  
GD Support Staff  
GDB Support Staff Employment Status

## **SUPPORT STAFF ASSIGNMENTS AND TRANSFERS**

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.

Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Refs.: GA Personnel Policies Goals  
GD Support Staff  
GDB Support Staff Employment Status  
GDG Support Staff Probationary Period

## PROFESSIONAL AND SUPPORT STAFF TIME SCHEDULES

### Work Hours

All instructional and administrative personnel in the individual schools are expected to be at the school at 8:00 a.m. and to remain until 3:30 p.m. and to be at such time and place as requested or assigned by administrative personnel to perform those extra-curricular duties assigned.

Principals shall be in their buildings by 7:30 a.m. and pursuing their duties each official work day and shall remain as long after the teachers leave as their duties require. It shall also be understood that additional time may be required of principals and assistant principals to insure the orderly and efficient operation of their schools.

All in-service time assigned will be given credit to employees as part of the extra days assigned above 180. Such time assigned shall be assigned by the principal or the authorized person from the School Board Office on forms as prescribed by the superintendent.

Administrative, supervisory, and clerical personnel who work in the School Board Office shall be expected to work from 8:00 a.m. until 4:30 p.m., unless otherwise assigned by the superintendent for efficient operation of the school system.

Non-certified personnel shall be assigned the following work hours.

- |                           |  |
|---------------------------|--|
| (1) Secretaries           | shall be assigned 10 months, 11 months, or 12 months and an adequate number of hours to meet accreditation standards         |
| (2) Maintenance Personnel | 40 hours per week as assigned by the maintenance supervisor.   |
| (3) Custodial Personnel   | 40 hours per week as assigned by the principal or the school or as written into their contract other than 40 hours per week. |
| (4) Garage Personnel      | 40 hours per week as assigned by the garage supervisor.  |
| (5) Bus Drivers           | such hours as required to complete the runs assigned to them under their contract.   |
| (6) Cooks                 | hours as needed assigned by the individual school, such hours to be assigned by the principal of each school                 |

Any hours worked by noncertified personnel exceeding conformity per week of the Wage Hour Law must be approved by an immediate supervisor and must be paid as requested by the Fair Labor Standards Act.

Standards for Accrediting Elementary Schools  
Standards for Accrediting Secondary Schools

## EVALUATION OF SUPPORT STAFF

Every employee of the Scott County School Board will be evaluated on a regular basis.

The superintendent shall assure that cooperatively developed procedures for support staff evaluations are implemented within the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee.

The primary purposes of evaluation and assistance are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-313, 22.1-253.13:7.C.7.

Cross Ref.:	CBG	Evaluation of the Superintendent
	GCN	Evaluation of the Professional Staff
	GD	Support Staff
	GDB	Support Staff Employment Status
	GDG	Support Staff Probationary Period
	GDPF	Suspension of Staff Members



## SCHOOL BUS DRIVERS

### Eligibility for Employment

Any applicant for employment operating a school bus transporting pupils must

- a. have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination
- b. furnish a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498
- c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character
- d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339
- e. have reached the age of 18 on the first day of the school year
- f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.

Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

The Scott County School Board requires proof of current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator as a condition of employment to operate a school bus transporting pupils.

### Drug and Alcohol Testing

The school division has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

### Prohibited conduct

Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.

## Required testing

Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers are subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.

## Notification

Each driver receives educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver must sign a statement certifying that he/she has received a copy of the above materials and the division maintains this signed copy.

Before performing each alcohol or controlled substances test, the division will notify the driver that the test is required by federal law or regulation.

## Consequences if testing indicates drug or alcohol misuse

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

## Record retention

The division maintains records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

## Test procedure

The division administers alcohol and controlled substance tests in accordance with federal laws.

Legal Refs.: 49 U.S.C. § 31136  
49 CFR § 382.101 et seq.  
Code of Virginia, 1950, as amended, §§ 22.1-178, 46.2-339, 46.2-340.  
8 VAC 20-70-280.

Cross Ref.: GBEA Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance

Beginning on January 1 of 1995, all Scott County Public School Employees who are required to have a Commercial Driver's License (CDL) including, but not limited to: drivers of school buses and activity buses, mechanics, substitute bus drivers, coaches and sponsors, who operate a commercial class vehicle must be tested for drugs on the following basis:

A. Pre-Employment

1. Before a driver operates a vehicle for the Scott County School Board for the first time, he or she must undergo drug testing. The result must show a negative drug test result.
2. The Scott County School Board will obtain the driver's consent to obtain test results from previous employers within two weeks of beginning employment and will obtain such results if applicable before the driver operates a vehicle for the school board.
3. New employees will receive a copy of the "CDL Drug and Alcohol Testing Policy" at the time that they are hired and will be asked to sign a statement indicating receipt of this policy.

B. Post-Accident

1. All CDL drivers involved in accidents in which they were operating a school board vehicle will be tested for both alcohol and drugs.
2. Alcohol tests will be administered within two hours of the accident if possible and no later than eight hours after the accident.
3. Drug tests will be performed within 32 hours of the accident.
4. If the tests are not performed, the Scott County School Board will maintain a record of the reasons the tests were not promptly performed.
5. Involved drivers must remain available for testing, or otherwise be deemed to have refused to submit to testing. Injured drivers will be tested at the hospital that they are taken to.

C. Random Testing

1. All employees requiring a CDL license and operating school board vehicles will be subject to unannounced random alcohol and drug tests on dates spread throughout the calendar year.
2. Fifty percent or more of the affected employees will be tested each year for drugs.
3. Twenty-five percent or more of the affected employees will be tested each year for alcohol.

D. Reasonable Suspicion Testing

1. Drivers will be tested when there is a reasonable suspicion of drug or alcohol use. Reasonable suspicion will be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. These observations will be made by a supervisor or school board employee who has received two hours of training on the indicators of alcohol and drug abuse. Such observations will be documented and dated within twenty-four hours of the time of occurrence.

E. Return-To-Duty Testing

Before a driver who has violated this policy can return to duty, he or she must undergo alcohol or drug testing, obtaining a negative result in the drug test and an alcohol concentration of less than .02 percent in the alcohol test. The Return-To-Duty Test must be conducted at the employees expense.

F. Follow-Up Testing

A driver, who has been determined under the rules to be in need of help in resolving problems associated with alcohol or drug abuse and has entered into or completed a treatment program is subject to unannounced follow-up testing as directed by a certified substance abuse professional.

G. Testing

1. A split specimen urinalysis will be conducted for drug detection. Forty-five ml of urine will be used. It will be split with 30 ml being for the primary specimen and 15 ml for the split specimen. The split specimen will be made available if the employee wants to request a second test, at his or her own expense, after being informed of a verified positive test. Tests will be performed for Marijuana, Cocaine, Opiates, Phencyclidine (PCP), and Amphetamines.
2. An Evidential Breath Test using an EBT device operated by a trained Breath Alcohol Technician will be used to test for alcohol
3. The results of controlled substance testing will be reviewed by a Medical Review Officer, who is a licensed physician with a knowledge of substance abuse disorders. This Medical Review Officer will not be employed by, or be a part of the laboratory performing the tests. The Medical Review Officer will contact the employee about positive or suspicious negative results to find out if there are prescription drugs involved. If the Medical Review Officer cannot contact the employee he or she will contact the Supervisor of Transportation and he will instruct the employee that he or she must contact the Medical Review Officer before returning to duty. The employee cannot continue to drive a Scott County School Board vehicle unless an investigation by the Medical Review Officer has proven the test result to be caused by legitimate medical treatment. The final results of the test will be reported to the Scott County School Board.

H. Unacceptable Test Results

1. A positive test for drugs.
2. An alcohol level of .04 percent or greater.
3. An alcohol level of .02 percent or greater on a Return-To-Work Test.

I. Consequences

1. CDL employees who test positive must be evaluated by a Substance Abuse Professional certified by the National Association of Alcoholism and Drug Abuse Counselors and complete the program of treatment recommended by this Professional.
2. CDL employees testing positive for drugs; testing at or greater than .04 percent alcohol level; exhibiting reasonably suspicious behavior or using alcohol within four hours before driving a school board vehicle, using alcohol on the job, or using alcohol during the 8-hour period immediately following an accident; or refusing to submit to testing will be prohibited from operating any school board vehicle until such time that the employee has been evaluated by a Certified Substance Abuse Professional and has enrolled in or completed the recommended program of treatment for alcohol or controlled substance abuse problems.
3. CDL employees testing between .02 and .04 percent alcohol level will not be allowed to operate a school board vehicle for eight hours after the test.
4. CDL employees who have tested positive and completed recommended treatment programs for alcohol abuse must have an alcohol level of below .02 before they can return to work. All Return-To-Duty Follow-Up Tests will be at the expense of the employee.

5. CDL employees who have tested positive for drugs and have completed recommended treatment programs for drug abuse must have a negative drug test before they can return to work.
6. CDL employees possessing alcohol or illegal drugs on the job; having an alcohol concentration of .04 percent or greater or a positive drug test; having been proven to be using alcohol or illegal controlled substances while driving a school board vehicle; having been proven to have used alcohol within four hours before driving a school board vehicle; having been proven to have used alcohol within two hours after an accident or illegal controlled substances within eight hours after an accident or before testing; refusing to submit to testing; or refusing to participate in recommended treatment may be placed on probation, be suspended without pay or be terminated.

J. Employee Assistance Program

1. The Employee Assistance Program provided by Scott County School Board will be made available to any employee having a drug or alcohol abuse problem. Any other rehabilitation program must be at the expense of the employee.
2. Employees who engage in conduct prohibited by this policy will be advised of the Employee Assistance Program and other available resources for evaluation and treatment of alcohol and controlled substance problems.

K. Documentation

1. Observations of behavior that constitutes reasonable suspicion will be recorded in writing within twenty-four hours of the occurrence. The documentation will be dated and signed by the observer.
2. The Scott County School Board will maintain a summary of annual testing results and other information, including monthly positive and negative reports with substances detected, and all chain-of-authority forms, which will be made available to the Federal Highway Administration upon request.
3. The signed statement of all CDL employees indicating their receipt of the CDL Drug and Alcohol Testing Policy will be placed in their personnel files.
4. A record will be kept of training in recognizing signs of drug and alcohol abuse that is provided for supervisors and principals, and for training that is provided for CDL employees.

L. Training

1. Training on how drugs and alcohol might affect them and the work environment will be provided for all CDL employees. Copies of the CDL Drug and Alcohol Testing Policy will be distributed to them and they will be asked to sign a form indicating that they have received this policy.
2. Training on how to recognize signs of alcohol and drug abuse and how to document behavioral changes in employees who might be abusing drugs or alcohol will be provided for all supervisors and principals.

## ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORDS

### Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Scott County School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

### Definitions

“Attribution” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

“Electronic Signature”- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Electronic Record” – Any record created, generated, sent, communicated, received or stored by electronic means.

### Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

### Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the Scott County School Board agrees to accept or send such communication electronically; and
2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

### Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;

2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
4. The electronic signature conforms to all other provisions of this policy.

#### Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-79.3, 59.1-479 et seq.

Cross Ref.: JO Student Records

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## INSTRUCTIONAL GOALS AND OBJECTIVES

The Scott County School Board shall develop and implement a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning established by the Board of Education and that meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

The School Board shall also implement:

1. programs in grades kindergarten through three that emphasize developmentally appropriate learning to enhance success
2. programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school; such programs shall include components that are research-based
3. career and technical education programs incorporated into the kindergarten through grade 12 curricula
4. educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to Va. Code § 22.1-200.03
5. early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law
6. early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs
7. educational alternatives for students whose needs are not met in programs prescribed elsewhere in the Standards of Learning
8. adult education programs for individuals functioning below the high school completion level
9. a plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students
10. an agreement for postsecondary degree attainment with a community college in Virginia specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma; such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher

11. a plan to notify students and their parents of the availability of dual enrollment and Advanced Placement classes, career and technical education programs, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the Advanced Placement and International Baccalaureate examinations; this plan shall include notification to students and parents of the agreement with a community college in Virginia to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma

12. identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs

13. early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students

14. incorporation of art, music, and physical education as a part of the instructional program at the elementary school level

15. a program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year; such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the School Board

16. a program of student services for grades kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development

17. the collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program

18. a program of instruction in each government course in the school division on all information and concepts in the civics portion of the U.S. Naturalization test

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

Cross Refs.: IGBI Advanced Placement Classes and Special Programs  
JHCF Student Wellness

## NOTIFICATION OF LEARNING OBJECTIVES

### I. Annual Notice

At the beginning of each school year, each school within the Scott County School Division provides to its students' parents or guardians information on the availability of and source for receiving:

- the learning objectives developed in accordance with the Standards of Accreditation to be achieved at their child's grade level, or, in high school, a copy of the syllabus for each of their child's courses;
- the Standards of Learning (SOLs) applicable to the child's grade or course requirements and the approximate date and potential impact of the child's next SOL testing;
- an annual notice to students in all grade levels of all requirements for Board of Education-approved diplomas; and
- the board's policies on promotion, retention and remediation.

The superintendent certifies to the Department of Education that the notice required by this policy has been given.

### II. Notice of Credits Needed for Graduation and of the Right to a Free Public Education

- A. The School Board notifies the parent of rising eleventh and twelfth grade students of
  - (i) the requirements for graduation pursuant to the standards for accreditation and
  - (ii) the requirements that have yet to be completed by the individual student.
- B. The School Board will notify the parent of students with disabilities who have an Individualized Education Program (IEP) and who fail to meet the graduation requirements of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.
- C. The School Board will notify the parent of students who fail to graduate or who fail to achieve graduation requirements as provided in the standards of accreditation and who have not reached 20 years of age on or before August 1<sup>st</sup> of the school year of the right to a free public education. If the student who does not graduate or complete such requirements is a student for whom English is a second language, the School Board will notify the parent of the student's opportunity for a free public education in accordance with Va. Code § 22.1-5.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:4.  
8 VAC 20-131-270.

Cross Refs.: IGBC Parental Involvement  
IKF Standards of Learning Tests and Graduation Requirements

## **ACADEMIC FREEDOM**

The School Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Freedom of individual conscience, association, and expression will be encouraged and fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate examples the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth of Virginia.

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Such home and classroom work shall be evaluated by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-203.3.

Cross Ref.: IKB Homework  
INDC Religion in the Schools

## **SCHOOL YEAR/SCHOOL DAY**

### School Year

The length of the school year is at least 180 teaching days or 990 teaching hours. Days on which a school or schools or all the schools in the division are closed due to severe weather or other emergencies are made up as provided below if necessary to meet these requirements.

### Make Up Days

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division for

- five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day;
- six days or more, the first five days plus one day for each two days missed in excess of the first five are made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any school in the school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement.

The Board of Education may waive the requirement that the school division provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency or severe weather conditions or other emergency situations under certain circumstances. If the School Board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chairman of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

### School Calendar

The first day of school is after Labor Day unless the Board of Education waives this requirement based on the School Board's certifying that it meets one of the good cause requirements in the Va. Code § 22.1-79.1.B.

The School Board establishes the division's calendar and teaching contracts in accordance with applicable regulations of the Board of Education to include contingencies for making up teaching days and teaching hours missed for emergency situations.

An advisory committee composed of teachers, parents and school administration may be utilized to recommend a proposed calendar to the superintendent. The recommendation of this committee is advisory.

### School Day

The standard school day for students in grades 1 through 12 averages at least 6 hours excluding breaks for meals. The standard school day for kindergarten is a minimum of three hours.

All students in grades 1 through 12 maintain a full day schedule of classes (6 hours) unless a waiver is granted in accordance with policies defined by the School Board.

Each elementary school provides students with a daily recess during the regular school year, as determined appropriate by the school.

The secondary school class schedule contains a minimum of 140 clock hours for each unit of credit. When credit is awarded in less than whole units, the increment awarded is no greater than the fractional part of the 140 hours of instruction provided.

The time for opening and closing schools is established by the School Board upon recommendation of the superintendent, provided that the daily program for students in grades 1 through 12 averages at least 6 hours, not including meal intermissions. If the required program length is maintained, the School Board may approve occasional shortened days for staff development, conferences, planning and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours. The daily program for kindergarten is at least three hours, not including meal intermissions.

When exceptions in the length of the daily program are necessary for special education, alternative education, double shifts and scheduling or other unusual situations, the Board requests approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are requested.

The length of the work day for employees is determined by the School Board. It is of sufficient length to allow for the daily program for students and additional time as may be necessary for such activities as planning, preparation, meetings, workshops, conferences, meal intermissions, or other contractual obligations.

#### Certification

The superintendent and School Board chair certify the total number of teaching days and teaching hours each year as part of the annual report to the Board of Education.

Legal Refs.: Code of Virginia, 1950, as amended §§ 22.1-26, 22.1-79.1, 22.1-98.  
8 VAC 20-131-150.  
8 VAC 20-131-200.

Cross Ref.: BCF Advisory Committees to the School Board  
GAA Staff Time Schedules



## **GUIDELINES TO FOLLOW DURING PERIODS OF EXCESSIVE HEAT**

Should weather conditions present a situation resulting in classroom temperatures above that conducive to student comfort and learning, the guidelines listed below will be followed:

1. Principals and Teachers shall periodically monitor all classrooms and areas of the building where heat is expected to be a problem.
2. Frequent water breaks will be provided for students.
3. Consideration will be given to re-locating classes to cooler areas of the building.
4. Dress codes will be relaxed to allow the wearing of shorts at all grade levels. (As long as they are considered by the Principal to be of reasonable and decent design and length).
5. Fans will be provided to help make the classrooms more comfortable.

Should the situation be extreme or so prolonged that school buildings are unable to cool during night time hours, consideration will be given to revising the school daily schedule. This decision will be made by the Superintendent or his designee, and appropriate public announcements made so as to insure that the public is prepared.

## **MOMENT OF SILENCE**

The Scott County School Board recognizes that a moment of silence before each school day prepares students and staff for their respective work or school days. Therefore, each teacher shall observe a moment of silence at the beginning of the first class of each school day.

The teacher responsible for each class shall make sure that each student: (1) remains seated and silent and (2) does not disrupt or distract other students during the moment of silence. The moment may be used for any lawful silent activity, including personal reflection, prayer and meditation. Teachers shall not influence, in any way, students to pray or meditate or not to pray or meditate during the moment of silence.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-203.

At the beginning of homeroom or 1<sup>st</sup> period (whichever comes first) classes will be notified by bell or intercom to begin the Moment of Silence and will be notified by same means at the end of the Moment of Silence.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance, as established in 4 U.S.C. § 4, shall be recited daily in each classroom of the Scott County School Division.

During the recitation of the Pledge, students shall stand and recite the Pledge while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform.

No student shall be compelled to recite the Pledge if he, his parent or legal guardian objects on religious, philosophical, or other grounds to his participating in this exercise. Students who are exempt from reciting the Pledge shall quietly stand or sit at their desks while others recite the Pledge and shall make no display that disrupts or distracts those who are reciting the Pledge.

Appropriate accommodations shall be made for students who are unable to comply with the procedures described herein due to disability.

Legal Refs:       4 U.S.C. § 4.  
                  Code of Virginia, 1950, as amended, § 22.1-202.

Cross Refs.:     JFC                 Student Conduct  
                  JFC-R           Standards of Student Conduct

## **NATIONAL MOTTO**

The statement “In God We Trust,” the National Motto, enacted by Congress in 1956” shall be posted in a conspicuous place in each school for all students to read.

Legal Ref: Acts 2002, c. 891.

**BILL OF RIGHTS OF THE CONSTITUTION OF THE UNITED STATES**

The Bill of Rights of the Constitution of the United States shall be posted in a conspicuous place in each school for all students to read.

Legal Ref: Acts 2003, c. 902.

## **CURRICULUM DEVELOPMENT AND ADOPTION**

The curriculum is a coherent and comprehensive plan for teaching and learning built upon a framework that promotes continuity and the cumulative acquisition and application of skills. The curriculum shall state clearly and specifically what students are expected to know and be able to do by grade level and course. BLANK School Board curricula shall meet or exceed the requirements of the Code of Virginia and regulations of the Virginia Board of Education and, at a minimum, shall be aligned to the Standards of Learning.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

Cross Ref.: AF Comprehensive Plan

## **CURRICULUM GUIDES AND COURSE OUTLINES**

The staff, under the direction of the superintendent, shall develop curriculum guides and courses of study and shall provide for continuing review and revision of these documents. The superintendent shall annually budget funds to support these ongoing projects, and is authorized to create advisory committees composed of staff, if necessary, to carry out this policy.

Legal Refs.: Code of Virginia, as amended, § 22.1-78.

## **CAREER AND TECHNICAL EDUCATION**

The Scott County School Board provides career and technical educational programs incorporated into the kindergarten through twelfth grade curricula that include

- knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
- career exploration opportunities in the middle school grades; and
- competency-based career and technical education programs which integrate academic outcomes, career guidance and job-seeking skills for all secondary students based on labor market needs and student interest. Career guidance includes counseling about available employment opportunities and placement services for students exiting school; and
- annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce center.

The School Board develops and implements a plan to ensure compliance with this Policy. This plan is developed with the input of area business and industry representatives and local community colleges and is submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:1.

8 VAC 20-120-40.

Cross Ref.: IJ Guidance and Counseling Program



## HEALTH EDUCATION/PHYSICAL EDUCATION

Each school organizes and maintains a physical and health education program in accordance with Board of Education regulations and State Board of Health guidelines.

Scott County school division's goal is that a program of physical fitness will be available to all students for at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular activities and other programs and activities. The Scott County School Board has incorporated a goal for the implementation of such program during the regular school year into its wellness policy, JHCF Student Wellness.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207, 22.1-253.13:1.  
8 VAC 20-320-10.

Cross Refs.:	IGAG	Teaching About Drugs, Alcohol, and Tobacco
	JHCA	Physical Examinations of Students
	JHCF	Student Wellness
	JO	Student Records

## **TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO**

Each student shall receive instruction related to alcohol and drug abuse and smoking and health. The health education program will include instruction in drug and substance abuse prevention. It will encourage and support organizations and activities that will develop a positive peer influence concerning substance abuse and create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear of reprisal.

Each student shall receive instruction concerning the public safety hazards and dangers of alcohol abuse, underage drinking, and drunk driving.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-206.

## **FAMILY LIFE EDUCATION (FLE)**

### Generally

The Scott County School Board provides Family Life Education (FLE) based on the FLE Standards of Learning (SOL) objectives developed by the Department of Education. The SOL objectives related to dating violence and the characteristics of abusive relations are taught at least once in middle school and at least twice in high school. The high school FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the prevention of dating violence, domestic abuse, sexual harassment and sexual violence and may include instruction that increases student awareness of the fact that consent is required before sexual activity and age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.

### Community Involvement Team

Under procedures approved by the School Board, a community involvement team is established. The team includes but is not limited to school administrators, teachers, parents, clergy, medical professionals, mental health professionals and others in the community.

### Staff Training

Teachers in the FLE program participate in the training program sponsored by the Department of Education.

### Separate Sessions

A plan for teaching sensitive conduct in gender-separated classes is announced publicly.

### "Opt-out" Procedures

An "opt-out" procedure is provided to ensure communication with the parent or guardian for permission for students to be excused from all or part of the program.

### Annual Review

The FLE curriculum is reviewed annually. Such review allows for community input.

### Right of Parental Review

A parent or guardian has the right to review the family life curricula, including all supplemental materials used in the program.

The School Board develops and distributes to the parents or guardians of students participating in the FLE program a summary designed to assist them in understanding the program implemented in its school division and to encourage parental guidance and involvement in the instruction of the students. Such information reflects the curricula of the program as taught in the classroom. The following statement is included on the summary: "Parents and guardians have the right to review the family life education program offered by their school division, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of family life education instruction."

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207.1:1,

22.1-207.2.

8 VAC 20-131-170.

Virginia Department of Education, Family Life Education: Board of Education Guidelines and Standards of Learning for Virginia Public Schools (revised September, 2016)

Cross Refs.:	BCF	Advisory Committees to the School Board
	IIA	Instructional Materials
	INB	Teaching About Controversial Issues
	KLB	Public Complaints About Learning Resources

## **GUIDELINES FOR TEACHING FAMILY LIFE EDUCATION**

1. All instructional materials used in FLE must be approved by the Scott County School Board.
2. Instruction shall be organized and maintained under the family life Standards of Learning Objectives (SOL's) developed by the State Department of Education.
3. At the elementary level instruction will be presented by the classroom teacher as part of the health curriculum.
4. Classroom instruction at the middle or high school facilities will be presented by the physical education instructors.
5. In most instances, instruction will be presented to boys and girls in the regular classroom setting. However, those areas classified as sensitive, designated by FLE in the curriculum guide, will be offered in separate classes for boys and girls.
6. Those students in self-contained special education classes shall include family life in the individualized education plan (IEP).
7. Parents have the right to "opt-out" their child or children in all or part of the FLE program.
8. The school will prepare a summary of the family life program upon parent request to assist the parent in understanding the curriculum.
9. The FLE curriculum shall be reviewed annually by the school board. Such review shall allow for community input.

## **OPT OUT PROCEDURE FOR FAMILY LIFE EDUCATION**

The Virginia Board of Education Guidelines for Family Life Education includes the provision of an opt-out procedure to ensure communication with the parent or guardian for permission for students to be excused from all or part of the program. Copies of the family life curriculum are available for public viewing at each school, and parents may opt-out students by placing an "O" in front of the appropriate Standard of Learning Object (SOL) on the individual progress record which may be obtained at the school which the student attends.

## CHARACTER EDUCATION

The Scott County School Board provides, within its existing program or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the school division, or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems and develop civic-minded students of high character. The program shall be cooperatively developed with students, parents and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring and citizenship.

Character education shall be interwoven into the school procedures and environment so as to instruct primarily by example, illustration and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program shall also address the inappropriateness of bullying, as defined in Va. Code § 22.1-276.01.

The character education program

- specifies those character traits to be taught, selecting from those which are common to diverse social, cultural and religious groups;
- is implemented at the elementary and secondary levels;
- provides for relevant professional development and adequate resources; and
- includes a method for program evaluation.

Character education is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500, may be taught as representative of such civic values.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-208.01.

Cross Refs.: IKF Standards of Learning Tests and Graduation Requirements  
INB Teaching About Controversial Issues  
INDC Religion in the Schools

## DRIVER EDUCATION

The Scott County School Board offers a program of driver education in the high schools in the safe operation of motor vehicles. The program includes instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, distracted driving, organ and tissue donor awareness, fuel-efficient driving practices and traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops and appropriate interactions with law-enforcement officers who initiate traffic stops.

The School Board establishes fees, that do not exceed the limit established by the Department of Education, for the behind-the-wheel portion of the program. The School Board may waive the fee or surcharge in whole or in part for those students it determines cannot pay the fee or surcharge.

Any student who participates in a driver education program must meet the academic requirements established by the Board of Education. No student is permitted to operate a motor vehicle without a learner's permit or a license. Necessary certification of students' academic standing and compliance with compulsory attendance laws is provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

Driver education instructors possess valid driver's licenses and maintain satisfactory driving records. Any teacher of behind-the-wheel instruction who receives six or more demerit points in a 12-month period will be suspended from teaching driver education for 24 months.

At the beginning of each school year and thereafter as necessary, the superintendent reports to the Department of Motor Vehicles the name and driver's license number of all persons providing instruction in driver education for the school division.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-205, 46.2-334, 46.2-340.  
8 VAC 20-340-10.  
8 VAC 20-720-80.

Cross Ref.: JED Student Absences/Excuses/Dismissals  
JFC-R Standards of Student Conduct  
JN Student Fees, Fines, and Charges

## **ALTERNATIVES TO ANIMAL DISSECTION**

The Scott County School Board provides one or more alternatives to animal dissection for students enrolled in biological sciences classes that incorporate dissection exercises. These alternatives may include computer programs, Internet simulations, plastic models, videotapes, digital videodiscs, and charts. The alternative techniques require a comparable amount of time and effort as do the dissection exercises and provide comparable depth and scope of learning. The alternative techniques provide the student, through means other than dissection, with knowledge similar to that expected to be gained by other students in the course who perform, participate in, or observe the dissection. Testing procedures that do not require the use of dissected specimens are provided for those students who choose an alternative technique.

A student's objection to participating in an animal dissection should be substantiated by a signed note from his or her parent or guardian.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-200.01.  
Guidelines for Alternatives to Dissection (Attachment to Virginia Department of Education Superintendent's Memo #161 (Aug. 6, 2004)).



## PROGRAMS FOR STUDENTS WITH DISABILITIES

### Generally

The Scott County School Board provides a free, appropriate public education for all children and youth with disabilities, ages 2 through 21, inclusive, who are residents of Scott County or who are not residents of Scott County but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the Board. To the maximum extent appropriate, students with disabilities are educated with children who are not disabled.

An Individualized Education Program (IEP) is developed and maintained for each child with a disability served by the Scott County School Board. The program is developed in a meeting of the child's IEP team, which includes the child's teachers, parent(s), the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parents or school division in accordance with State and federal law and regulations. This IEP is reviewed at least annually.

The IEP includes areas specified by state and federal statutes and regulations.

### Explanation of Procedural Safeguards

A copy of the procedural safeguards available to the parent(s) of a child with a disability is given to the parent(s). The procedural safeguards notice includes a full explanation of all the procedural safeguards available.

### Child Find

The Scott County School Board maintains an active and continuing child find program designed to identify, locate and evaluate those children residing in the division who are birth to 21 inclusive who are in need of special education and related services

The School Board provides all applicable procedural safeguards including written notice to the parents of the scheduled screening and, if the child fails the screening, the results of the screening, confidentiality and maintenance of the student's scholastic record.

Legal Refs.:      20 U.S.C. § 1400 et seq.  
                      29 U.S.C. § 701 et seq.  
                      42 U.S.C. § 12101 et seq.  
                      Code of Virginia, 1950, as amended, §§ 22.1-213, 22.1-215.  
                      8 VAC 20-81-50.  
                      8 VAC 20-81-80.  
                      8 VAC 20-81-100.  
                      8 VAC 20-81-110.  
                      8 VAC 20-81-130.  
                      8 VAC 20-81-170.

## PROGRAMS FOR GIFTED STUDENTS

The Scott County School Board shall approve a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. The plan for the education of gifted students shall be accessible through the division's website and the division will ensure that printed copies of the plan are available to citizens who do not have online access.

The school division has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual or specific academic aptitude.

The school division will provide written notification to and seek written consent from parents and legal guardians to conduct any required assessment to determine a referred student's eligibility for the division's gifted education program, and provide services for an identified gifted student in the division's gifted education program.

The School Board may establish a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the school division. If established, the committee will annually review the division's plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the division superintendent and the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-18.1, 22.1-253.13:1.D.6.  
8 VAC 20-40-40.  
8 VAC 20-40-55.  
8 VAC 20-40-60.

Cross Refs.: BCF Advisory Committees to the School Board  
IKEB Acceleration

## PARENTAL AND FAMILY ENGAGEMENT

### Generally

The Scott County School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The Scott County School Board endorses the parent and family engagement goals of Title I (20 U.S.C. § 6318) and encourages the regular participation by parents and family members of all children including those eligible for Title I and English learner programs in all aspects of those programs.

In keeping with these beliefs, the Scott County School Board cultivates and supports active parent and family engagement in student learning. The Scott County School Board:

- provides activities that educate parents regarding the intellectual and developmental needs of their children. These activities promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups, the Head Start program, the Reading First program, Early Reading First program, Even Start program, and Parents as Teachers program) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development
- implements strategies to involve parents in the educational process, including:
  - keeping families informed of opportunities for involvement and encouraging participation in various programs
  - providing access to educational resources for parents and families to use with their children
  - keeping families informed of the objectives of division educational programs as well as of their child's participation and progress with these programs
- enables families to participate in the education of their children through a variety of roles. For example, family members may
  - provide input into division policies
  - volunteer time within the classroom and school program
- provides professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies
- performs regular evaluations of parent involvement at each school and in the division
- provides access, upon request, to any instructional material used as part of the educational curriculum
- if practicable, provides information in a language understandable to parents

In addition, for parents of students eligible for English learner programs, the School Board informs such parents of how they can be active participants in assisting their children

- to learn English;
- to achieve at high levels in core academic subjects; and
- to meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

### Parental Involvement in Title I Plan

The Scott County School Board encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the Board's Title I plan.

### Parental Involvement in School Review and Improvement

The Scott County School Division encourages parents of children eligible to participate in Title I, Part A, and English learner programs to participate in the process of school review and, if applicable, the development of support and improvement plans under 20 U.S.C. § 6311(d)(1) and (2).

#### Division Responsibilities

The Scott County School Division, and each school which receives Title I, Part A, funds:

- provides assistance to parents of children served by the school or division, as applicable, in understanding topics such as Virginia's challenging academic standards, state and local academic assessments and how to monitor a child's progress and work with educators to improve the achievement of their children
- provides materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement
- educates teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school
- to the extent feasible and appropriate, coordinates and integrates parental involvement programs and activities with other federal, state and local programs, including public preschool and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children
- ensures that information related to school and parent programs, meetings and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand
- provides such other reasonable support for parental involvement activities as parents may request

The Scott County School Division, and each school which receives Title I, Part A, funds, **MAY**:

- involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- provide necessary literacy training from Title I funds if the division has exhausted all other reasonably available sources of funding for such training
- pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions
- train parents to enhance the involvement of other parents
- arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation
- adopt and implement model approaches to improving parental involvement
- establish a divisionwide parent advisory council to provide advice on all matters related to parental involvement in programs supported by Title I
- develop appropriate roles for community-based organizations and businesses in parental involvement activities

#### School Parent and Family Engagement Policies

Each school served under Title I, Part A, jointly develops with and distributes to parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that describes the means for carrying out the following:

- convening an annual meeting, at a convenient time, to which all parents of participating children are invited and encouraged to attend, to inform parents of their school’s participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved
- offering a flexible number of meetings, such as meetings in the morning or evening. Schools may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement
- involving parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parent and family engagement policy and the joint development of the school wide program plan under 20 U.S.C. § 6314(b), except that if a school has in place a process for involving parents in the joint planning and design of the school’s programs, the school may use that process, if such process includes an adequate representation of parents of participating children
- providing parents of participating children:
  - timely information about Title I, Part A, programs;
  - a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards; and
  - if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and responding to any such suggestions as soon as practicably possible
- if the school wide program plan under 20 U.S.C. § 6314(b) is not satisfactory to the parents of participating children, submitting any parent comments on the plan when the school makes the plan available to the School Board

Parent and Family Involvement in Allocation of Funding

Parents and family members of children receiving services under Title I, Part A, are involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

Policy Review

The School Board conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of all schools served under Title 1, Part A, including identifying

- barriers to greater participation by parents (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy or are of any racial or ethnic minority background);
- the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
- strategies to support successful school and family interactions.

Legal Refs.: 20 U.S.C. §§ 6312, 6318.  
Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	AD	Educational Philosophy
	BCF	Advisory Committees to the School Board
	IAA	Notification of Learning Objectives
	IKA	Parental Assistance with Instruction

## Scott County Public Schools Parental Involvement Policy

### Part I. General Expectations

The Scott County Public Schools District agrees to implement the statutory requirements as follows:

- Scott County Schools will put into operation programs, activities and procedures for parental involvement in all school with the Title I, Part A programs, consistent with section 2228 of the Elementary and Secondary Act (ESEA). Parent consultation from participating children will be sought for planning these programs, activities, and procedures.
- The school district will work with individual schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with section 1118(d) of the ESEA.
- The LEA plan developed under section 1112 of the ESEA will incorporate the district wide parental involvement policy in the Scott County Schools District.
- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, Scott County School District and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, Scott County School district will submit any parent comments with the plan when the
- school district submits the plan to the State Department of Education
- The Scott County Public Schools District will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
- The Scott County School District will be governed by the following statutory definition of parental involvement, and expects that its Title I school will carry out programs, activities and procedures in accordance with this definition:

*Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—*

*(A) that parents play an integral role in assisting their child's learning;*

*(B) that parents are encouraged to be actively involved in their child's education at school;*

*(C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;*

*Parental Involvement Guidance*

*(D) the carrying out of other activities, such as those described in section 1118 of the ESEA.*

### PART II. DESCRIPTION OF HOW DISTRICT WILL IMPLEMENT REQUIRED DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

1. The Scott County School District will take the following actions to involve parents in the joint development of its district wide parental involvement plan under section 1112 of the ESEA:

Implement strategies to involve parents in the total educational process to include:

- provide for parental involvement in planning strategies

- Provide activities that will educate parents regarding the intellectual and developmental needs of their children
- Provide activities that will promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups Head Start program, the Reading First Program, Early Reading First program and Parents to Teacher groups)
- Keep families informed of opportunities for involvement
- Encourage parental participation in all programs
- Provide educational resources for parents and families to use with their children
- Involve parents with objectives of district educational programs
- Involve parents with input into district policies
- Parents of LEP students will be informed of how they can be active participants in assisting their children to learn English, achieve at high levels in core academics, and meet the same challenging academic content and student academic achievement standards as all children are expected to meet.
- Provide each parent timely notice when their child has been assigned or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified within the meaning of the term in section 200.56 of the Title I Final Regulations (67 Fed. Reg. 71710, December 2, 2002).

2. The Scott County School District will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:

- Establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section
- Develop appropriate roles for community-based organizations and businesses in parental involvement activities.
- Provide assistance to parents served by the school or district, as applicable, in understanding topics such as Virginia's academic content standards and student academic achievement standards, state and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- Provide materials and training to help parents work with their children to improve their children's achievements, such as literacy training and using technology, as appropriate, to foster parental involvement;
- Educate teachers, pupil services personnel, principals, and other staff, with the assistance of parents, in the value of utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school;

3. The Scott County School District will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:

- Provide coordination, technical assistance, and other support from various central office departments to assist schools in planning and implementing parent involvement activities to include:
  - Parent/Child Reading Nights
  - Provide parents materials to help them with their children's education
  - Student Progress reports
  - Student Assessment Portfolios
  - Notification by telephone or writing of academic concerns
  - Scheduled Parent Teacher conferences
  - Homework Information lines updated regarding assignments
  - School Report Card
  - Technology classes for parents
  - Provide necessary literacy training

- Train parents to enhance the involvement of other parents
- Adopt and implement model approaches to improve parental involvement

4. The Scott County School District will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs such as: Head Start, Reading First, Early Reading First, Even Start, Parents as Teachers, Home Instruction Program for Preschool Youngsters, and State-operated preschool programs and conduct other activities such as parent resource centers that encourage and support parents in more fully participating in the education of their children by:

- Ensuring that information related to school and parent programs, meetings, and other activities is sent to parents of participating children in a format and, to the extent practicable, in a language the parents can understand, i.e. individual assessment result interpretations and assessment portfolios;
- Conducting an annual parent survey to gain parental input on program status and to determine strategies for more effective parental involvement activities and;
- Providing such other reasonable support for parental involvement activities as requested by parents.

5. The Scott County School District will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The Scott County School District will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement p1. The Scott County School District will build the schools' and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

A. The Scott County School District will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following:

- Provide parents of participating children the following:
  - ♦ Timely information about Title I, Part A, programs;
  - ♦ A description and explanation of the curriculum in use at the school, the academic assessments used to measure student progress, and the proficiency levels students are expected to meet; and
  - ♦ If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education for their children, and respond to any such suggestions as practicably as possible.

<u>Strategy</u>	<u>Responsible</u>	<u>Date</u>
Provision of Leadership in supervision and improvement of instruction and correlation of subject areas with parental input.	County Parent-Involvement Administration Parents	August-June
Parental involvement in the instructional program providing additional remediation and or services for student needs	County Parent-Involvement, School-wide Program Committee, Guidance Counselor, Principal, Parents, Students	August-June
Orientation for parents and students held at the beginning of school to encourage and inform	Principal, Teachers	September



parents students and the School-wide Program		
Parent and teacher survey and invitation to orientation for those who will act as volunteers	Principal, Teachers, Parents	October-June
Parental Survey with follow-up workshops to assist parents with better understanding of student needs; opportunities to receive training in technology, the computer programs, internet, and state standards	Principal, Parents, Guidance Counselor, Special Education Teacher Specialists	September-October, December-February, April

Activities, workshops, equipment:

- Parents and Students will receive a monthly newsletter containing important event dates, breakfast and lunch menus, incentives (utilizing parental involvement money) and an update concerning Parent Teacher Meetings.
- Parents will be invited to participate in activities used with new technology that are both educational and motivational such as the “Smart Boards” that provides interaction for the teachers and students.
- Two special lunches will be provided for parents, grandparents and students during the year. The school will host a “Family Night” or “Reading Night” to encourage parents to read with their children.
- Parent Teacher meetings will be scheduled at mid-grading periods and each semester to provide an interaction time for teachers and parents and to further the goals of the school.
- Workshops will be set up to address the parent survey results.

B. The Scott County School District will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children’s academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:

- Providing materials to parents to help them with their children’s education
- Conducting an annual parent survey to gain input on parental needs and strategies
- Holding technology open house nights
- Holding a “Reading Night or Family Night”
- Helping parents understand all national, state and local standards, and expectations through community-based meetings, sending information in languages represented in Scott County Schools.

C. The Scott County School district will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:

Integrating and coordinating all parental involvement strategies in the Scott County Schools.

D. The school district will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by:

- A. Working with all staff to ensure all school personnel understand the value of parental involvement.
- B. Providing reasonable support ensure parental involvement activities.

E. The school district will take the following actions to ensure that information related to the school and parent-programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand

- A. Ensuring all information related to school and parent programs, meetings, and other activities is sent to parents of participating children.
- B. Ensuring that all communications are in easy to understand formats for all parents.

### **PART III. DISCRETIONARY DISTRICT WIDE PARENTAL INVOLVEMENT POLICY**

Each school served under Title I, part A, shall jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents that shall describe the means for carrying out the following:

1. convening an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation in title I Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved;
2. offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;
3. involving parents, in an organized, ongoing, and timely way, in the planning review, and improvement of Title I, Part A, programs including the planning, review, and improvement of school parental involvement policy and the joint development of the school wide program plan under the No child Left Behind Act of 2001, 20 U.S.C.6312(b)(2), except that if a school has in place a process fro involving parents in the joint planning and design of the school's programs, the use may use that process, if such process includes an adequate representation of parents of participating children;
4. Providing parents of participating children;
  - a. Title I, Part A Program timely information
  - b. a description and explanation of curriculum in use at the school
  - c. academic assessments used to measure student progress
  - d. proficiency levels students are expected to meet
  - e. opportunities for regular meetings to formulae suggestions and to participate, as appropriate, in decisions relating to the education of their children, and to respond to any such suggestions as soon as possible; and
  - f. if the school wide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. 6312(b)(2) is not satisfactory to parents of participating children, submitting any parent comments on the plan when the school makes the plan available to the District.

Parental Involvement in Allocation of Funding:

Parents of children receiving services under Title I, Part A, shall be involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

Policy Review

The content and effectiveness of this policy will be evaluated annually with regard to improving the academic quality of the schools receiving Title I, Part A or LEP funds. This evaluation will identify barriers to greater participation by parents (particularly by parents who are economically disadvantaged, have disabilities,

have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background) and use the findings of that evaluation to design strategies for more effective parental involvement, and to revise, if necessary, this policy.

**PART IV, ADOPTION:**

This Scott County District wide Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by: documented meetings of the Title I planning committees.

This policy was adopted by the Scott County School District and will be in effect for the period of June 2008. The school district will distribute this policy to all parents of participating Title I, Part A children on or before September 2006.

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*(Signature of Authorized Official)*

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*(Date)*

## REMEDIAL AND SUMMER INSTRUCTION PROGRAM

### Generally

The School Board shall develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk, including those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. The superintendent shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the superintendent to be appropriate to the academic needs of the student.

Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the Superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

Targeted mathematics remediation and intervention will be provided to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

The School Board shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

### Summer School

The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate.

Credit for repeated work will ordinarily be granted on the same basis as that for new work. With prior approval of the principal, however, students may be allowed to enroll in repeat courses to be completed in not less than 70 clock hours of instruction per unit of credit. Students must meet the requirements for SOL testing if appropriate.

Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

#### Compulsory Attendance

When a student is required to participate in a remediation program pursuant to this policy, the Superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student's attendance, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student's attendance, have failed and the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the remediation program.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-254, 22.1-254.01.  
8 VAC 20-131-120.  
8 VAC 20-630-40.

Cross Refs.: BCF Advisory Committees To The School Board  
IKG Remediation Recovery Program

## ENGLISH LEARNERS

### Generally

The Scott County School Board provides programs to improve the education of English learners by assisting the children to learn English and meet Virginia's challenging academic content and student academic achievement standards.

### Assessments

The School Board annually assesses the English proficiency of all English learners.

### Notification

The School Board, not later than 30 days after the beginning of the school year, informs a parent or the parents of an English learner identified for participation in, or participating in, a program for English learners, of

- the reasons for the identification of their child as an English learner and in need of placement in a language instruction education program;
- the child's level of English proficiency, how that level was assessed and the status of the child's academic achievement;
- the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- how the program in which their child is, or will be, participating will meet the educational strengths and needs of the child;
- how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program);
- in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- information pertaining to parental rights that includes written guidance
  - detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
  - assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.

For a child who has not been identified as an English learner prior to the beginning of the school year but is identified as an English learner during the school year, the School Board provides the notice detailed above within 2 weeks of the child being placed in the program.

The information described above is provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

The School Board accepts and provides programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on

or before August 1 of the school year. No tuition is charged such students, if state funding is provided for such programs.

Legal Ref.: 20 U.S.C. §§ 6311, 6312, 6825.  
Code of Virginia, 1950, as amended, § 22.1-5.

Cross Ref.: IGBC Parent and Family Engagement

## **HOMEBOUND, CORRESPONDENCE, AND ALTERNATIVE MEANS OF INSTRUCTION**

### Homebound Instruction

The School Board shall maintain a program of homebound instruction for students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, nurse practitioner, or clinical psychologist.

Credit for the work shall be awarded when it is done under the supervision of a licensed teacher, a person eligible to hold a Virginia license, or other appropriately licensed professional employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the School Board have been met.

### Correspondence Courses

Students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 may enroll in and receive a standard and verified unit of credit for supervised correspondence courses with prior approval of the principal. Standard units of credit will be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the School Board. Verified units of credit may be earned when the student has passed the SOL test associated with the correspondence course completed. The division superintendent will develop regulations governing this method of instruction in accordance with the regulations of the Board of Education.

### Instruction through Alternative Technological Means

Standard units of credit will be awarded for the successful completion of courses delivered through emerging technologies and other similar means when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, and approved by the School Board. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The division superintendent will develop regulations governing this method of delivery of instruction in accordance with the regulations of the Board of Education.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 54.1-2952.2, 54.1-2957.02.  
8 VAC 20-131-180.

Cross Ref.: IGBGA Online Courses and Virtual School Programs  
IKFD Alternative Paths to Attaining Standard Units of Credit



## **HOMEBOUND INSTRUCTION**

Homebound instruction is one of the Special Education services provided by Scott County to those of our students who are temporarily unable to attend school due to physical illness or emotional disorders.

Homebound instruction is provided in an attempt to help the student maintain some contact with the classes he/she is missing. Elementary student usually receive five (5) hours of instruction per week and secondary between five and ten (5 and 10) hours of instruction; that is, providing they are carrying a normal academic load. If the student participates in the allotted hours of instruction, he/she will be counted present on their teacher's roll. Upon successfully completing homebound assignments and accompanying tests, the student will receive credit for the course on his/her permanent record.

To assist with the management of homebound services, a random audit is periodically done to verify the hours submitted by the homebound teacher.

The basis for medical certification for homebound instruction is that the student meets the requirement for acute and chronic illness or extended absenteeism from school due to extended illness/injury, surgery or complications. Acute/chronic health problems require a physician's signature on the physician's certification of "Acute/Chronic Medical Condition Form". Following is Scott County's definition for acute and chronic illness.

Acute - having a rapid onset, severe symptoms, and a short course (less than six weeks duration), not chronic. Examples: surgery, accidents, chicken pox, measles, etc.

Chronic - an illness which has been or is expected to be a condition which affects the student for an extended period of time and which historically is an illness that is not expected to be resolved through regular medical treatment or the passage of time. Examples: asthma, diabetes, cancer, surgeries, hospitalization or complications which may interfere with regular school attendance and may be extended beyond six weeks.

Rules for governing homebound instruction are as follows:

1. Classroom teachers shall be responsible for providing daily assignments, tests, and grading when a student is on homebound instruction for less than six weeks.
2. Homebound instructors shall provide daily assignments, tests, and grades for those students who are on extended homebound instruction (more than six weeks).
3. An adult must be in attendance when the homebound instructor is in the home providing services.
4. A treatment plan specifying a course of treatment leading to eventual return to school must be provided by a qualified psychiatrist or clinical psychologist if a student is suffering from an emotional disorder that precludes their school attendance.
5. Weighted credit will not be awarded for courses taken during summer school or for homebound that extends for more than the semester in which the student is presently enrolled.
6. Homebound students are expected to be in attendance at the appointed time. Homebound hours will not be made up, and a zero will be given for that time period. The only exception will be a medically necessary doctor's visit, in which case a note from the doctor will be required for verification and the student will be expected to notify the Homebound Teacher so as to avoid an unnecessary visit.
7. Students receiving homebound instruction may not work or participate in extra-curricular activities, non-academic activities (such as field trips), or community activities unless these activities are specifically outlined in the student's medical plan of care or the Individualized Education Program (IEP), as applicable.
8. The requested homebound services for students receiving special education services shall be subject to review by the student's IEP Team pursuant to the Individuals with Disabilities Act.

9. Parental permission to contact the treating physician or psychologist must be granted in order for the student to be considered for homebound services.
10. All tests must be administered by homebound teachers. Parents are not to assist with test taking for their children. The homebound teacher will pick up the tests from school, be present during administration, only assist the student with test directions, and deliver the tests back to the school upon completion. If the work assigned while on homebound is not completed, the student will receive an incomplete (I) on their report card. Any child receiving an (I) on their report card will not pass to the next grade.
11. Since homebound instruction is not to supplant school services, if it is necessary to extend homebound instruction beyond the initial time frame or longer than nine weeks, a transition plan or new homebound form is required outlining the following:
  - Name of student
  - Justification for the extension of homebound instruction
  - Additional time homebound instruction is anticipated
  - Signature, date office address, and phone number of the physician or psychologist.

NOTE: Those students who are experiencing mental illness requiring homebound must present a treatment plan from a qualified psychiatrist or psychologist.

NOTE: In the event extended medical leave is recommended by the family physician, a second medical opinion from a physician chosen by the Homebound Director, at no cost to the parent/student, may be requested.

#### **Home-based Instruction:**

Services that are delivered in the home setting (or other agreed upon setting) in accordance with the student's Individual Education Program, 504 plan, parent request, or school board approval. Home-based instruction is provided to students who are removed from school by the division for discipline, safety concerns, or other. The services are provided consistent with those for homebound students. The primary distinction is that no medical referral is required and no reimbursement is provided for these services. Home-based instruction must be approved by a committee of three that may be comprised of the following: Superintendent or designee, Personnel Director, Supervisor from the Central Office, Principal/Assistant Principal of school, School Psychologist, or School Social Worker. All evidence of need will be reviewed by the committee prior to approval.

## **ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS**

The Scott County School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts shall be exempt from the Virginia Public Procurement Act.

Information regarding online courses and programs that are available through the school division will be posted on the division's website. The information will include the types of online courses and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

Any student enrolled in any online course or virtual program offered by the school division shall be enrolled in a public school in Virginia as provided in Va. Code § 22.1-3.1. The student's parent or guardian shall give written permission prior to the enrollment of the student in any full-time virtual program offered by the school division.

A student who resides in the Scott County school division will not be charged tuition for enrolling in any online course or virtual program offered by the school division. However, tuition may be charged to students, except children with disabilities who are enrolled in the division's full-time virtual school program, who do not reside within the boundaries of the school division.

Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect.

The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

For purposes of this policy, the following definitions apply.

"Multidivision online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-215, 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Cross Refs.:	DJF	Purchasing Procedures
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	IGBA	Programs for Students with Disabilities

## **ALTERNATIVE SCHOOL PROGRAMS**

The Scott County School Board will establish alternative educational programs within existing schools or at separate sites as needed. No person of school age meeting the residency requirements of § 22.1-3 may be charged tuition for enrollment in an alternative program offered as a regional or divisionwide initiative by the School Board.

Proposals for alternative school programs shall be developed by the superintendent or his/her designee and will be submitted to the Board for review and endorsement prior to implementation. Proposals shall include

1. a statement of justification for the alternative program explaining how it will meet the special needs or expectations of the target population and the community;
2. a plan which delineates the proposed organizational structure of the program as it relates to staffing and the scope and structure of the total instructional program;
3. a statement of financial impact identifying all costs, including administration, staffing, equipping, supplying, transportation, support services, and maintaining the program;
4. a statement of related impact explaining how the proposed program will affect and interrelate with other programs and populations served in existing programs and facilities;
5. a statement verifying that all aspects of the program are in compliance with all applicable federal, state, and local laws and regulations, and accreditation requirements;
6. if the proposal presents a potential conflict with existing regulations of the State Department of Education, evidence of authorization from the State Department of Education must accompany the proposal; and
7. a plan for evaluation that defines anticipated outcomes and establishes criteria and procedures for evaluating achieved outcomes.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-5, 22.1-253.13:1.

## **ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS**

Students and their parents are notified of the availability of dual enrollment, advanced placement classes, career and technical education programs, the International Baccalaureate program and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Students and their parents are also notified of the program with a community college to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma. The superintendent promulgates regulations to implement this policy, which ensure the provision of timely and adequate notice to students and their parents.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:1.D.

Cross Ref.: LEB Advanced/Alternative Courses for Credit

## STUDENT ORGANIZATIONS

### Generally

Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum-related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations should bear a clear relationship to the regular curriculum.

Secondary school students may organize and conduct meetings of noncurriculum-related groups. Any secondary school which permits one or more noncurriculum-related student group to meet on school premises during noninstructional time will provide equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

Noncurriculum-related student groups may use school facilities provided that

- the group's meetings are voluntary and student-initiated;
- the group is not sponsored by the school, the government, or any government agent or employee;
- agents or employees of the school or government are present at religious meetings only in a nonparticipatory capacity;
- meetings do not materially and substantially interfere with the orderly conduct of educational activities at the school; and
- nonschool persons do not direct, conduct, control, or regularly attend activities of the group.

### Meetings of Student Organizations

The principal of each school will determine the times and places which are available for the meetings of student organizations. The principal will also develop procedures for scheduling meetings of student organizations. Meeting times will be limited to non-instructional time.

### Faculty Involvement

Curriculum-related student organizations must be sponsored and supervised by one or more school faculty members and approved by the principal. Faculty sponsors will participate in the supervision and direction of all activities of the organization and will attend all meetings and activities.

Noncurriculum-related student organizations do not have a faculty sponsor. However, a member of the school's staff shall attend every meeting or activity of such organizations in a nonparticipatory capacity for purposes of general supervision. The organization is responsible for assuring the presence of a staff member for its meetings.

No school employee will be compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee.

### Compliance with Law and Policy

Student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action.

Legal Refs.: 20 U.S.C. § 4071.

Cross Refs.: KF Distribution of Information/Materials  
KG Community Use of School Facilities



## **STUDENT ORGANIZATIONS**

### **I. Application**

Any group seeking to recognition as a student organization shall submit a written application through its faculty sponsor, if curriculum related, or monitor, if non-curriculum related, to the principal. Applications shall be made on division approved forms only and shall include at least the following information:

- a. Name of the organization.
- b. Name(s) of the faculty sponsor(s) or monitor(s).
- c. A general statement of the purposes of the organization.
- d. A description of the qualifications for membership, if any.
- e. A statement of the relation of the organization to the regular school curriculum. This shall include specific references to classes or other elements of the educational program which the organization is interested in supplementing and a description of how the organization will serve as an extension of, or adjunct to, the curriculum.
- f. A description of the function of the faculty sponsor/monitor in the promotion, supervision and leadership of the organization.

### **II. Approval Procedures**

The principal shall review the application and such other information as he or she considers appropriate and shall approve or disapprove of the recognition of the organization within fourteen (14) school days after receipt of the application. The principal's decision, in writing, shall be given to the faculty sponsor/monitor. If the application is disapproved, the principal shall state the reasons for disapproval in the decision.

The faculty sponsor/monitor may appeal the principal's decision to the superintendent or designee, by written appeal submitted to the superintendent within ten (10) school days after receipt of the principal's decision. The written appeal shall state the reasons for the decision. The Superintendent, or designee, shall review the appeal and such other information as he or she considers appropriate and give a written decision within fourteen (14) school days after receipt of the appeal. The decision of the superintendent shall be final.

### **II. Ongoing Review**

The principal may take disciplinary action, including revocation of recognition of any student organization, at any time upon his or her own initiative, or on complaint by any student or staff member for good cause. Policy IGDA indicates many examples of good cause. Revocation may be appealed to the superintendent or designee, as provided above.

At any time, the superintendent or the Board may review the recognition of any student organization and revoke the same for good cause. Any such actions by the superintendent or Board shall be final.

This regulation will be implemented in accordance with the Equal Access Act.

## **ADULT EDUCATION**

Adult education programs are offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program and who are functioning below the high school completion level. The School Board seeks to ensure that every adult participating in such a program has the opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other school boards or agencies. Additional educational programs for adults also may be offered. Tuition and fees are established by the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-210, 22.1-225, 22.1-253.13:1.

Cross Refs.:	JEA	Compulsory Attendance
	JEG	Exclusions and Exemptions from School Attendance
	IKF	Standards of Learning Tests and Graduation Requirements

## **GROUPING FOR INSTRUCTION**

The Scott County School Board recognizes the different educational needs of students and endorses the use of flexible assignment of students for instruction.

The grouping of students within individual schools for instructional purposes will be designed so each student will receive the maximum instructional benefit and will be based on

1. the best interests of the student,
2. the educational level, or achievement level, of the student,
3. the availability of space,
4. the best educational climate for learning,
5. the student's best chance for success,
6. Standards of Learning test scores, where available, or other standardized test scores, and
7. the creation of groups that may be taught effectively.

Grouping will remain flexible in order to take advantage of the best educational research currently available. Groups will be created, modified, or disbanded to be responsive to student needs.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Ref.: IA Instructional Goals and Objectives

## **CLASS SIZE**

The Scott County School Board assigns licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors and librarians, that are not greater than the following ratios:

- 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide will be assigned to the class;
- 24 to one in grades one, two and three with no class being larger than 30 students;
- 25 to one in grades four through six with no class being larger than 35 students; and
- 24 to one in English classes in grades six through 12.

After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this policy, the school division will notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. The notification shall state the reason that the class size exceeds the class size limit and describe the measures that the school division will take to reduce the class size to comply with this policy.

In addition, the BLANK School Board assigns instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools.

When determining the assignment of instructional and other licensed personnel for purposes of this policy, full-time students of approved virtual school programs are not included.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:2.

## INSTRUCTIONAL MATERIALS

The Scott County School Board is responsible for the selection and use of instructional materials.

The superintendent or superintendent's designee creates and updates, as necessary, guidelines and procedures for the selection of instructional materials. The guidelines and procedures are designed to ensure that appropriate instructional materials are selected and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials.

Parents may inspect, on request, any instructional material used as part of their student's curriculum.

Legal Refs.: 20 U.S.C. § 1232h.  
Code of Virginia, 1950, as amended, § 22.1-238.  
8 VAC 20-720-160.

Cross Ref.:	IGAH	Family Life Education
	IIAA	Textbook Adoption, Selection and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	KLB	Public Complaints About Learning Resources
	INB	Teaching About Controversial Issues

## **TEXTBOOK SELECTION, ADOPTION, AND PURCHASE**

### Selection of Textbooks

The School Board may adopt textbooks, including print or electronic media, for student use that serve as the primary curriculum basis for a grade-level subject or course from the list of textbooks approved by the Board of Education. The School Board may also adopt books which are not on the state-adopted list in accordance with the Board of Education regulations.

In approving textbooks, the School Board

- appoints evaluation committees to review and evaluate textbooks,
- gives notice to parents that textbooks under consideration will be listed on the division's website and made available at designated locations for review by any interested citizens,
- creates opportunities for persons reviewing such textbooks to present their comments and observations to the School Board,
- creates procedures to ensure appropriate consideration of citizen comments and observations and
- establishes and makes known selection criteria.

### Textbooks Approved by the Board of Education

The Scott County School Board may either enter into written term contracts or issue purchase orders with publishers of textbooks approved by the Board of Education. Such written contracts or purchase orders are exempt from the Virginia Public Procurement Act (Va. Code § 2.2-4300 et seq.) The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States. If, subsequent to the date of any contract entered into by the School Board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in Virginia, the publisher shall grant the same reduction or terms to the School Board and give the School Board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education shall require the publisher to furnish an electronic file of the textbook in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular textbook may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS file of the textbook on or before the date of delivery of the regular text version.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. The School Board may purchase an assortment of textbooks in any of the three forms listed above.

The School Board shall order directly from the respective publishers the textbooks needed to supply the public schools in the school division. The publishers shall ship the textbooks to the School Board. The purchase price of such textbooks shall be paid directly to the publishers by the School Board.

## Locally-Approved Textbooks

In approving textbooks that have not been approved by the Board of Education, the School Board will also include a correlation of the content to the Virginia Standards of Learning in the content area and an analysis of strengths and weaknesses of the textbook in terms of instructional planning and support when the textbooks pertain to Virginia Standards of Learning subjects.

The publishers of such textbooks shall

- provide the School Board with certification that the content of the textbook is accurate and
- sign an agreement with the School Board to correct all factual and editing errors found at its own expense.

The purchase of textbooks other than those approved by the Board of Education is not exempt from the Virginia Public Procurement Act.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-241.  
8 VAC 20-720-170.

Cross Refs.: DJF Purchasing Procedures  
IIA Instructional Materials  
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

## **SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION**

Materials used by students under the guidance of teachers to extend, expand, and supplement basal materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, film strips, and games. Materials selected for supplemental use must relate directly to the established objectives of the course or content area in which they are used.

The School Board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-238.  
8 VAC 20-720-160.

Cross Refs.:	IIA	Instructional Materials
	IIAA	Textbook Selection, Adoption and Purchase
	KLB	Public Complaints About Learning Resources
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships



**PROCEDURE FOR OPTING OUT OF AN EDUCATIONAL  
ACTIVITY DEEMED OFFENSIVE**

1. The teacher shall notify the students and their parents that a scheduled class activity, theme, or material may be considered offensive by some and that they have the option of opting out and being engaged in an alternate activity (allowing them sufficient time to consider and respond).
2. The teacher shall briefly describe the activity or material in question as the students and their parents will understand its content.
3. Those students opting out shall be allowed to participate in an alternate activity (material, book, etc.) that is as closely related to what the class is covering as is possible, without the aspects of the activity considered offensive. They shall not be subjected to increased work, more difficult evaluation, or in any way, penalized for their decision to opt out.

## **INNOVATIVE OR EXPERIMENTAL PROGRAMS**

Experimental and innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board of Education shall be submitted to the Board of Education for approval prior to implementation.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.  
8 VAC 20-131-290.

Cross Ref.: IKF Standards of Learning and Graduation Requirements

## **SCHOOL LIBRARIES/MEDIA CENTERS**

Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during and after school. The library media center shall contain hard copy, electronic technological resources, materials, and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest.

Each school shall provide a variety of materials and equipment to support the instructional program.

Legal Ref.: 8 VAC 20-131-190.

## **Acceptable Use Policy for Electronic Information, Services, and Networks**

Current policy approved by School Board 06/05/2007

Revised 7/10/2015

The School Board provides a computer system, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, image & document scanners, tape drives, servers, mainframe and personal computers, the Internet and other internal or external networks.

The purpose of telecommunications technology in Scott County Public Schools is to support research, communication, and education and to provide access to unique resources and opportunities for collaborative work. The use of SCPS computer networks, including Internet access, must be in support of education and consistent with the educational objectives of Scott County Public Schools and the Virginia Board of Education.

This policy applies to all users of SCPS electronic information, services, and networks. By using or accessing Division facilities or services, the user agrees to abide by this policy.

In accordance with Va. Code § 22.1-70.2, Scott County Public Schools requires all students/staff to receive NetSmartz Internet safety training or division developed Internet safety training. Internet safety is both taught to and practiced by all students and staff, grades K-12, with special emphasis placed in both the SCPS Grade 5 and Grade 8 curriculum.

Electronic information research skills are now fundamental for productive citizens and employees. Access to the Internet enables students, teachers, and administrators to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging information with people around the world. The Division expects that its teachers will blend thoughtful use of the Internet throughout the curriculum and will provide guidance and instruction to students in its use. As much as possible, access from school to Internet resources should be structured in ways which point students to those which have been evaluated prior to use. While students will be able to move beyond those resources to others that have not been previewed, they will be subject to supervision in an effort to provide Internet use that is particularly suited to learning objectives.

Scott County Public Schools will use a filter which seeks to prevent access to pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256, obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460, material which the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors. However, it is recognized that this filter alone is no guarantee that users will not be able to find Internet resources which are profane, offensive, obscene, or otherwise objectionable. The ultimate responsibility for appropriate use of Internet resources lies with the user. Parents and guardians may request alternative activities not requiring Internet use for their minor children.

Students utilizing SCPS-provided Internet access must first have the permission of and must be supervised by the Division's professional staff. Students utilizing school-provided Internet access are responsible for good behavior on-line just as they are in a classroom or other area of the school. The same general rules for behavior and communications apply. To remain eligible as users, students' use must be in support of and consistent with the educational objectives of the Division. Access is a privilege, not a right. Access requires responsibility.

## **Computer System Use-Terms and Conditions.**

**1. Acceptable Use.** Scott County Public Schools provides employees and students with access to its telecommunication systems. The purpose of these systems is not general access but has a more specific limited educational purpose. This purpose includes use of telecommunication systems for professional SCPS business, classroom instructional activities, professional and career development and to further educational personal goals consistent with the school division mission, goals, and objectives and school policies. Uses which might be acceptable on a user's personal account on another system may not be acceptable on these limited purpose systems. Access to the Division's computer system shall be for the purposes of education or research and be consistent with the educational objectives of the Division or for legitimate school business.

### **Internet Guidelines:**

The school division will provide access to the Internet based on the following guidelines:

1. In elementary schools (K-4), teachers will actively supervise student use of the Internet. Access is password driven. Teachers will make every effort to ensure that students are directed to sites with only age- and topic-appropriate material. Best teaching practice recommends teachers bookmark or use portals to direct usage.
2. In upper elementary school (5-6), teachers will supervise and model appropriate use of the Internet. Students will continue to have Internet access under direct teacher supervision; however, students will, also, experience guided practice leading towards gaining skills to become an independent, responsible user of the Internet. Teachers will model skills needed to search for information within an area of study, to filter information for credibility and worth, and to recognize areas of inappropriate information sources or access. Teachers will explore an Internet site before directing students to that site. Teachers will make every effort to ensure that students are directed only to sites with age- and topic-appropriate material and resources.
3. In middle school (7-8), teachers will provide guided practice and model appropriate use of the Internet. Teachers will supervise student initiated information search activities and provide support for students as they begin to assume responsibility for becoming independent users of the Internet. Teachers will make every effort to ensure that students explore only sites with age and topic-appropriate material and resources.
4. In high school (9-12), students will participate in independent Internet use with teachers assuming less of a monitoring role and more of an advisory role.

**2. Privilege.** The use of the Division's computer system is a privilege, not a right.

**3. Unacceptable Use.** Each user is responsible for his or her actions on the computer system as described below.

### **Prohibited Conduct Includes:**

- ♦ to use the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal, state or local law.
- ♦ to send, receive, view or download illegal material via the computer system.
- ♦ to download unauthorized software .
- ♦ to download copyrighted material for unauthorized use.
- ♦ to use the computer system for private financial or commercial gain.
- ♦ to transmit profane, obscene, abusive, sexually explicit, or threatening language.
- ♦ to wastefully use resources, such as file space.
- ♦ to gain unauthorized access to resources or entities.
- ♦ to post material unauthorized or created by another without his or her consent.
- ♦ to use the computer system for commercial or private advertising.
- ♦ to "hack into" or otherwise access data not intended for the user including, but not limited to, other users' files and administrative data.

- ◆ to share passwords with others, circumvent the menu/password and/or internet filtering software installed on Division computers.
- ◆ to access, upload, download, or distribute profane, pornographic, obscene, sexually explicit, or illegal material.
- ◆ to transmit profane, obscene, abusive, sexually explicit, or threatening language; to violate any local, state, or federal law.
- ◆ to vandalize, damage, or disable the property of another individual or organization
- ◆ including destroying data by creating or spreading viruses or by other means.
- ◆ to violate copyright or otherwise use the intellectual property of another individual or organization without permission.
- ◆ to download or install any network monitoring software as well as any computer monitoring software

The following uses of school-provided computer networks including Internet access are not permitted by students unless authorized by the Scott County Public Schools Technology Department:

- ◆ to access the school division computer network with privately owned laptop computers
- ◆ to download and/or install software on the school division's computers

**4. Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:

- ◆ Be polite.
- ◆ Users shall not forge, intercept or interfere with electronic mail messages.
- ◆ Users shall use appropriate language. The use of obscene, lewd, profane, threatening, discriminatory remarks or disrespectful language is prohibited.
- ◆ Users shall not post personal contact information about themselves or others.
- ◆ Users shall respect the computer system's resource limits.
- ◆ Users shall not post chain letters or download large files.
- ◆ Users shall not use the computer system to disrupt others.
- ◆ Users shall not read, modify or delete data owned by others.

**5. Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs, or damages incurred by the School board relating to or arising out of any violation of these procedures.

**6. Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

Users should not expect that files stored on school-based computers will be private. Electronic messages and files stored on school-based computers are always regarded as property of the Division. Authorized administrators and faculty may review files and logs of Internet use at any time, without reason or prior notice, to maintain system integrity and determine that users are acting responsibly or otherwise consistent with this policy.

**7. Vandalism.** Intentional destruction of or interferences with any part of the computer system through creating or downloading computer viruses or by any means is prohibited.

**8. Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone, data, or long distance charges.

**9. Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an educational tool. Electronic mail is not private. Student's electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

**10. Enforcement.** Software will be installed on the Division's computers having Internet access to filter or block Internet access through such computers to child pornography and obscenity. The online activities of minors may also be monitored manually. Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.

Any violation of Division policy and rules may result in immediate termination of Division-provided access to the Internet. Additional disciplinary action may be determined at the building level in keeping with existing procedures and practices regarding inappropriate conduct. When and where applicable, law enforcement agencies may be involved.

The Scott County School Board makes no warranties of any kind, neither expressed nor implied, for the Internet access it is providing. The Division will not be responsible for any damages users suffer, including--but not limited to--loss of data resulting from delays or interruptions in service; the accuracy, nature, or quality of information stored on Division diskettes, hard drives, or servers; the accuracy, nature, or quality of information gathered through Division-provided Internet access; personal property used to access Division computers or networks or for Division-provided Internet access; nor for unauthorized financial obligations resulting from Division-provided access to the Internet.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

**11. Portable Communication Devices.** "Portable Communication Devices" are defined to include portable two-way telecommunication devices, including but not limited to cellular telephones, beepers, walkie-talkies, personal digital assistants, digital media players such as IPOD, Zoom, MP3 Players or any other digital media player, any text messaging device and other hand-held computing devices (when such device is being used as a communication device). This definition will also include any new technology developed for similar purposes.

**Possession, Display and Use**

- ◆ Students in schools may possess, display and use "Portable Communication Devices" before or after the school day only as set forth in this regulation.
- ◆ The school may revoke the privilege to possess or use the Portable Communication Devices for violation of this regulation. Students being identified as needing assistive technology devices as prescribed in IDEA or Section 504 would be excluded from this regulation and would be permitted the use of technology devices as prescribed in their IEP.
- ◆ To avoid disruption of the instructional process, students shall not display, use, activate, or permit Portable Communication Devices to be activated during the school day. The "school day" includes, but is not limited to, study halls, lunch break, class changes and any other structured or non-structured instructional activity that occurs during the normal school day (Normal school day begins when students enter a bus and ends when dropped off). Students are responsible to ensure that their devices are turned off and out of sight during the school day.
- ◆ Before or after the end of the school day, students may possess, display and use such Portable Communication Devices, as long as such Portable Communication Devices are not displayed, activated or used

inside school buildings or on school buses unless use inside school buildings or buses is specifically permitted by school administration.

### **Responsibility/Liability**

The School Board will assume no responsibility in any circumstance for the loss/destruction/damage or theft of Portable Communication Devices or for any communication bill associated with the authorized or unauthorized

### **Discipline**

School officials shall take possession of Portable Communication Devices for any violation of this regulation and parents/legal guardians must make arrangements with school officials to claim such devices. Specific days and times may be established by school officials for parents/legal guardians to retrieve such devices. Confiscated Portable Communication Devices will not be released to students under any circumstances.

In addition to school officials taking possession of these Portable Communication Devices until the parents/legal guardians retrieve such Portable Communication Devices, students who violate this regulation shall be subject to discipline in accordance with the Scott County Public Schools Discipline Guidelines as specified in the Code of Student Conduct. Such Discipline Guidelines shall include but not be limited to revocation of the privilege to possess or use a Portable Communication Device on school property, a school bus, or at a school sponsored event.

**12. Camera Devices.** “Camera Devices” are defined as any device used to input media into a recording device. Devices, including but not limited to cellular telephones with cameras, digital cameras, camcorders and any other imaging devices (when such device is being used as an imaging device). This definition will also include any new technology developed for similar purposes.

- ◆ Camera devices may not be used in any unethical or illegal manner.
- ◆ Camera devices may not be used to photograph another person who has a reasonable expectation of privacy without that person’s knowledge and consent.
- ◆ Camera devices may not be used in a way that would violate another person’s copyright.
- ◆ Camera devices may not be used to harass, intimidate, or bully another person or to invade another person’s privacy.
- ◆ An image taken using a camera device may not be published, broadcast, or transmitted to any other person, by any means, without the knowledge and consent of each person appearing in that image who had a reasonable expectation of privacy at the time the image was recorded, or the person who owns the copyright in the material appearing in that image.

### **Prohibited Locations**

- ◆ Camera devices may not be used on school board property without a teacher’s or principal’s permission that specifies the purpose and duration of the use.
- ◆ Camera devices may not be used in any locker room, restroom, or any other place where other people have a reasonable expectation of privacy.

**13. Surveillance Cameras.** The Scott County School Board authorizes the use of closed circuit cameras on school premises to ensure the health, safety, and well being of all staff, students, and visitors, and to safeguard district facilities and property. Cameras may be used in common areas as determined to be appropriate by the superintendent. “Common areas” means those locations to which students, employees and/or visitors have access and there is not an expectation of privacy, such as but not limited to parking lots, hallways, gymnasiums, auditoriums, and buses.

Surveillance recordings may be used to determine if staff, students, or visitors have violated board policies, administrative directives, building rules, or laws. Staff, students, or visitors may be subject to disciplinary action and/or referred to law enforcement regarding conduct observed by viewing surveillance recordings. The administration is authorized to determine the frequency that surveillance recordings will be regularly reviewed as well as the placement and focus point of all cameras.

Surveillance cameras will not be used as part of a teacher evaluation, without teacher consent.



The recordings shall be retained for a minimum of three days. The district shall have no duty to retain recordings longer than this retention period.

### **Use of Personal Devices**

Students of Scott County Public Schools may bring personal mobile internet devices to school to use as educational tools but only with direct teacher permission. The use of these devices during instructional time will be at the teacher's discretion and only for instructional purposes. Students must obtain teacher permission before using an electronic device during classroom instruction and must turn off and put away an electronic device when requested by a teacher.

Personal Electronic Devices (PED) includes but is not limited to iPods, iPads, other tablets, e-readers, and cell phones. All users must adhere to the Acceptable Use Agreement Form signed by the student and the parent/guardian.

### **Fiscal Responsibility**

Scott County Public Schools (SCPS) assumes no responsibility in any circumstance for loss, destruction, damage, theft, or charges made on monthly statements for personal devices.

### **Data Responsibility**

SCPS assumes no responsibility for any data contained on any personal electronic device. SCPS does not guarantee the privacy or security of any item stored on or transmitted by any privately owned electronics devices.

The use of a personal device carries no right or expectation of privacy. SCPS reserves the right to monitor, review, and restrict the use of any PED. The contents of the equipment shall be subject to review if reasonable suspicion exists that the student violated the law and/or school rules.

The students are responsible for knowing how to properly and effectively use their PED and are personally responsible for the equipment. Any damage to the equipment and charges related to the use of the device is the responsibility of the individual. **Division technicians will not support, service, or repair any equipment that does not belong to the school division.**

Students are not to download software or other SCPS programs to their PEDS. At all times of appropriate use, sound must be turned off and backgrounds and screensavers must be appropriate for school.

Music, video, or other large data files required for a specific assignment must be stored on the device and not streamed or downloaded while on the school network.

Students are not permitted to use their personal electronic device to access the Internet by any manner other than connecting through the secure wireless network provided.

Legal Refs:        18 U.S.C. §§ 1460, 2256.  
                          47 U.S.C. § 254.  
                          Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.  
                          Guidelines and Resources for Internet Safety in Schools, Virginia Department of Education  
                          (Second Edition October 2007)

Cross Refs:	EGAA	Reproduction of Copyrighted Materials
	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFC-R	Standards of Student Conduct

## **Acceptable Use Policy for Electronic Information, Services, and Networks**

**Each employee must sign this Agreement as a condition for using the School Division's computer system. Each student and his or her parent/guardian must sign this Agreement before being permitted to use the School Division's computer system. Read this Agreement carefully before signing.**

Prior to signing this Agreement, read Policy IIBEA/GAB and Regulation IIBEA-R/GAB-R, Acceptable Computer System Use. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Name \_\_\_\_\_  
(Please Print)

Student/Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

I have read this Agreement and Policy IIBEA/GAB and Regulation IIBEA-R/GAB-R. I understand that access to the computer system is intended for educational purposes and Scott County School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy, and regulation with my student.

I grant permission for my student to use the computer system in accordance with Scott County School Division's policies and regulations and for the School Division to issue an account for my student

Parent/Guardian Name \_\_\_\_\_  
(Please Print)

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

**LETTER TO PARENTS:  
Acceptable Use Policy for Electronic Information, Services, and Networks**

Dear Parent/Guardian:

The Scott County School Board offers your child the use of electronic communications through the Scott County School Division's computer system. Your child will be able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

Part of the School Division's responsibility in preparing students for the 21st century is to provide them access to the tools they will be using as adults. The Internet will likely be one of these tools. Through the Division's computer system your child will have access to databases, libraries and computer services from all over the world. We accept the responsibility of teaching your child about his/her role as a "network" citizen and the code of ethics involved with this new community.

With this educational opportunity also comes responsibility on the part of your child. It is important that you and your child read the enclosed Division policy, administrative regulation and agreement form and discuss these requirements. The Division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

In order for your child to take advantage of this educational opportunity, your authorization is needed. Attached to this letter are the Acceptable Computer System Use Policy and Regulation (GAB/IIBEA) and the Acceptable Computer System Use Agreement which both you and your child must sign before your child may use the computer system. Please review these materials carefully with your child before signing the required agreement.

Sincerely,

## **SOCIAL MEDIA GUIDELINES**

In accordance with GAB/IIBEA, Acceptable Computer System Use Policy, Scott County Public Schools provides a computer system for technological communications, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. Scott County Public Schools has no legal responsibility for content of or to regulate/review off-campus Internet activity or e-communications. Internet activity is defined as blogs, IM, Chat social networks and Web sites including but not limited to Facebook, Flickr, LinkedIn, MySpace, Second Life, Twitter, Wikis, online forums, virtual worlds, YouTube, Chat Room, other emerging sites. E-communication acts of employees are defined as texting and/or IM. However, SCPS reserves the right to discipline employees for actions taken off-campus, which would violate the aforementioned policy and plan stipulations if occurring on-site, if such actions adversely affect the safety, well-being or performance of students while in school, on school buses, at school activities or coming to and from school; if such actions threaten violence against a student or employee, if such actions violate local, state or federal law, or School Board policies or regulations, or if such actions disrupt the learning environment, administration, or orderly conduct of the school. Employees will be held responsible for their disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party. When information is posted on the Internet, it is posted for public display. As such, the SCPS employee has no expectation of privacy for any information he posts on the Internet. Consequently, the division may take disciplinary measures, up to and including dismissal, for employee off-campus Internet and/or e-communication activities which are inconsistent with the professional and ethical standards expected of SCPS employees. In accordance with GCPD Professional Staff Discipline and GCPF Suspension of Staff Members, the division may take disciplinary measures, up to and including dismissal, for employee off-campus Internet and e-communication activities.

## FIELD TRIPS

Field trips are off-campus instructional activities. Field trips can provide excellent educational experiences for students by enriching the curriculum and by making classroom learning experiences more meaningful. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation, and opportunities to assimilate the experience during and after the trip. Teachers will plan advance activities that prepare students for the trip and follow-up activities that assist students in summarizing, applying, and evaluating information learned on the trip.

The following factors should be considered in proposing and approving field trips:

- The value of the trip to the particular class
- The relationship of the field trip to a particular aspect of the curriculum
- The distance travelled
- The time away from the regular instructional program
- The availability of transportation

No student will be denied the opportunity to participate in a field trip because of a lack of funds.

Trips will be approved by the superintendent or designee pursuant to regulations developed by the superintendent. Approval must be obtained before commitments are made to students, parents, or commercial establishments. The superintendent will make an annual report to the School Board on field trips taken.

Trips for activities governed by the Virginia High School League do not require approval on a trip-by-trip basis. Parental permission for such trips may be obtained for the entire athletic season or school year.

The Scott County School Board does not endorse or accept responsibility for any privately sponsored trips for students or any student trips which are not part of the instructional program. Employees are not permitted to solicit students for such trips. Employees who are involved with such trips must emphasize to any interested student/parent that such trips are strictly private enterprises.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-176.

Cross Ref.: JFCB Sportsmanship, Ethics and Integrity

## FIELD TRIPS

In planning field trips, teachers should focus on keeping the trip as an educational experience and extension of the classroom instructional program. Teachers should be mindful that field trips cause disruptions to the student's other classes and ensure that time lost from other classes do not become excessive.

All special education students are eligible for the same field trips as those in the general student population. Accommodations for special education and/or physically disabled students must be arranged before any request will be approved. If a student is to be excluded from a field trip for disciplinary reasons, it will be with the principal's recommendation and central office approval. Disciplinary measures on a field trip are the same for students as during the regular school day. Provisions must be made for students choosing not to participate in a field trip that will ensure their educational activities continue on a normal basis.

Only designated chaperones are allowed to ride a bus, other parents/relatives must provide their own transportation and any related expenses (not to be included with any student discounts such as group tickets and room reservations).

Chaperones other than those employed by the school system must submit to a criminal background check at their expense. This provision is for the protection and safety of all children. Students must be properly supervised at all times, including free time. Lodging must include one (1) chaperone per six (6) students per room.

The faculty sponsor shall submit a written request to the principal and superintendent, or designee, for their approval before soliciting student and parental support or conducting any fund-raising for the trip. Before submitting any requests, the faculty sponsor shall confer with the building principal to discuss the appropriate means of raising the necessary monies to cover the expenses of the trip. Financial burdens will not be placed upon the student(s) or school. Proper consideration must be given when determining such factors.

Chartered buses may be hired when school-owned buses are not available or it is deemed to be in the best interest of the students. The use of chartered buses greatly increases the cost and could possibly be the cause of some children being financially unable to go.

No student shall be denied the privilege of going on a school-sponsored field trip because of insufficient funds. Each school PTO or community civic group should be contacted regarding financial assistance for indigent students. Any assistance would help defray the cost such as travel, food, and lodging.

Private cars may be used to transport students on field trips only with prior approval of the superintendent, or designee, with the assurance that insurance requirements have been met.

Request for overnight field trips must be submitted to the superintendent or his designee, three (3) months prior to planned trip. The superintendent or designee, presents the request to the School Board for final approval/disapproval. The school system's insurance will not cover any trip without proper documentation and approval from the school board.

Class field trips must not exceed three (3) school days. If additional days are needed, plans should include Saturday and Sunday. Overnight field trips by clubs and/or civic groups must be taken outside the regular school schedule from Friday through Sunday. All overnight field trips are to be scheduled after the Standards of Learning Test have been administered.

The Scott County School Board recognizes the importance of educational field trips in the instructional program, however we want to ensure the safety of all involved.

## **COMMUNITY RESOURCE PERSONS/SCHOOL VOLUNTEERS**

The Scott County School Board supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for children. The involvement of parents, volunteers and others in the community who can serve as a resource to schools is a fundamentally important component of successful school programs. The administration of each school will direct the activities of parents, volunteers and other community resources at the building level.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.  
8 VAC 20-131-270.

Cross Ref.:	AD	Educational Philosophy
	IGBC	Parent and Family Engagement
	KA	Goals for School-Community Relations
	KN	Sex Offender Registry Notification
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## **SCHOOL VOLUNTEERS**

Any volunteer or non-school employee who is under contract must have a background check. It will be the responsibility of each participating school to obtain the appropriate documentation. A file will be maintained at each school and at the School Board Office on the person(s) with whom this policy applies. The cost of the background check is \$40. Only cash or money orders will be accepted, no checks.

## **GUIDANCE AND COUNSELING PROGRAM**

### School Guidance and Counseling Services

Each school provides the following guidance and counseling services to all students:

- Academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing and to seek post-secondary academic opportunities.
- Career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational and career opportunities.
- Personal/social counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.

No student is required to participate in any counseling program to which the student's parents object.

The guidance and counseling program does not include the use of counseling techniques which are beyond the scope of the professional certification or training of counselors, including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Parents are notified annually about the counseling programs which are available to their children. The notification will include the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit their child's participation in such programs.

### Employment Counseling and Placement Services

The School Board provides to secondary students employment counseling and placement services to furnish information relating to the employment opportunities available to students graduating from or leaving the schools in the school division. Such information includes all types of employment opportunities, including, but not limited to, apprenticeships, the military, career education schools and the teaching profession. In providing such services, the School Board consults and cooperates with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations and career schools.

If the School Board provides access to one or more of its high schools and contact with such high school's student body or other contact with its high school students during a school or school division-sponsored activity to persons or groups for occupational, professional or educational recruitment, it provides equal access on the same basis to official recruiting representatives of the military forces of the Commonwealth and the United States.

### Academic and Career Plans

Schools develop a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Plans are developed for students who transfer from other than a Virginia public school into the eighth grade as soon as practicable following enrollment. Students who transfer into a Virginia public school after their eighth-grade year have an Academic and Career Plan developed upon enrollment.



The components of the Plan include, but are not limited to, the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests.

The Academic and Career Plan is developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian and school official(s) designated by the principal. The Plan is included in the student's record and is reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school meets its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-130.1, 22.1-209.  
8 VAC 20-131-140.  
8 VAC 20-620-10.

Cross Ref.: IGAD Career and Technical Education  
JO Student Records

## **PARENTAL ASSISTANCE WITH INSTRUCTION**

The Scott County School Board encourages parents to provide instructional assistance to their children in the home. The school division may offer a voluntary training program to the parents of children in kindergarten through third grade to assist them in developing the skills necessary to provide effective instructional assistance to their children.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.5.

Cross Ref.: IGBC Parental Involvement  
IKB Homework

## HOMEWORK

Homework provides an essential communication link between the school and the home. One measure of a program or course is the quality of the work done at home by the student. A strong home-school partnership, with many lasting benefits for the individual student and the student's family, can be greatly enhanced by a sound program of homework. In addition, homework should be an important tool in developing independent thought, self-direction and self-discipline. It assists the student in developing good work habits and in the wise use of time.

Guidelines for homework include:

- Homework should be assigned after introduction and thorough explanation of the skills necessary to successfully complete the assignment.
- Homework should be assigned in such a manner that it will be clearly understood by all students.
- Homework should serve a valid purpose and be closely related to classroom activities.
- A student's access to resource materials should be considered when making assignments.
- Homework should be evaluated promptly and returned to the student. Appropriate rewards should be given to those students who successfully complete assigned work. Effort and competency should be recognized and rewarded.
- Teachers should seek to determine the cause if a student regularly fails to complete assigned work. Teachers should not avoid giving homework because they believe students will not do the work.
- Excessive homework, like the absence of homework, should be avoided.
- Homework should not be used for disciplinary purposes
- Teachers and administrators should take appropriate steps to communicate with parents regarding the division's homework policy and to solicit their support.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Ref.: IB Academic Freedom  
IGBC Parental Involvement  
IKA Parental Assistance with Instruction

## ACCELERATION

The curriculum and schedule of elementary, middle and high schools provides flexibility in placing certain students in programs or subjects normally considered above their grade level. Scheduling eighth grade students into subjects above the normal grade level is done with counseling based on evidence of ability, past scholastic achievement and cooperation of the individual student and his parents or guardian.

When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit is counted toward meeting the standard units required for graduation for students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below ninth grade level must meet the same requirements applicable to other students.

In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student's transcript and the student not earn high school credit for the course. Such request shall be made in the format and by the deadline set forth in regulations developed by the superintendent.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.  
8 VAC 20-131-50.  
8 VAC 20-131-90.

Cross Ref.: IGBB Programs for Gifted Students  
JO Student Records

## **8TH GRADE COURSE OF STUDY**

### **REQUIRED:**

2-Math courses (Unless exempted from one by the Principal)  
(Pre-Algebra Part 1, Pre-Algebra Part 2, #Algebra 1-Part 1, #Algebra 1-Part 2)  
English (8)  
Keyboarding/Technology  
Science (Physical Science)  
Physical Education

### **ELECTIVES:**

#Foreign Language I  
#First year of a regular high school Vocational Program (Independent Living, etc.)  
Career Investigations  
Creative Writing  
Developmental Art  
Developmental Music/Band  
#World Geography  
#World History I (to 1000)

### **PROMOTION:**

A student must accumulate a total of five (5) credits.

#These courses will be counted for graduation credit purposes.

## **8<sup>TH</sup> GRADE HOLD-BACKS**

A student who elects to repeat the 8<sup>th</sup> grade after successfully passing the coursework required, may do so with the written consent of both parents. They must select three (3) new courses, not previously taken, but not those reserved for grades 9-12.

(\*Please refer to the current 8<sup>th</sup> grade course of study to guide you in terms of which courses are required and which electives are available to 8<sup>th</sup> grade students.)

## GRADING SYSTEM

The formal grading system for Scott County is as follows:

105	A+	95	A-	85	C+	75	C-
104	A+	94	B+	84	C+	74	D+
103	A+	93	B+	83	C	73	D
102	A+	92	B	82	C	72	D
101	A+	91	B	81	C	71	D
100	A+	90	B	80	C	70	D-
99	A+	89	B	79	C	<70	F
98	A	88	B	78	C		
97	A	87	B-	77	C		
96	A-	86	B-	76	C-		

All high school permanent records and report cards shall be recorded in numerical figures. No averages of over 100 will be given for non-weighted courses. The semester grade will be a combined average of the nine-weeks grades.

Scott County Public Schools will publish a high school Grade Point Average (GPA) based on a 5.0 scale on the final high school transcript for colleges and universities. The GPA 5.0 scale will include all high school credit classes including Advanced classes with weighted grades.

The 5.0 scale for Scott County Public Schools is as follows:

105	5.000	95	4.000	85	2.909	75	2.000
104	4.800	94	3.889	84	2.818	74	1.800
103	4.600	93	3.778	83	2.727	73	1.600
102	4.400	92	3.667	82	2.636	72	1.400
101	4.200	91	3.556	81	2.545	71	1.200
100	4.000	90	3.444	80	2.455	70	1.000
99	4.000	89	3.333	79	2.364	<70	0
98	4.000	88	3.222	78	2.273		
97	4.000	87	3.111	77	2.182		
96	4.000	86	3.000	76	2.091		

### Classes Failed:

- If taken over – the student receives the higher of the two grades earned.
- If not taken over – the failing grade is calculated into the G.P.A.

Grading or evaluation of a student is used to indicate achievement and should not be used as a disciplinary measure. No points may be subtracted from a student's recorded grade for any reason, unless an error has been made in arriving at this grade.

Elementary permanent records shall be marked with letters; and the report card shall be marked with letters, also, with the exception of the exam column where a figure shall be used.

A grade, once recorded on permanent records, cannot be changed except in case of an error; then the change must be approved by the teacher or principal.

“Accelerated course” means a course that can be completed in less than the normal amount of time; the process of progressing through the school grades at a rate faster than that of the average student, either by skipping grades or by rapidly mastering the work of one course and moving on to the next higher course.

“Advanced course” means a course that presents material and concepts beyond the introductory or the elementary; a course that carries on from an introductory or elementary course given in the same school.

“Advanced Placement (AP) course” means a course with a syllabus equivalent to the relevant Advanced Placement syllabus disseminated by the Educational Testing Services.

“Assessment component” means any of the means by which one obtains information on the progress of the learner and the effectiveness of instruction; quantitative data, objective measures, subjective impressions, tests, and observations may all serve as instruments for deciding whether instructional objectives have been attained.

“Credit” means official certification of the completion of a course of study; a unit of expressing quantitatively the amount of content of a course of instruction, especially with reference to the value of the course in relation to the total requirements for a degree or certificate.

“Curriculum” means an official guide prepared for use by administrators, supervisors, and teachers of a particular school or school system as an aid to teaching in a given subject or area of study for a given grade; includes the goals and objectives of the course, the expected outcomes, assessment component, and the scope and nature of the materials to be studied.

“Grade point average” means a measure of average scholastic success in all school subjects taken by a student during a certain term or semester, or accumulated for several terms or semesters; obtained by dividing grade points by hours or course work taken.

“Secondary school profile data” means information given in a summative format of a particular secondary school, such as location, description, achievement data, definition of curriculum, grading scale, grade distribution, weighted grades, rank in class, graduation requirements, and explanation of advanced, accelerated, or Advanced Placement.

“Secondary course” means a course of study planned especially for people of ages approximately 12 to 17, in which the emphasis tends to shift from mastery of basic tools of learning, expression, and understanding to the use and extension of the tools in exploring areas of thought and living, and in exploring and acquiring information, concepts, intellectual skills, attitudes, social, physical, and intellectual ideas, and habits, understanding, and appreciation.

“Secondary school transcript” means an official list of all secondary courses taken by a student, showing the final grade received for each course, with definitions of the various grades given.

“Weighted course” means Advanced level courses in which credit is increased usually by reason of quality of work accomplished.

Advanced courses shall consist of: (Adjusted by 5 points)

- |                                   |                      |
|-----------------------------------|----------------------|
| -Approved Dual Enrollment Courses | -Chemistry II        |
| -Physics                          | -Math Analysis       |
| -Trigonometry                     | -Nursing             |
| -Calculus                         | -Approved AP Courses |
| -Biology III                      | -Governor’s School   |

\*In order for a student to receive a weighted grade in either an advanced class, he/she must earn an unweighted average of at least 70.

\*Report cards shall reflect actual grades earned for each grading period. Weighted grade points will be added to the final grade.

\*The transcript of the student shall reflect the actual average unless it is an Advanced Course. Weighted class averages shall be reflected in the final grade shown on the transcript.

\*Grades for dual enrollment classes, in which students receive college credit, will be turned in to the college or university as their actual (non-weighted) average. Dual enrollment grades will be submitted to the college or university using their grading scale.

The weighted scores shall be awarded as follows:

**Advanced Courses**            5 points to final average

\*Other classes may be added to the list of Advanced classes as they become available, and as approved by the Superintendent of Schools.

\*Weighted credit will not be awarded for courses taken during summer school or for homebound that extends for more than the semester in which the student is presently enrolled.

\*Advanced courses for students with disabilities – taken in a regular classroom (mainstreaming and inclusion) will receive advance credit listed. Those taught by the Special Education Teacher will not; as the nature of the course is too significantly altered to be commensurate, unless the teacher is endorsed in the area and all curriculum requirements are met.

### **DROPPING/ADDING CLASSES**

Students will have five (5) days to drop any scheduled class(s) if another class is available.

Any extenuating circumstances beyond five (5) days may be reviewed by a committee consisting of the principal, the teacher whose class is being dropped, and the teacher whose class is being added.



## EVALUATION AND PROMOTION

The evaluation of an instructional program is essential in determining which practices are best to facilitate learning.

Evaluation of student progress shall be the prerogative of each teacher.

A student in Grades 1-3 will be promoted if they pass Mathematics, Reading, and English.

Schools shall use the Virginia Assessment program test results in Kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students. This assessment in grades K-2<sup>nd</sup> is the PALS. The School-Based Team, including the parent, shall meet on each individual student who is in danger of failing. All test assessments are to be reviewed with the parent in determining whether a child passes or fails.

In Grades 4<sup>th</sup> and 5<sup>th</sup>, a student will be promoted if they pass four or more of the core subjects (Reading, English, Math, Science, or Social Studies).

In Grades 6<sup>th</sup> and 7<sup>th</sup>, a student will be promoted if they pass three or more of the core subjects (English, Math, Science, or Social Studies).

### ELEMENTARY GRADING SYSTEM & ENGLISH COMPOSITE

#### 1<sup>st</sup> and 2<sup>nd</sup> Grades

Reading	A-F*	*20% of reading weight must be from independent reading assessments
English (Grammar, Composition, & Spelling)	A-F	
Math	A-F	
Science	S or U	
History	S or U	

#### 3<sup>rd</sup> Grade

Reading	A-F	
English: Writing (Handwriting & Composition), Grammar, and Spelling	A-F*	*Each English component is weighted 33.3% each
Math	A-F	
Science	S or U	
History	S or U	

#### 4<sup>th</sup> and 5<sup>th</sup> Grades

Reading	A-F	
English: Writing (Handwriting & Composition), Grammar, and Spelling	A-F*	*Each English component is weighted 33.3% each
Math	A-F	
Science	A-F	
History	A-F	

## **6<sup>th</sup> and 7<sup>th</sup> Grades**

English		A-F*	*English component is weighted as listed
Reading	50%		
Writing Composition	25%		
Grammar	25%		
Math		A-F	
Science		A-F	
History		A-F	

In Grade 8, a student must accumulate a total of five credits to be promoted.

Student evaluation in Grades 9 to 12 shall be on a subject basis. Students must have six (6) credits to be promoted to 10<sup>th</sup> grade. Students must have twelve (12) credits to be promoted to 11<sup>th</sup> grade. Students must have eighteen (18) credits or be able to graduate to be promoted to 12<sup>th</sup> grade. Results of the SOL testing program will be taken into consideration with respect to promotion/retention.

### **SOCIAL PROMOTION**

Social Promotion - The following guidelines will be followed when considering social promotion or placement in another grade or school.

- A. If a child is being considered for placement in another grade within the same school, the School-Based Team or Child Study Committee, if in Special Education, should meet and make a recommendation to the building principal and the homeroom/grade level teacher. These considerations should take place in the spring of each school year. Placement is the responsibility of the building principal/grade level teacher.
  
- B. If a child is being considered for placement in another grade in another school, the School-Based Team or Child Study Committee, if in Special Education, will meet and make a recommendation to the building principal. The principal will approve/deny this request. If approved by the principal, it must be sent to the central office for approval by the appropriate committee. All requests for placement from one school to another must take place in the spring. The only exception to this rule would be in the case of a transfer student. Placement of the student is the responsibility of the central office committee.

\*NOTE: The School-Based Team consists of professionals (teachers, administrators, specialists, a parent, and student as appropriate) to meet and discuss any aspect of the child's education (academic, behavior, discipline, social, etc.). The Child Study's composition consists of the same members identified above including at least one special education teacher. Members may serve on both teams.

## **STANDARDS OF LEARNING TESTS AND GRADUATION REQUIREMENTS**

### **I. Standards of Learning (SOL) Tests and Verified Units of Credit**

The Board of Education has established educational objectives known as the Standards of Learning, which form the core of Virginia's educational program, and other education objectives, which together are designed to ensure the development of the skills that are necessary for success in school and in preparation for life in the years beyond.

The Scott County School Board has developed and implemented a program of instruction that is aligned to the Standards of Learning and that meets or exceeds the requirements of the Board of Education.

In kindergarten through eighth grade, where Standards of Learning (SOL) tests are required by the Board of Education, each student is expected to take the SOL tests. Students who are accelerated take the tests of the grade level enrolled or the tests for the grade level of the content received in instruction. No student takes more than one test in any content area in each year. Schools will use the SOL test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

Each student in middle and secondary school will take all applicable end-of-course SOL tests following course instruction. Students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 are required to earn standard and verified units of credit as specified in the regulations of the Board of Education and as described below. Students who achieve a passing score on an end-of-course SOL test will be awarded a verified unit of credit in that course in accordance with 8 VAC 20-131-110. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

The standard unit of credit for graduation is based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. A standard unit of credit may also be awarded based on a waiver of the 140-clock hour requirement as provided in Policy IKFD Alternative Paths to Attaining Standard Units of Credit.

A verified unit of credit for graduation is based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described below.

A student may also earn a verified unit of credit by the following methods:

- in accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education.
- upon waiver of the 140-clock-hour requirement according to the Board of Education's Guidelines for Graduation Requirements; Local Alternative Paths to Standard Units of Credit and Policy IKFD Alternative Paths to Attaining Standard Units of Credit qualified students who have received a standard unit of credit will be permitted to sit for the

relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

Students may also earn verified credits by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

Participation in the SOL testing program by students with disabilities will be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities will be assessed with appropriate accommodations and alternate assessments where necessary.

All students identified as limited English proficient (LEP) will participate in the SOL testing program. A school-based committee will convene and make determinations regarding the participation level of LEP students. In kindergarten through eighth grade, limited English proficient students may be granted a one-time exemption from SOL testing in the areas of writing, science, and history and social science.

## II. Graduation Requirements

### A. Generally

The School Board awards diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board of Education and meet such other requirements as are prescribed by the School Board and approved by the Board of Education.

### B. Types of Diplomas and Certificates

The Scott County School Board will award diplomas and certificates in accordance with state laws and regulations.

The requirements for a student to earn a diploma are those in effect when the student enters ninth grade for the first time.

#### 1. Standard Diploma

To graduate with a Standard Diploma, a student must earn at least 25 standard units of credit by passing required courses and electives, and earn at least six verified credits by passing end-of-course SOL tests or other assessments approved by the Board of Education.

Beginning with students entering ninth grade for the first time in 2013-2014, a student must also:

- Earn a board-approved career and technical education credential to graduate with a Standard Diploma; and
- Successfully complete one virtual course, which may be non-credit bearing.

The school counselor can advise on available courses to fulfill the requirements for a Standard Diploma.

#### **Credit Accommodations for Students with Disabilities**

Credit accommodations provide alternatives for students with disabilities in earning the standard and verified credits required to graduate with a Standard Diploma. Credit accommodations for students with disabilities may include:

- Alternative courses to meet the standard credit requirements

- Modifications to the requirements for locally awarded verified credits
- Additional tests approved by the Board of Education for earning verified credits
- Adjusted cut scores on tests for earning verified credits
- Allowance of work-based learning experiences through career and technical education (CTE) courses

Credit accommodations are determined by the IEP Team or 504 Team at any point after the student’s eighth-grade year. The school must secure the informed written consent of the parent/guardian or adult student to choose credit accommodations after a review of the student’s academic record and full disclosure of the student’s options. IEPs and 504 plans must specify which credit accommodations are allowed and under what circumstances.

A student must meet the following criteria to be eligible for Standard Diploma credit accommodations:

- The student must have a current IEP or 504 plan with standards-based content goals.
- The student must have a disability that precludes his/her from meeting grade-level expectations but is learning on grade-level content.
- The student must need significant instructional supports to access grade-level SOL content and to show progress.
- The student, based on multiple objectives measures of past performance, might not be expected to achieve the required units of credit within the standard time frame.

**Approved Courses:**

- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2010-2011 and Beyond](#) (PDF)
- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2003-2004 through 2009-2010](#) (PDF)

Standard Diploma Course Requirements (8 VAC 20-131-50.B)			
Discipline Area	Standard Credits: effective with first-time ninth graders in 2003-2004 through 2010-2011	Standard Credits: effective with first-time ninth graders in 2011-2012 and beyond	Verified Credits: effective for first-time ninth graders in 2003-2004 and beyond
English	4	4	2
Mathematics [ <a href="#">Note 1</a> ]	3	3	1
Laboratory Science [ <a href="#">Notes 2 &amp; 6</a> ]	3	3	1
History & Social Sciences [ <a href="#">Notes 3 &amp; 6</a> ]	3	3	1
Health & Physical Education	2	2	
Fine Arts or Career & Technical Education	1		
Foreign Language, Fine Arts or Career & Technical Education [ <a href="#">Note 7</a> ]		2	

Economics and Personal Finance		1	
<a href="#">Electives [Note 4]</a>	9	7	
Student Selected Test [ <a href="#">Note 5</a> ]			1
Total	25	25	6

**NOTE 1**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall be at or above the level of algebra and shall include at least two course selections from among: Algebra I, Geometry, Algebra II or other mathematics courses above the level of algebra and geometry. The Board may approve additional courses to satisfy this requirement.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include at least two different course selections from among: Algebra I; Geometry; Algebra, Functions and Data Analysis; Algebra II or other mathematics courses above the level of Algebra II. The Board shall approve courses to satisfy this requirement.

**NOTE 2**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall include course selections from at least two different science disciplines: earth sciences, biology, chemistry or physics. The Board may approve additional courses to satisfy this requirement.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include course selections from at least two different science disciplines: earth sciences, biology, chemistry or physics or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board shall approve courses to satisfy this requirement.

**NOTE 3**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board may approve additional courses to satisfy this requirement.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both. The Board shall approve courses to satisfy this requirement.

**NOTE 4**

- Courses to satisfy this requirement shall include at least two sequential electives as required by the Standards of Quality.

**NOTE 5**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education or other areas as prescribed by the Board in 8 VAC 20-131-110.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** A student may utilize additional tests for earning verified credit in computer science, technology, career and technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110.

#### **NOTE 6**

- Students who complete a career and technical education program sequence and pass an examination or occupational competency assessment in a career and technical education field that confers certification or an occupational competency credential from a recognized industry, or trade or professional association or acquires a professional license in a career and technical education field from the Commonwealth of Virginia may substitute the certification, competency credential or license for (1) the student selected verified credit and (2) either a science or history and social science verified credit when the certification, license or credential confers more than one verified credit. The examination or occupational competency assessment must be approved by the Board of Education as an additional test to verify student achievement.

#### **NOTE 7**

- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Pursuant to Section 22.1-253.13:4, Code of Virginia, credits earned for this requirement shall include one credit in fine or performing arts or career and technical education.

#### **Electives**

- **Sequential Electives** – Effective with the graduating class of 2003, students who wish to receive a Standard or Modified Standard Diploma must successfully complete two sequential electives. On February 5, 2002, the Board of Education approved [Guidelines for Sequential Electives for the Standard and Modified Standard Diploma](#) (PDF).
  - Sequential electives may be in any discipline as long as the courses are not specifically required for graduation.
  - Courses used to satisfy the one unit of credit in a fine arts or career and technical education course may be used to partially satisfy this requirement.
  - For career and technical education electives, check with the Office of Career and Technical Education at (804) 225-2051.
  - An exploratory course followed by an introductory course may not be used to satisfy the requirement.
  - An introductory course followed by another level of the same course of study may be used.
  - Sequential electives do not have to be taken in consecutive years.
- **Fine Arts and Career and Technical Education** – The Standard, Advanced Studies, and Modified Standard Diplomas each contain a requirement for one standard unit of credit in Fine Arts or Career and Technical Education. The Standards of Accreditation do not require that courses used to satisfy the requirement of Fine Arts or Career and Technical Education be approved by the Board. Therefore, local school officials should use their own judgment in determining which courses students take to satisfy this requirement.

## **2. Advanced Studies Diploma**

To graduate with an Advanced Studies Diploma, a student must earn 27 standard units of credit and at least nine verified units of credit:

- Students who entered ninth grade for the first time during and after 2011-2012 must earn at least 26 standard units of credit.
- Students who entered ninth grade before 2011-2012 must earn at least 24 standard units of credit.

Beginning with students entering ninth grade for the first time in 2013-2014, a student must successfully complete one virtual course, which may be non-credit bearing, to graduate with an Advanced Studies Diploma.

Please note: Your school counselor can tell you which courses are offered by your school to fulfill the requirements for an Advanced Studies Diploma.

#### **Approved Courses:**

- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2010-2011 and Beyond](#) (PDF)

- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2003-2004 through 2009-2010](#) (PDF)

Advanced Studies Diploma Course Requirements (8 VAC 20-131-50.C)			
Discipline Area	Standard Credits: effective with first-time ninth graders in 2003- 2004 through 2010-2011	Standard Credits: effective with first- time ninth graders in 2011-2012 and beyond	Verified Credits - effective with ninth graders in 2000- 2001 and beyond
English	4	4	2
Mathematics <a href="#">[Note 1]</a>	4	4	2
Laboratory Science <a href="#">[Note 2]</a>	4	4	2
History & Social Sciences <a href="#">[Note 3]</a>	4	4	2
Foreign Languages <a href="#">[Note 4]</a>	3	3	
Health & Physical Education	2	2	
Fine Arts or Career & Technical Education	1	1	
Economics and Personal Finance		1	
<a href="#">Electives</a>	5	4	
Student Selected Test <a href="#">[ Note 5]</a>			1
<b>Total</b>	<b>27</b>	<b>27</b>	<b>9</b>

**NOTE 1**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall be at or above the level of algebra and shall include at least three different course selections from among: Algebra I, Geometry, Algebra II or other mathematics courses above the level of Algebra II. The Board may approve additional courses to satisfy this requirement.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include at least three different course selections from among: Algebra I, Geometry, Algebra II or other mathematics courses above the level of Algebra II. The Board shall approve courses to satisfy this requirement.

**NOTE 2**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry or physics or completion of the sequence of



science courses required for the International Baccalaureate Diploma. The Board may approve additional courses to satisfy this requirement.

- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board shall approve courses to satisfy this requirement.

#### **NOTE 3**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and two courses in either world history or geography or both. The Board may approve additional courses to satisfy this requirement.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and two courses in either world history or geography or both. The Board shall approve courses to satisfy this requirement.

#### **NOTE 4**

- Courses completed to satisfy this requirement shall include three years of one language or two years of two languages.

#### **NOTE 5**

- **For students entering the ninth grade for the first time in 2003-2004 through 2010-2011:** A student may utilize additional tests for earning verified credit in computer science, technology, career or technical education or other areas as prescribed by the Board in 8 VAC 20-131-110.
- **For students entering the ninth grade for the first time in 2011-2012 and beyond:** A student may utilize additional tests for earning verified credit in computer science, technology, career or technical education, economics or other areas as prescribed by the Board in 8 VAC 20-131-110.

#### **Electives**

- **Fine Arts and Career and Technical Education** – The Standard, Advanced Studies, and Modified Standard Diplomas each contain a requirement for one standard unit of credit in Fine Arts or Career and Technical Education. The Standards of Accreditation do not require that courses used to satisfy the requirement of Fine Arts or Career and Technical Education be approved by the Board. Therefore, local school officials should use their own judgment in determining which courses students take to satisfy this requirement.
- **Foreign Language**—The Advanced Studies Diploma contains a requirement for either three years of one foreign language or two years of two languages. In March 1998, the Board of Education approved the provision of three years of instruction in American Sign Language (ASL) for foreign language credit toward an Advanced Studies Diploma; other foreign languages will satisfy this requirement as well. Details of this action are available in: [Superintendent's Memo](#), Interpretive, #1, June 12, 1998.

### **3. Modified Standard Diploma**

The Modified Standard Diploma is intended for certain students at the secondary level who have a disability and are unlikely to meet the credit requirements for a Standard Diploma. Eligibility and participation in the program are determined by the student's IEP team and the student, when appropriate. Decisions of eligibility and participation may be made at any point after the student's eighth grade year. Written consent from parent/guardian must be obtained for a student to choose this diploma program.

**NOTE:** The Modified Standard Diploma will not be an option for students with disabilities who enter the ninth grade for the first time beginning in 2013-2014. [Credit accommodations](#) allow students with disabilities who previously would have pursued a Modified Standard Diploma to earn a Standard Diploma.

The student must:

- be allowed to pursue a Standard or Advanced Studies Diploma at any time throughout his or her high school career;
- not be excluded from courses and tests required to earn a Standard or Advanced Studies Diploma; and
- pass literacy and numeracy competency assessments as prescribed by the Board:
  - For students who entered the ninth grade prior to 2000-01, the literacy and numeracy competency assessments were the reading and mathematics subtests of the LPT.
  - For students who entered the ninth grade in 2000-01 and beyond, the literacy and numeracy competency assessments are the eighth-grade English Reading test and the eighth-grade Mathematics SOL test (Board action – November 30, 2000).
  - The Board also approved four additional substitute assessments to satisfy the literacy and numeracy requirements for students pursuing a Modified Standard Diploma.
    - [Substitute Numeracy and Literacy Tests for the Modified Standard Diploma](#)  
Superintendent's Memo – Informational #53, March 5, 2004
    - [Cut Scores for Substitute Tests for the Modified Standard Diploma](#)  
Superintendent's Memo – Informational #103, May 21, 2004

**Approved Courses:**

- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2010-2011 and Beyond](#) (PDF)
- [Approved Courses – Effective for Students Who Entered Ninth Grade for the First Time in 2003-2004 through 2009-2010](#) (PDF)

NOTE: The Modified Standard Diploma will not be an option for students with disabilities who enter the ninth grade for the first time after 2012-2013. Beginning with students entering ninth grade for the first time in 2013-2014, credit accommodations will be provided to allow students with disabilities who previously would have pursued a Modified Standard Diploma to earn a Standard Diploma. Guidelines for credit accommodations will be issued by the Board of Education.

Modified Standard Diploma Course Requirements (8 VAC 20-131-50.D)	
Discipline Area	Standard Credits
English	4
Mathematics <a href="#">[Note 1]</a>	3
Laboratory Science <a href="#">[Note 2]</a>	2
History & Social Sciences <a href="#">[Note 3]</a>	2
Health & Physical Education	2
Fine Arts or Career & Technical Education	1
<a href="#">Electives</a> <a href="#">[Note 4]</a>	6
<b>Total</b>	<b>20</b>

**NOTE 1**

- Courses completed to satisfy this requirement shall include content from among applications of algebra, geometry, personal finance and statistics in courses that have been approved by the Board.

## **NOTE 2**

- Courses complete shall include content from at least two of the following: applications of earth science, biology, chemistry, or physics in courses approved by the Board.

## **NOTE 3**

- Courses completed to satisfy this requirement shall include one unit of credit in U.S. and Virginia History and one unit of credit in U.S. and Virginia Government in courses approved by the Board.

## **NOTE 4**

- Courses to satisfy this requirement shall include a least two sequential electives in the same manner required for the Standard Diploma.

## **Electives**

- **Sequential Electives** – Effective with the graduating class of 2003, students who wish to receive a Standard or Modified Standard Diploma must successfully complete two sequential electives. On February 5, 2002, the Board of Education approved [Guidelines for Sequential Electives for the Standard and Modified Standard Diploma](#) (PDF).
  - Sequential electives may be in any discipline as long as the courses are not specifically required for graduation.
  - Courses used to satisfy the one unit of credit in a fine arts or career and technical education course may be used to partially satisfy this requirement.
  - For career and technical education electives, check with the Office of Career and Technical Education at (804) 225-2051.
  - An exploratory course followed by an introductory course may not be used to satisfy the requirement.
  - An introductory course followed by another level of the same course of study may be used.
  - Sequential electives do not have to be taken in consecutive years.
- **Fine Arts and Career and Technical Education** – The Standard, Advanced Studies, and Modified Standard Diplomas each contain a requirement for one standard unit of credit in Fine Arts or Career and Technical Education. The Standards of Accreditation do not require that courses used to satisfy the requirement of Fine Arts or Career and Technical Education be approved by the Board. Therefore, local school officials should use their own judgment in determining which courses students take to satisfy this requirement.

## **4. Special Diplomas**

A Special Diploma (Individualized Education Plan - IEP) will be awarded to each disabled student who successfully completes the requirements set forth in his/her IEP, but does not meet the requirements for other diplomas. The IEP Team must take into consideration transition requirements as set forth in the regulations for all students with disabilities prior to graduation. Consideration must be given to the direction that each student and their parents have chosen, whether academic or vocational. Students pursuing a vocational track should either have a vocational completer or work experience depending on the type of special education program identified in the IEP, taking into consideration the student's ability level.

The school board will notify the parent of students with disabilities who have an IEP and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.

## **5. Certificates of Program Completion**

A Certificate of Program Completion will be awarded to any student who completes a prescribed program of studies defined by the local school board but who is not eligible to receive a standard, advanced studies, modified standard, special, or general achievement diploma.

The school board will notify the parent of students who fail to graduate or who fail to achieve the number of verified units of credit required for graduation as provided in the Standards for Accreditation and who have not reached 20 years of age on or before August 1<sup>st</sup> of the school year of the right to a free public education. If the student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the school board will notify the parent of the student's opportunity for a free public education in accordance with Va. Code § 22.1-5.

## **6. General Educational Development (GED)**

### A. Generally

The Board of Education has established a program of testing for general educational development (GED) through which persons may earn a high school equivalency certificate or a General Achievement Diploma. The following persons may participate in the testing program:

- persons who are at least 18 years of age and not enrolled in public school or not otherwise meeting the school attendance requirements set forth in Va. Code § [22.1-254](#); (*under certain circumstances consistent with Va.Code§22.1-254 and 22.1-254.2, the age limit may be lowered to 16.*)
- persons 16 years of age or older who have been instructed by their parents in their home pursuant to Va. Code § [22.1-254.1](#) and who have completed such home school instruction; persons who have been excused from school attendance pursuant to subsections B and C of Va. Code § [22.1-254](#); persons for whom an individual student alternative education plan has been granted pursuant to subsection D of Va. Code § [22.1-254](#); and
- persons 16 through 18 years of age who are housed in adult correctional facilities and who are actively pursuing a GED certificate but who are not enrolled in an individual student alternative education plan pursuant to subsection D of Va. Code § [22.1-254](#);
- persons 16 years of age or older who have been expelled from school pursuant to Va. Code §§ [22.1-277.06](#) through [22.1-277.08](#); and
- persons required by court order to participate in the testing program.

Under no circumstances will anyone under the age of 16 be eligible for the testing program.

Only those entities designated by the Department of Education as official Virginia GED testing centers will determine whether an individual is eligible to take GED tests. GED tests will be administered only at official Virginia GED testing centers or addendum test sites that have been approved by the Virginia GED Administrator and the GED Testing Service.

Official test scores may be accepted from an approved state agency, an official jurisdiction responsible for overseeing GED testing, or an official GED testing center outside of Virginia.

An individual may take the full battery of tests up to three times during a calendar year. Test scores may be combined in accordance with GED Testing Service policy.

### B. General Achievement Diploma

A General Achievement Diploma is intended to provide a diploma option for individuals who leave high school without a diploma. It should not be a first option for high school students. A General Achievement Diploma will be awarded to eligible candidates who satisfy the following requirements.

In order to be eligible for a General Achievement Diploma, an individual must meet one of the following criteria:

- be at least 18 years old and not enrolled in public school;
- not otherwise be subject to Virginia's compulsory school attendance requirements.

In order to be awarded a General Achievement Diploma, candidates must earn a total of twenty standard units of credit including the following:

- four standard units of credit in English;
- three standard units of credit in mathematics;
- two standard units of credit in science;
- two standard units of credit in history and social sciences; and
- nine standard units of credit in electives.

The required standard units of credit may be earned by enrolling in:

- a public school if the candidate meets the age requirements;
- a community college or other institution of higher education;
- an adult high school program; or
- correspondence, distance learning, and online courses.

Candidates for a General Achievement Diploma must participate in GED preparation and must achieve a passing score on the GED examination.

### C. General Educational Development (GED) Certificates

GED certificates may be issued to individuals who:

- are at least 18 years of age (Under special circumstances consistent with Va. Code 22.1-254 and 22.1-254.2, the age limit may be lowered to 16) and not enrolled in a public or private high school; and
- achieve the minimum passing score requirements set by the GED Testing Service of the American Council on Education or such higher score requirements that may be established by the Virginia Board of Education.

ISAP (Individual Student Alternative Education Plan) Program:

The Individual Student Alternative Education Plan (ISAP) Program prepares students at-risk of dropping out of public high school to take the Tests of General Educational Development (GED®) while developing career and technical education skills. The ISAP program fulfills compulsory attendance requirements for students who are between 17-18 years of age.

Eligibility:

A student is eligible for enrollment in the ISAP program if:

- the student is currently enrolled in a public high school;
- is at least 17 years of age;
- is at risk of dropping out of school;
- is not earning the required number of credits at school;
- meets academic entrance requirements;
- and chooses to prepare for the GED Tests.

Program Components:

- Each ISAP student spends a minimum of 15 hours per week on academic content.
- Each ISAP student spends a minimum of 10 hours per week on work-based or career transition education.
- Each ISAP student spends a minimum of 12 hours on career counseling.
- Completes an Economics and Personal Finance class.
- Each ISAP student will have an individual educational plan prescribed by the school division and signed by the parent or guardian.
- Enrollment in ISAP is voluntary. The student can also re-enroll in regular school at any time.
- All parties involved will be regularly informed of the student's progress. Parents will be involved in any changes to the individual educational plan.
- Failure to comply with all parts of the ISAP is a violation of the compulsory attendance law and criminal

action may be taken.

Completion Requirements:

- Passing the GED test
- Successful completion of the career and technical component
- Completion of Economics and Personal Finance class

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:4.  
8 VAC 20-131-30.  
8 VAC 20-131-50.  
8 VAC 20-131-110.  
Guidelines for Graduation Requirements; Local Alternative Paths to Standard Units of Credit  
(Virginia Board of Education Oct. 2015)

Cross Refs.: IAA Notification of Learning Objectives  
IKFA Locally Awarded Verified Credits  
IKFD Alternative Paths to Attaining Standard Units of Credit

File: IKF-R  
(07/13)

### **EARLY GRADUATION REQUIREMENTS**

A student who is or will be 18 by the end of the first semester of their senior year may make application for early graduation providing he/she has completed all of the necessary paperwork as required below. Applications should be received in the guidance office of each high school prior to the start of the school year. No applications will be considered after classes/school has begun.

A committee of three made up of the school's principal or his/her designee, guidance counselor, and one representative from the Central Office will determine early graduation upon reviewing all required paperwork. Paperwork required is as follows:

- a. request in writing signed by student, parent, guidance counselor, and principal
- b. transcript of high school credits
- c. list of credits still needed for graduation
- d. other paperwork as requested

## LOCALLY AWARDED VERIFIED CREDITS

### Generally

The Scott County School Board awards verified credits to students who enroll in high school as freshmen before July 1, 2018, as sophomores before July 1, 2019, as juniors before July 1, 2020 or as seniors before July 1, 2021 toward a standard diploma in science and history/social sciences in accordance with this policy.

No student may earn more than four locally awarded verified credits except as noted below.

To be eligible to earn locally awarded verified credits, a student must

- pass the high school course and not pass the related Standards of Learning test
- take the Standards of Learning test at least twice
- score within a 375-399 scale score range on any administration of the Standards of Learning test
- demonstrate achievement in the academic content through the appeal process described below

### Locally Awarded Verified Credits as Credit Accommodations

In addition to verified credits in science and history/social sciences, the School Board may also award verified credits toward a standard diploma in reading, writing and mathematics to students with disabilities as credit accommodations for the standard diploma. To be eligible for such credit accommodations, students with disabilities must meet all criteria established by Virginia law or regulation and eligibility for such credit accommodations must be established in the student's Individualized Education Program (IEP) or Section 504 plan. There is no maximum number of locally awarded verified credits that a student with a disability may earn toward a standard diploma.

### Appeal Process

The Scott County School Board shall appoint a review panel comprised of at least three educators. Different panels may be appointed for individual schools or groups of schools.

The review panel will review information which provides evidence of the student's achievement of adequate knowledge of the Standards of Learning content. The panel will have discretion in determining the information it will consider. That information may include, but is not limited to, results of classroom assignments, divisionwide exams, course grades and additional academic assignments (e.g. papers, projects, essays or written questions) as the panel deems appropriate.

Based on the evidence it reviews, the review panel may:

- award the verified credit;
- deny the verified credit;
- suggest participation in a remedial program and retesting; or
- make additional academic assignments prior to determining whether to award the verified credit.

The decision of the review panel will be final.

Legal Refs.: 8 VAC 20-131-5.  
8 VAC 20-131-50.  
8 VAC 20-131-110.

Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities (Virginia Department of Education March 28, 2013) (attachment to Virginia Department of Education Superintendent's Memo No. 105-13 (Apr. 19, 2013)).

Additional Guidance on Credit Accommodations for Students with Disabilities July 2013 (Attachment A to Superintendent's Memo No. 191-13 issued July 26, 2013)

Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia 8 VAC 20-131 (as amended by the Board of Education January 13, 2011).



## REMEDIATION RECOVERY PROGRAM

The Scott County School Board supports efforts to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain Standards of Learning (SOL) assessments. Therefore, the Scott County School Board has implemented a Remediation Recovery Program as established by the Virginia Board of Education. Remediation recovery is a program which encourages successful remediation of students who do not pass certain SOL tests in kindergarten through grade 8 and high school English and mathematics. The program is administered through regulations promulgated by the superintendent. Students eligible to participate in such program include students in kindergarten through grade 12 who have failed the SOL assessment in the areas of English or mathematics or both.

Students who fail the grades 3 through 7 reading and/or mathematics tests and participate in a remediation recovery program after being promoted to the next grade will not retake the failed test or tests.

Students who fail either the grade 8 reading or mathematics test, or an end-of-course English or mathematics test, and participate in a remediation recovery program will continue to retake the applicable SOL test at the next regularly scheduled administration.

Schools shall maintain evidence of a student's participation in a remediation recovery program along with the scores of any SOL tests taken following remediation in the student's record.

The following students are ineligible for the remediation recovery program:

- students in grade 8 who are retested because they were retained and had not previously passed the grade 8 test in reading or mathematics
- students who retake an end-of-course test as a result of failing and retaking an English or mathematics course at the high school level

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:1.  
8 VAC 20-131-30.~~C~~  
8 VAC 20-131-280.  
Guidance Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public School in Virginia 8 VAC 20-131 (Virginia Board of Education as amended January 13, 2011).

Cross Refs.: IKF Standards of Learning Tests and Graduation Requirements  
IKH Retaking SOL Assessments  
IL Testing Programs

## **HONORS, AWARDS, AND CLASS RANK**

Awards that reward excellence in scholarship in each area of the curriculum and as a whole should be given on the high school level. Honor rolls for both high school and elementary school are to be established for each grading period, posted at school and published whenever possible, as follows:

All A's at each 9-weeks grading period, 1<sup>st</sup> semester, 2<sup>nd</sup> semester, or yearly average constitutes 1<sup>st</sup> Honor Roll for those time periods.

All A's & B's at each 9-weeks grading period, 1<sup>st</sup> semester, 2<sup>nd</sup> semester, or yearly average constitutes 2<sup>nd</sup> Honor Roll for those time periods.

The National Honor Society only recognizes middle school and high school students as National Honor Society members. A 90 average is required.

Elementary schools may join the National Elementary Honor Society. Membership to this organization is strictly optional.

Awards and honors in extracurricular activities--such as, dramatics, forensics, athletics--are approved; and these awards and honors are to follow rules and regulations of the Virginia High School League.

Any new rewards or honors being bestowed by an organization or persons must be approved by the principal before being bestowed.

Class rank will be established after the 3<sup>rd</sup> nine-week grading period of the year in which a student is scheduled to graduate. This will be done by averaging all courses taken by the student during his or her 9<sup>th</sup> - 12<sup>th</sup> grade years (and those required for graduation but taken during the 8<sup>th</sup> grade year). In order to receive class rank, the student must attend a Scott County High School three (3) semesters prior to graduation. During this time, homebound instruction does not count toward valedictorian or salutatorian ranking when students on homebound receive modified instruction and/or instructional time. Any student who is pursuing an IEP or a Modified Standard Diploma will not be ranked. Those students ranking one and two after the 3<sup>rd</sup> nine-week grading period of their graduating year will be designated as valedictorian and salutatorian respectively. Students averaging 90 or above in the aforementioned will be designated as honor students at graduating exercises.

In order for a transfer student to receive a weighted grade (toward class ranking), the course must be recognized by Scott County Schools and listed in the Administrative Regulations Manual as a course deserving of advanced or honors weight.

### **Nine-Weeks Exam Policy**

Scott County Public School policy dictates that all students in grades 8-12, where credit is given for graduation requirements, will be given an appropriate and comprehensive exam at the end of each nine weeks. The examination will count as 10% of the student's 9 weeks average.

### **DIPLOMA SEALS**

Students who demonstrate academic excellence and/or outstanding achievement may be eligible for one of the following awards:

**Governor's Seal** – Awarded to students who complete the requirements for an Advanced Studies Diploma with an average grade of "B" or better, and successfully complete college-level coursework that will earn the student at

least nine transferable college credits in Advanced Placement (AP), International Baccalaureate (IB), Cambridge, or dual enrollment courses.

**Board of Education Seal** – Awarded to students who complete the requirements for a Standard Diploma or Advanced Studies Diploma with an average grade of "A" beginning with the ninth-grade class of 2006-2007 and beyond.

**Board of Education's Career & Technical Education Seal** – Awarded to students who:

- earn a Standard or Advanced Studies Diploma and complete a prescribed sequence of courses in a career and technical education concentration or specialization that they choose and maintain a "B" or better average in those courses
- OR pass an examination or an occupational competency assessment in a career and technical education concentration or specialization that confers certification or occupational competency credential from a recognized industry, trade or professional association
- OR acquire a professional license in that career and technical education field from the Commonwealth of Virginia.

The Board of Education shall approve all professional licenses and examinations used to satisfy these requirements.

**Board of Education's Advanced Mathematics & Technology Seal** – Awarded to students who earn either a Standard or Advanced Studies Diploma and satisfy all of the mathematics requirements for the Advanced Studies Diploma (four units of credit including Algebra II; two verified units of credit) with a "B" average or better; and either

- pass an examination in a career and technical education field that confers certification from a recognized industry, or trade or professional association
- OR acquire a professional license in a career and technical education field from the Commonwealth of Virginia
- OR pass an examination approved by the board that confers college-level credit in a technology or computer science area.

The Board of Education shall approve all professional licenses and examinations used to satisfy these requirements.

**Board of Education's Excellence in Civics Education Seal** – Awarded to students who meet each of the following four criteria:

- Satisfy the requirement to earn a Standard Diploma or an Advanced Studies Diploma
- Complete Virginia & United States History and Virginia & United States Government courses with a grade of "B" or higher
- Complete 50 hours of voluntary participation in community service or extracurricular activities, such as volunteering for a charitable or religious organization that provides services to the poor, sick or less fortunate; participating in Boy Scouts, Girl Scouts or similar youth organizations; participating in Junior Reserve Officer Training Corps (JROTC); participating in political campaigns, government internships, Boys State, Girls State or Model General Assembly; and participating in school-sponsored extracurricular activities that have a civics focus. Any student who enlists in the United States military prior to graduation will be deemed to have met this community service requirement.
- Have good attendance and no disciplinary infractions as determined by local school board policies.

## RETAKING SOL ASSESSMENTS

Students in kindergarten through grade 8 are not required to retake Standards of Learning (SOL) tests unless they are retained in grade and have not previously passed the test or they are placed in a remediation recovery program developed by the School Board. Students in high school are not required to retake end-of-course SOL tests unless the student previously failed the course and the test, or the student needs to earn verified credit for graduation.

With such funds as are appropriated by the General Assembly, the Board of Education will provide opportunities for students who meet criteria adopted by that Board to have an expedited retake of a SOL test to earn verified credit.

Under the criteria established by the state Board, the student must

- need the test for verified credit; and
- have passed the course associated with the test, and have met one of the following
  - failed the test by a narrow margin, or
  - failed the test by any margin and have extenuating circumstances that would warrant retesting, or
  - did not sit for the regularly scheduled test for legitimate reasons.

For purposes of these criteria, “narrow margin” means a scaled score of 375-399. The division superintendent will be responsible for making the determination of what constitutes “extenuating circumstances” and “legitimate reasons” for purposes of establishing eligibility for an expedited retest of an end-of-course SOL assessment.

Legal Refs.: 8 VAC 20-131-30.  
8 VAC 20-131-110.  
Guidance Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public School in Virginia 8 VAC 20-131 (Virginia Board of Education as amended January 13, 2011).

Cross Refs.: IKF Standards of Learning Tests and Graduation Requirements  
IKG Remediation Recovery Program  
IL Testing Programs

## TESTING PROGRAMS

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests are administered according to state and local directives. In administering tests or other assessment instruments, School Board employees do not require any public elementary school students being tested to disclose their race or ethnicity on such tests. School division personnel, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-4.2, 22.1-253.13:3.

## TEACHING ABOUT CONTROVERSIAL ISSUES

The Scott County School Board recognizes that preparation for effective citizenship is one of the major purposes of education. The preparation for effective citizenship includes the study of issues that are controversial. Such study will be carried out in an atmosphere free from bias, prejudice, or coercion.

In teaching about controversial issues, teachers are expected to

- establish a learning environment where each student can study the issues within a curriculum that is appropriate to his or her knowledge and maturity; and
- provide instruction in an atmosphere that is free from bias, prejudice, or coercion.

Although the instructional program includes study of the political party system in the United States, the School Board does not endorse any political party or candidate.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Ref.: KF Distribution of Information/Materials

## RELIGION IN THE SCHOOLS

The Scott County School Board is neutral in matters of religion. This means that Scott County schools

- assume no role or responsibility for the religious training of any student and
- does not become involved in the religious belief, disbelief or doubt of any student.

This neutrality does not preclude or hinder the Scott County school division in fulfilling its responsibility to educate students to be tolerant and respectful of religious diversity. The division recognizes that one of its educational responsibilities is to advance the students' knowledge and appreciation of the role that religion has played in the social, cultural and historical development of civilization.

Therefore, the division approaches religion from an objective, curriculum-related perspective, encouraging all students and staff members to be aware of the diversity of beliefs and respectful of each other's religious and/or non-religious views. In that spirit of respect, students and staff members may be excused from participating in activities that are contrary to their religious beliefs.

The School Board may authorize, as an elective in grades nine through 12 with appropriate credits toward graduation, a comparative religion class that focuses on the basic tenets, history, and religious observances and rites of world religions.

Legal Refs.: U.S. Const. amend. I.  
Code of Virginia, 1950, as amended, §§ 22.1-78, [22.1-202.1](#).

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## **EQUAL EDUCATIONAL OPPORTUNITIES/NONDISCRIMINATION**

### **I. Policy Statement**

Equal educational opportunities shall be available for all students, without regard to sex, race, color, national origin, gender, ethnicity, religion, disability, ancestry, or marital or parental status. Educational programs shall be designed to meet the varying needs of all students.

No student, on the basis of sex or gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege or advantage or be denied equal access to educational and extracurricular programs and activities.

The School Board shall

- provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons;
- provide a free, appropriate education, including non-academic and extracurricular services to qualified disabled persons;
- not exclude qualified disabled persons, solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and
- not discriminate against qualified disabled persons in the provision of health, welfare or social services.

### **II. Complaint Procedure**

#### **A. File Report**

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the Compliance Officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

#### **B. Investigation**

Upon receipt of a report of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint, by giving written notice that the complaint has been received, to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

#### C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the superintendent or designee determines that prohibited discrimination occurred, the Scott County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

#### D. Appeal

If the superintendent or designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

If the superintendent or designee determines that prohibited discrimination occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

#### E. Compliance Officer and Alternate Compliance Officer

The Scott County School Board has designated **Brenda Robinette, 340 East Jackson Street, Gate City, VA 24251, 276-386-6118, [brenda.robinette@scottschools.com](mailto:brenda.robinette@scottschools.com)**, as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer **Jason Smith, [jason.smith@scottschools.com](mailto:jason.smith@scottschools.com), or Jennifer Frazier, [jennifer.frazier@scottschools.com](mailto:jennifer.frazier@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118.**

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

#### III. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

#### IV. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

#### V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

#### VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Legal Refs: 20 U.S.C. §§ 1681-1688.

29 U.S.C. §§ 794.

42 U.S.C. §§ 2000d through 2000d-7.

34 CFR 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	JB-F	Report of Discrimination
	JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
	JFHA/GBA	Prohibition Against Harassment and Retaliation

**REPORT OF DISCRIMINATION**

Name of Complainant: \_\_\_\_\_

Student's School and Class: \_\_\_\_\_

Address, Phone Number  
and Email Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date(s) of Alleged Discrimination: \_\_\_\_\_

Name(s) of person(s) you believe discriminated against you or others: \_\_\_\_\_

\_\_\_\_\_

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have information regarding the situation. Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Complaint Received By:

\_\_\_\_\_  
Compliance Officer

\_\_\_\_\_  
Date

## **SECTION 504 NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURES**

The Scott County School Board does not discriminate against individuals on the basis of disability. The Scott County School Board has established this policy as a way to provide prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. This policy provides an optional resolution procedure for a complainant. This procedure is not a prerequisite before a complainant may directly pursue any other remedy available under state or federal law. However, the policy of the Scott County School Board is for students, parents/guardians and employees to have the opportunity to make concerns known to the School Board and for the School Board to have the opportunity to respond to and resolve concerns as rapidly as practicable.

The goal of these procedures is to protect the substantive rights of interested persons, meet appropriate due process standards, assure School Board compliance with Section 504 of the Rehabilitation Act of 1973 and provide a prompt, equitable and impartial resolution of complaints alleging a violation of Section 504.

Any student or any parent or guardian of a student may be a complainant and may file a formal or informal grievance as provided below.

### **A. FORMAL PROCEDURE**

#### **1. Filing a Complaint**

Any complainant should submit a complaint alleging discrimination as soon as possible to the Compliance Officer or to any other school or school division staff. The complaint shall be submitted within 45 school days of the alleged discrimination. Any employee who has knowledge of conduct which may constitute discrimination shall immediately report such conduct to the Compliance Officer, the employee's supervisor, or to any other school or school division staff. Any employee who receives a complaint under this policy shall immediately forward the complaint to the Compliance Officer.

The complainant should use the "Complaint of Discrimination" form (see end of this policy) to make a complaint of discrimination. However, oral complaints shall also be accepted. The complaint should be filed with the school principal, other school or school division staff, or the Compliance Officer. School or school division staff receiving a complaint of discrimination shall forward it to the school principal; who shall immediately forward the complaint of discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent. Any complaint that involves the superintendent shall be reported to the School Board Chair.

The complaint and the identity of the complainant, the individual who is the subject of the complaint (if other than the complainant), and the persons allegedly responsible for the discrimination will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant.

#### **2. Investigation**

Upon receipt of a report or complaint of discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school staff or a third party designated by the school division. The investigation shall be completed as soon as practicable, but not later than 15 school days after receipt of the complaint of alleged discrimination by the Compliance Officer unless the extension below is exercised. Within 3 school days of receiving the complaint, the



Compliance Officer shall send written notice that the complaint has been received to the complainant and the person or persons allegedly responsible for the discrimination (the accused).

Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 15 school days will be required to investigate the complaint, the Compliance Officer will notify the complainant and the persons allegedly responsible for the discrimination of the reasons for the extended investigation and of the date by which the investigation is projected to be concluded, which will be no longer than an additional 15 school days. The investigation may consist of personal interviews with the complainant, the persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The complainant and the accused shall have the right to identify witnesses and other relevant information as well as rebut evidence presented by opposing parties. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any. The Compliance Officer's written report, and all written notices sent pursuant to this policy shall be maintained and distributed in accordance with the Family Educational Rights and Privacy Act. The report shall be issued to the superintendent, the complainant and the accused within 20 school days of receipt of the complaint, unless additional time was utilized for the investigation in which case the report shall be issued within 35 school days of receipt of the complaint.

3. Action by the Superintendent

Within 10 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding:  
(1) whether this policy was violated and, if so (2) what action, if any, will be taken. This decision must be provided in writing to the complainant and the accused. If the superintendent determines that discrimination occurred, the school division shall take prompt, appropriate action to address and remedy the harm and prevent any recurrence. Such action may include discipline up to and including recommending that a student be expelled or that an employee be discharged.

4. Appeal

If the superintendent or designee determines that no discrimination occurred, the complainant may appeal this determination to the School Board within 5 calendar days of receiving the decision. Notice of appeal must be filed with the superintendent, who shall forward the Compliance Officer's report and any documentation or information deemed relevant by the Compliance Officer during the course of the investigation to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may require oral or written argument from the complainant, the person or persons accused of discrimination, the superintendent, and any other individual it deems appropriate. An extension of the 30 calendar day time limit may occur if necessary as determined by the School Board Chair up to an additional 10 calendar days. The decision of the School Board shall be in writing and shall be provided to the complainant and the accused.

If the superintendent or designee determines that discrimination occurred and discipline is imposed, the disciplined person (i.e. student or employee) may appeal the disciplinary sanction in accordance with existing School Board policies and regulations.

5. Compliance Officer

The School Board shall at all times designate a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer shall be posted on the Division's website at all times. The School Board has designated **Brenda Robinette, [brenda.robinette@scottschools.com](mailto:brenda.robinette@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118** as the Compliance Officer responsible for identifying, preventing and remedying discrimination. Complaints of discrimination may also be made to **Jason Smith, [jason.smith@scottschools.com](mailto:jason.smith@scottschools.com), or Jennifer Frazier, [jennifer.frazier@scottschools.com](mailto:jennifer.frazier@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118**, the Alternate Compliance Officers.

The Scott County School Board's Compliance Officer shall receive training and shall be knowledgeable about the requirements of Section 504 in order to impartially and equitably resolve complaints and ensure compliance with the law. In addition, the Compliance Officer shall:

- a. receive reports and complaints of discrimination,
- b. conduct or oversee the investigation of any alleged discrimination,
- c. assess the training needs of the school division in connection with this policy and
- d. arrange necessary training to achieve compliance with this policy.

**B. INFORMAL PROCEDURE**

If the complainant and the persons allegedly responsible for the discrimination agree, the school principal, designee or the Compliance Officer may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher or other school or school division staff.

If the complainant and the persons allegedly responsible for the discrimination agree to attempt to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the above formal procedures.

If the complaint is resolved informally, the counselor, teacher or other school or school division staff shall notify the school principal of the resolution. The school principal shall notify the complainant, the persons allegedly responsible for the discrimination and the Compliance Officer in writing that the complaint has been resolved informally.

**C. RETALIATION**

Retaliation against students, school staff or school division staff who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

**D. FALSE CHARGES**

Students, school staff or school division staff who make false charges of discrimination shall be subject to disciplinary action.

Legal Ref.: 29 U.S.C. § 794  
34 C.F.R. Part 104.7(b)

Cross Ref:	GCPD	Professional Staff Discipline
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC-R	Standards of Student Conduct
	JGD/JGE	Student Suspension/Expulsion
	JO	Student Records

FILE: JBA-F  
(2/16)

12-J

## COMPLAINT OF DISCRIMINATION

Name of Complainant: \_\_\_\_\_

Student's School and Class: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Name(s) of Parent/Legal Guardian: \_\_\_\_\_

Address(es): \_\_\_\_\_

Email address(es): \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Dates of Alleged Discrimination: \_\_\_\_\_

Names of the persons you believe discriminated against you or others: \_\_\_\_\_

Please describe the disability that forms the basis of the complaint. \_\_\_\_\_

Please describe any past incidents that may be related to this complaint. \_\_\_\_\_

Please describe in detail the incidents of alleged discrimination, including where and when the incidents occurred. Please name any witnesses that may have information regarding the alleged discrimination. Attach additional pages if necessary. \_\_\_\_\_

Please identify any attempts you have made to discuss or resolve this issue with any school division staff, including the results of those discussions. \_\_\_\_\_

Please provide your suggestions about how the issue can be resolved. \_\_\_\_\_

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant \_\_\_\_\_ Date \_\_\_\_\_

Complaint Received By: \_\_\_\_\_  
Compliance Officer \_\_\_\_\_ Date \_\_\_\_\_

## SCHOOL ATTENDANCE AREAS

School attendance areas for each school are established by the School Board. Students attend the school in the attendance area in which they reside and to which they are assigned, unless special permission is granted by the School Board.

Changes in attendance areas are determined by the School Board, upon recommendation of the superintendent based on the need to provide for the orderly administration of the schools, the competent instruction of the students and the health, safety, best interests and general welfare of all students.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-79, 22.1-253.13:7.

Cross Refs: JCA Transfers by Student Victims of Crime  
JCB Transfers by Students in Persistently Dangerous Schools

## TRANSFERS BY STUDENT VICTIMS OF CRIME

Whenever any student has been the victim of any crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia including crimes by mobs, crimes by gangs, terrorism offenses, kidnapping and related offenses, assaults and bodily woundings, robbery, extortion or other threats, or sexual assault, and such crime was committed:

- by another student attending classes in the school, or
- by any employee of the school board, or
- by any volunteer, contract worker or other person who regularly performs services in the school, or
- if the crime was committed upon the school property or on any school bus owned or operated by the school division

the student upon whom the crime was committed shall, upon written request from the student's parents, or the student, if such student is an emancipated minor, be permitted to transfer to another comparable school within the division if available. Any transportation services for such students shall be provided in accordance with School Board policies.

For purposes of this policy, "victim" means any student who has been the victim of a crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia, and who has suffered physical, psychological, or economic harm as a direct result of the commission of such crime.

Legal Refs.: 20 U.S.C. § 7912.  
Code of Virginia, §§ 22.1-3, 22.1-3.3.

Cross Refs.: JC Student Attendance Areas  
JCB Transfers by Students in Persistently Dangerous Schools

## **TRANSFERS BY STUDENTS IN PERSISTENTLY DANGEROUS SCHOOLS**

Any student attending a school which has been designated as a persistently dangerous school by the Virginia Department of Education will be offered the opportunity to transfer to another school in the division which is not so designated. If there is not another school in the division to which students may transfer, the division may explore other appropriate options such as an agreement with a neighboring division to accept transfer students.

In the event that a student elects to transfer, the transfer may remain in effect as long as the student's original school is identified as persistently dangerous.

Legal Refs.: 20 U.S.C. § 7912.  
Attachment A (*No Child Left Behind Act of 2001 Unsafe School Choice Option Persistently Dangerous Schools Identification Process and Criteria*) to Superintendent's Memo No. 86 (May 9, 2003).

Cross Refs.: JC Student Attendance Areas  
JCA Transfers By Student Victims of Crime

## **CLASSROOM ASSIGNMENTS FOR TWINS**

A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than 3 days after the first day of each school year or 3 days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parent.

Schools must provide the placement requested by the children's parent, unless the division superintendent or his designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress.

Legal Ref.: Code of Virginia, as amended, § 22.1-79.3.



## COMPULSORY ATTENDANCE

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall send such child to a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- (i) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- (ii) any child who has obtained a high school diploma or its equivalent, a certificate of completion, a passing score on a high school equivalency examination approved by the Board of Education or who has otherwise complied with compulsory school attendance requirements.

### Individual Student Alternative Education Plan

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age.
2. There shall be a meeting of the student, the student's parents, and the principal or principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:
  - career guidance counseling;
  - mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with attendance reported to the principal or principal's designee;
  - mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
  - successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
  - counseling on the economic impact of failing to complete high school; and

- procedures for re-enrollment.
3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the superintendent or attendance officer shall seek immediate compliance with such laws.

#### Alternative Education Programs

The Superintendent, pursuant to regulations adopted by the School Board, may in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child 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 that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of Va. Code § 16.1-260;
- (iii) suspended pursuant to Va. Code § 22.1-277.05; or
- (iv) expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection B of § 22.1-277,

require a student to attend an alternative education program as provided by Va. Code §§ 22.1-209.1:2 or 22.1-277.2:1.

Prior to requiring a student to attend an alternative education program, the Superintendent shall provide: (1) written notice to the student and his parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his parent/guardian of the right to a hearing before the superintendent or designee regarding the placement. The decision of the superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, as established in regulation, by the student or his parent, for a review of the record by the school board.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board shall determine the appropriate alternative education placement of the pupil regardless of whether the pupil attends the public schools it supervises or resides within its school division.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.: JEG Exclusions and Exemptions from School Attendance  
 LBD Home Instruction

## **COMPULSORY ATTENDANCE AGES**

### **AGES OF CHILDREN REQUIRED TO ATTEND**

Every child who has reached his/her fifth birthday on or before September 30 of any school year and who has not passed his/her eighteenth birthday shall attend a public, private, denominational, parochial school, be taught by a tutor or teacher meeting the qualifications of the Board of Education and approved by the Division Superintendent, be provided home instruction in accordance with State law and Board policy, or be granted an exemption from school attendance under the provisions of State law and Board policy.

Notification by parents of the intent to provide home instruction shall be processed in accordance with the requirements of State law and regulations established by the administration.

The requirements of this policy shall not apply to any child who has obtained a high school diploma, its equivalent, or a certificate of completion.

Legal Refs.: Code of Virginia, 1950, as amended,  
Secs. 22.1-254, 22.1-254.1, 22.1-255 22.1 256, 22.1-258, 22.1-261 through 22.1-265

Cross Ref.: JEG, Exclusions and Exemptions from School Attendance; LBD, Relations with Home Schools

## **ENTRANCE AGE/ADMISSION OF PERSONS NOT OF SCHOOL AGE**

A child who will reach his or her fifth birthday on or before September 30 of the school year and is otherwise eligible for enrollment in school as specified in Policy JEC and Regulation JEC-R School Admission may be enrolled in school. The superintendent shall disseminate information received from the State Superintendent of Public Instruction concerning the ages when children are required or eligible to attend school. This information shall be disseminated to parents of such children upon or prior to enrollment of such children in the public schools of the division.

An individual who resides within the school division and is beyond school age (who has not reached his fifth birthday on or before September 30 of the school year or who has reached his or her 20th birthday on or before August 1st of the school year) may, at the discretion of the School Board, be admitted into the division schools. Such individuals may be charged tuition at the discretion of the School Board.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-5, 22.1-199, 22.1-254.

Cross Refs.: JEC School Admission  
JEC-R School Admission

## **GUIDELINES FOR CONSIDERING & ENROLLING UNDER-AGE KINDERGARTEN STUDENTS**

Scott County Schools generally discourages the enrollment of students in Kindergarten Programs prior to the state recommended age. We recognize, however, that there may be instances when it is in the best interest of the student to do so. The following guidelines and procedures will be followed when a parent wants their child to be considered for early enrollment.

\* All Early Kindergarten Enrollments will be considered "Provisional" and be subject to the availability of space, the student's success, and demands placed on the Teacher by the student's presence.

1. The parent will complete an application and submit it to the Elementary Supervisor, at the School Board Office.
2. The student will be given a developmental test to ascertain the degree of maturity that he or she has attained on a variety of school related skills. (This readiness indicator will be given strong consideration in determining which students are given first opportunity to enroll and which to be dropped first, should space become a problem.)
3. Entry of all such students will be only after 5 days of school have passed, in order to allow age-appropriate enrollments to stabilize.
4. Placement will be discontinued if:
  - The student shows signs of being too immature to benefit from the program.
  - The student requires an inordinate amount of care from the teacher.
  - An age-appropriate student needs the slot, and keeping both would require extra personnel.

\* Parents should be made aware that a student cannot enter 1st grade earlier than the State Regulated birthdate - even if they are approved for this program. (This would usually mean that the student would have to repeat Kindergarten or a similar program.)

## SCHOOL ADMISSION

A person of school age (i.e., a person who will have reached his or her fifth birthday on or before September 30 of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Scott County School Division, or if eligible for admission under Policy JECA.

A person of school age is deemed to reside in the school division

- when the person is living with a natural parent, or a parent by legal adoption, in the Scott County School Division;
- when, in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- when the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- when the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
  - (i) the court-appointed guardian, or has legal custody of the person,
  - (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200; or
  - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
    - (a) explaining why the parents are unable to care for the person,
    - (b) detailing the kinship care arrangement, and
    - (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.

- when the person is living in the school division not solely for school purposes, as an emancipated minor; or
- when the person has been placed in a foster care placement within the school division by a local social services agency.

The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.

No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with Va. Code § 22.1-5 and pursuant to BLANK School Board Regulation JEC-R School Admission.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

#### ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
- B. If a certified copy of the birth record is not provided, the administration shall immediately notify the local law enforcement agency. The notice to the local law-enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.
- C. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- ~~D.~~ The School Board assigns a unique student identification number, determined in accordance with a system developed by the Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.
- E. Tuition rates are established each year in accordance with the provisions of Va. Code § 22.1-5.
- F. Prior to admission to the Scott County School Division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration,
  - a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and
  - a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States

or its territories. This document shall be maintained by the superintendent and by any others to whom he disseminates it, separately from all other records concerning the student.

However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice shall become a part of the student's disciplinary record.

When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

- G. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Scott County School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the superintendent or his designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the superintendent or his/her designee. If the School Board grants a review of the record, the decision of the superintendent or his/her designee may be altered.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or superintendent or his designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

For the purposes of this section, the superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school.

- H. This policy does not preclude contractual arrangements between the Scott County School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Scott County Public Schools.
- I. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in Va. Code §§ 22.1-270, 22.1-271.2 and 32.1-46 and policies JHCA Physical Examinations of Students and JHCB Student Immunizations.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be

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immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01, 22.1-277.2, 22.1-287.02, 22.1-288.2, 32.1-46, 63.2-100, 63.2-900, and 63.2-1200.

2007 Va. Opin. AG 07-015.  
1987-88 Va. Opin. AG 374.

Cross Refs.:	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JHCA	Physical Examinations of Students
	JHCB	Immunization of Students
	JGD/JGE	Student Suspension/Expulsion

## SCHOOL ADMISSION

No person is charged tuition for admission or enrollment in Scott County Public Schools, whether on a full-time or part-time basis, who is eligible for admission under Policies JEC School Admission or JECA Admission of Homeless Children. School officials do not inquire into the student's citizenship or B, C or D visa status in determining eligibility for tuition-free enrollment in the Scott County Public schools.

However, the school division may admit and charge tuition to a student who:

- A. Is a resident of the school division but not of school age;
- B. Is of school age and not a resident of Virginia but is temporarily living with a non-parent who resides within the school division;
- C. Is of school age and resides beyond the boundaries of Virginia but near thereto in a state or the District of Columbia which grants equal attendance privileges to residents of the Commonwealth;
- D. Is of school age and resides on a military or naval reservation located wholly or partly within the geographical boundaries of the school division, is not a domiciled resident of the Commonwealth of Virginia, and is a student for whom federal funds provided under Public Law 874 of 1950, commonly known as Impact Aid, fund less than 50 percent of the total per capita cost of education in Scott County Public Schools exclusive of capital outlay and debt service; such students shall be eligible for interscholastic programs immediately upon enrollment, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or by direction of, the service member's commanding officer;
- E. Is of school age and attending a school in the division pursuant to a foreign student exchange program approved by the School Board;
- F. Is a resident of the Commonwealth but not of the school division, except as provided in Policy JEC School Admission;
- G. Is of school age and was enrolled in a public school within the division as a domiciled resident of the Commonwealth, and has been required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, where such state or the District of Columbia is contiguous to the school division; or
- H. Is of school age and residing within the school division, and is enrolled in summer programs other than remediation required under Va. Code § 22.1-253:13.1, or is enrolled in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

Eligibility for consideration does not signify acceptance of the admission application of a student. Each application for admission will be considered on an individual basis. The residency of persons in the above categories who reside in housing or temporary shelter, or on property located in multiple jurisdictions, shall be determined in the manner set forth in Policy JEC School Admission.

Foreign students in an F-1 immigration status or who obtain F-1 student visas are not admitted in the division's elementary schools or publicly funded adult education programs. Such students may be admitted, for a

period up to twelve months, in the division's secondary schools only if they pre-pay the full, unsubsidized per capita cost of the education.

#### Procedure for Admission

The following procedure is followed for application and review of applications for admission of students who are not eligible for tuition-free enrollment.

A parent or guardian of a student shall apply for admission on behalf of the student by completing the division application. The application form contains information and agreements including, but not limited to:

- the current legal residence of the child and the school division in which the child is currently enrolled, if any;
- the child's unique student identification number, if any;
- the basis for requesting admission;
- the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the division; and,
- the agreement that the student is subject to all policies, regulations and guidelines of the school division, including the Code of Student Conduct.

Within 15 calendar days of receipt of the application, the BLANK Office of the school division shall provide the applicant with written notification of the approval or denial of the application. If the student is to be admitted, the superintendent or superintendent's designee shall notify the division which the student previously attended, if any, and make necessary arrangements for the transfer of student records. The notification of admission shall state the period for which the student is accepted and the subsequent conditions which could cause the acceptance to be terminated.

If the application is denied, the BLANK Office shall notify the parent or guardian of the right to have the transfer reviewed by sending a written request to the superintendent or superintendent's designee within seven calendar days. Applications denied based upon the student's suspension, expulsion or withdrawal of admission shall be reviewed in as provided in Policy JEC School Admission. For all other denials of admission, the superintendent or superintendent's designee shall respond in writing to the request for review within 10 calendar days.

#### Tuition Rate

The tuition rate is set by the superintendent for each academic year.

#### Transportation

Transportation is not furnished to nonresident students except in those cases where:

- agreements between divisions specify transportation services;
- federal or state legislation mandates the provision of transportation services; or
- transportation services can be provided at no cost to the division.

Legal Refs: 8 CFR 214.2.  
Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-5 and 22.1-287.02.  
1999 Va. Op. Atty. Gen. 105

Cross Refs.: JEC School Admission  
JECA Admission of Homeless Children

## ADMISSION OF HOMELESS CHILDREN

The Scott County School Board is committed to educating homeless children and youth. Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless. The school division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The Scott County School Division serves each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
  - if the student becomes homeless between academic years or during an academic year; or
  - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Scott County School Board

- presumes that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- considers student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the youth;
- if, after conducting the best interest determination based on consideration of the presumption and the student-centered factors above, the BLANK school division determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provides the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian or unaccompanied youth, including information regarding the right to appeal; and
- in the case of an unaccompanied youth, ensures that the division homeless liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

### Enrollment

The school selected in accordance with this policy immediately enrolls the homeless student, even if the student

- is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency or other documentation; or
- has missed application or enrollment deadlines during any period of homelessness.

The enrolling school immediately contacts the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations or other required health records, the enrolling school immediately refers the parent or guardian of the student or, (in the case of an unaccompanied youth) the youth, to the division's homeless liaison, who assists in obtaining necessary immunizations or screenings, or immunization or other required health records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA Physical Examinations of Students cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his or her knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division immediately refers the student to the division's homeless liaison who, as soon as practicable, assists in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and immediately admits the pupil to school.

The decision regarding placement is made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

#### Enrollment Disputes

If a dispute arises over eligibility, or school selection or enrollment in a school

- the homeless student is immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the student or (in the case of an unaccompanied youth) the youth is provided with a written explanation of any decisions related to school selection or enrollment made by the school, the school division or the Virginia Department of Education, including the rights of the parent, guardian or student to appeal the decision;
- the student, parent or guardian is referred to the division's homeless liaison who carries out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison ensures that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

#### Appeal Process

##### Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

##### Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision,

including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

#### Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

#### Comparable Services

Each homeless student is provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities and educational programs for English learners;
- programs in career and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

#### Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation is provided for a homeless student to and from the school of origin as follows:

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin is provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation are shared equally.

#### Definitions

The term "homeless student" means an individual who lacks a fixed, regular and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
  - a. are sharing the housing of other persons due to loss of housing, economic hardship or other causes; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations or in emergency, congregate, temporary or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

- b. are living in an institution that provides a temporary residence for individuals with mental illness or individuals intended to be institutionalized;
  - c. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
  - d. are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term "migratory child" means a child moved from one residence to another and from one school division to another in the preceding 36 months as a migratory agricultural worker or migratory fisher or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Legal Refs.: 20 U.S.C. § 6399  
 42 U.S.C. §§ 11302, 11431, 11432, 11433, 11434a.  
 Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70, 22.1-78,  
 22.1-253.13:1, 22.1-270.

Cross Ref.: JEC School Admission  
 JHCA Physical Examinations of Students

## **GUIDELINES FOR IDENTIFYING HOMELESS CHILDREN AND YOUTH**

Scott County Public Schools sends out a survey at the beginning of each year to parents, shelter agencies, ministerial associations, etc. in order to identify homeless child(ren) residing in Scott County. Surveys are turned in to the local schools; information is then compiled and sent to the Scott County School Board Office to the attention of the Director for Homeless Children and Youth.

Once a child is identified, the School Social Worker will make contact with the family to determine specific needs. Other agencies such as the Department of Social Services, Mental Health, and the Scott County Health Department will be contacted according to need.

Scott County Public Schools provides after school remedial programs, special education programs, school counseling, transportation, and free and reduced lunch/breakfast programs to any homeless child in need. Other services may include free textbooks, school supplies, preschool supplies, and medical services such as speech, physical therapy, occupational therapy, vision or hearing screenings.

The Director of Homeless Children and Youth is responsible for agency coordination. Homeless children and their families may also be in need of shoes, clothing, glasses or shelter. If so, the School Social Worker will see that contacts are also made with local organizations/clubs such as the Rotary Club, Optimist Club, Hope House, etc.

Scott County Public Schools works in conjunction with other agencies to see that the needs of the homeless are met.



## ADMISSION OF NONPUBLIC STUDENTS FOR PART-TIME ENROLLMENT

The Scott County School Board acknowledges the provisions for equivalent instruction under Virginia law. The Board further observes that equivalent or "acceptable alternative" home or private school instruction is not the same as the education delivered in the public school system.

The parents of students attending private school or being home schooled pursuant to Va. Code § 22.1-254.1 who wish to enroll their students on a part-time basis in the Scott County Schools for participation in academic and/or extracurricular/club activities shall, along with the students, conform with the following provisions:

### I. Admission

The parents shall identify their children as private school or home school students who desire part-time enrollment in academic courses of study. Students admitted under this policy shall be designated as part-time students. At the time of applying for admission, students shall designate the academic course(s) they want to attend and each extracurricular or club activity in which they wish to participate. Students enrolled on a part-time basis will be counted in the division's average daily membership (ADM). Part-time students who are either enrolled in a nonpublic school or are receiving home instruction pursuant to Va. Code § 22.1-254.1 and are enrolled in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, health education or physical education course in the Scott County public schools shall be counted in the division's ADM on a pro rata basis. Each such course enrollment by such students will be counted as 0.25 in the ADM. However, no such nonpublic or home school student will be counted as more than one-half a student for purposes of such pro rata calculation. The pro rata calculation will not include enrollments of such student in any other public school courses.

### II. Enrollment

Students must enroll in at least one academic class (high school) or one instructional unit (elementary/middle school) more than the requested course(s) and for each extracurricular or club activity in which they choose to participate. (Example: if the request is to enroll in one math class, the student must enroll in the math class plus one other class; and, if the student also requests one extracurricular/club activity, he or she must enroll in another class for a total of 3 classes.) If no activity participation is sought, a minimum of two classes must be attended. Students wishing to participate in an academic class shall have completed all prerequisite course work or the equivalent required of full-time public school students wishing to enroll in the course. If part-time enrollment causes total enrollment in a class or grade level to exceed the maximum allowed by state or local policy (*e.g.* resulting in the need to employ another teacher) admission will be denied.

Once enrolled, the student shall comply with behavioral, disciplinary, attendance and other rules applicable to all students, including rules governing the use of the division's computer systems. If a student fails to comply, the school may withhold credit and/or terminate the student's participation in addition to taking any disciplinary action that would be taken against a full-time student for similar conduct.

### III. Activities

Students wishing to participate in a Virginia High School League (VHSL) governed extracurricular or club activity shall satisfy the same or equivalent criteria for such activities that full-time students must satisfy, such as the VHSL "take five pass five" requirement. Students admitted under this policy shall participate in any try-out or selection process required of full-time students.

IV. Transportation

The parents of the children for whom part-time admission is sought shall be responsible for the transportation of the child to and from school, including any expenses incident thereto.

V. Academic Credit

Class ranking and grade-point-average shall not be computed for part-time private/home school students.

Legal Refs.: Code of Virginia, as amended, §§ 22.1-254.1; 22.1-253.13:2.C.  
1973-74 Ops. Va. Att'y Gen. 305.

Cross Refs.:	JECA	School Admission
	JHCB	Student Immunizations
	IGDA	Extracurricular Activities
	IHB	Class Size
	IIBEA	Acceptable Computer System Use

## **STUDENT ABSENCES/EXCUSES/DISMISSALS**

### **I. Student Attendance Policy**

Student attendance is a cooperative effort and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

Parents of students who are absent must inform the school of the reason for the absence no later than upon the student's return to school. Absences are excused for the following reasons:

The superintendent, by regulation, establishes procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence, would not be an excused absence.

The superintendent's regulations include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which the student missed by reason of such absence, if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless excused by the principal or principal's designee.

High school students may spend a maximum of 180 school days each academic year participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

### **II. Compulsory Attendance Procedures**

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused".

#### **B. Upon Fifth Absence Without Parental Awareness and Support**

If (1) a student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or his designee or the attendance officer shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal,

principal's designee or the attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

C. Upon Sixth Absence Without Parental Awareness and Support

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal, principal's designee or the attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, his parent, and school personnel, shall meet to resolve issues related to the pupil's nonattendance. Other community service providers may also be included in the conference.

D. Upon Additional Absence Without Parental Awareness and Support

Upon the next absence after the conference without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the principal or principal's designee shall notify the attendance officer or superintendent or superintendent's designee who shall enforce the compulsory attendance rules by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in Va. Code §16.1-228 or (ii) instituting proceedings against the parent pursuant to Va. Code §§18.2-371 or 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts already undertaken to resolve the pupil's absence. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses.

E. Parental Cooperation in Remediating Excessive Unexcused Absences

It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remediating the student's attendance problem, the superintendent or the superintendent's designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge and approval of the Superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of § 22.1-258, the attendance officer shall document the school division's compliance with this Code section.

III. Report for Suspension of Driver's License

In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

IV. Attendance Reporting

Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public school principal reports to the superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to Part II (B) above. The superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.

## V. Dismissal Precautions

Principals do not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students are released only on request and authorization of parent or guardian. The superintendent establishes procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system is maintained in each school.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323 and 46.2-334.001.  
8 VAC 20-230-20.  
8 VAC 20-730-10.

Cross Refs.: IGAJ                      Driver Education  
JFC                              Student Conduct  
JFC-R                          Standards of Student Conduct

## **STUDENT ABSENCES/EXCUSES/DISMISSALS**

1. Students who are absent must bring a parental note on the first day the student returns to school stating the reason for the absence. The only excuses for absence that shall be deemed acceptable are:
  - a. illness (If over three days, the school may require a note from the doctor)
  - b. court appearance
  - c. death in the family
  - d. religious holidays
  - e. field trips and school-related activities
  - f. extenuating circumstances which are determined by the school administration.

### High School

1. Students (grades 9-12) who bring valid notes for acceptable reasons will be permitted to make up work missed.
2. Students who do not bring valid notes will not be permitted to make up work missed. In the absence of a written note, if absence is determined unexcused by principal or designee, work will not be permitted to be made up and a zero will be rewarded for the work missed.
3. Students absent due to suspension or truancy will not be permitted to make up work missed; the grade for the missed work will be zero.
4. It is the student's responsibility to see the teacher on the day he or she returns to schedule make-up work. Students with excused absences will be expected to make up all work missed immediately, within 5 days after returning to school. All work not made up within the time limit will be graded zero. Extenuating circumstances, however, may be considered by the principal or his/her designee in extending the time limit for make up, and extensions shall be liberally granted in order to insure that a student with a valid excuse is allowed to make up missed work.

### Elementary/Intermediate/Middle School

1. A student will be expected to make up work for all classes missed within five (5) days of return to school, if the absence is excused. Extenuating circumstances may be considered by the principal or his/her designee in extending the time limit.
2. Students who do not bring parental notes or who bring unacceptable excuses shall be corrected through the use of counseling and discipline procedures, which may include the use of the In-School Suspension Program and other available programs and services.

### General Provisions

Each principal will insure that teachers are accountable for the following:

- a. checking the roll each day in every class,
- b. communicating with a student's parents if poor attendance is affecting the student's progress and keeping a log of those contacts,
- c. including participation, which may be affected by attendance, in their student evaluation procedures, and
- d. offering vital, stimulating instruction each day which necessitates and encourages student attendance.
- e. in case of absence or tardiness, the student shall have his/her parent or guardian contact the school or send a signed note giving the date of absence or tardiness and the reason.

## Children Chronically Tardy to School

Students may have 7 parent notes for anything: including tardy, early dismissals, or absences. After 7 parent notes, only excuses from doctors, court official, or death of an immediate family member will be excused. All other tardies will only be excused at principal discretion.

After 3 unexcused tardies, discipline will be at the discretion of the principal. Whenever any student has 10 or more unexcused tardies to school, the attendance/truancy officer will be involved. The officer in collaboration with the principal will make the determination when to pursue court interventions.

### **COMPULSORY SCHOOL ATTENDANCE** (SECTION 22.1-254 OF THE CODE OF VIRGINIA)

A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in § 22.1-254.1.

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational or parochial school or by a public or private degree-granting institution or higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational prekindergarten program, including a Head Start program, or in a private, denominational or parochial educational prekindergarten program.

Instruction in the home of a child or children by the parent, guardian or other person having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school.

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of § 22.1-253.13:1 and in § 22.1-254.01. However, the requirements of this section shall not apply to any child who has obtained a high school diploma, its equivalent, or a certificate of completion or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

- B. A school board may excuse for attendance at school:
1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; and
  2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

C. Local school boards may allow the requirements of subsection A of this section to be met under the following conditions:

For a student who is at least sixteen years of age, there shall be a meeting of the student, the student's parents, and the principal, or his designee of the school in which the student is enrolled in which an

individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
- c. Counseling on the economic impact of failing to complete high school; and
- d. Procedures for reenrollment to comply with the requirements of subsection A of this section.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be deemed to be in violation of subsection A of this section.

Complaint to court when parent fails to comply with compulsory attendance law

Complaint may be made to the Scott County Juvenile and Domestic Relations District Court for failure of parent, guardian, or other person in charge of the child who is not attending school in violation of the compulsory attendance law, the child also may be preceded against as a child in need of services or supervision as set forth in Virginia Code Title 16.1, Chapter 11, and the violation of the compulsory attendance law by any person may constitute a class three or class two misdemeanor as provided by state law.

**PARENTAL RESPONSIBILITY AND INVOLVEMENT REQUIREMENTS**

(Section 22.1-279.3 of the Code of Virginia)

- A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.
- B. A School Board shall provide opportunities for parental and community involvement in every school in the school division.
- C. Within one calendar month of the opening of school, each School Board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section and (ii) a copy of the School Board's standards of student conduct. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions. **Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the School Board's standards of student conduct and the notice of the requirements of this section.** Each school shall maintain records of such signed statements.
- D. The school principal may request the student's parents to meet with the principal or his designee to review the School Board's standards of student conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and education progress.
- E. In accordance with section 22.1-277 and the guidelines required by section 22.1-278, the school principal may notify the parents of any student who violates a School Board Policy when such violation could result in the student's suspension, whether or not the school administration has imposed such disciplinary



action. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.

- F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.
- G. Upon the failure of a parent to comply with the provisions of this section, the School Board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior, as follows:
  - 1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and education progress, it may order the parent to so meet; or
  - 2. If the court finds that the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order (i) the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or (ii) the student or his parent to be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.
- H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision 3 of subsection G. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.
- I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.
2. On the recommendation of the juvenile and domestic relations court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with his parents, is opposed to attendance at a school by reason of concern for the student's health as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

The School Board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any student who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or
2. On recommendation of the juvenile and domestic relations district court of the city or county in which the student resides, any student who, in the judgment of the court, cannot benefit from education at school.

Any request for exemption from attendance shall be presented annually in writing to the superintendent or his/her designee.

The compulsory education requirements do not apply to

- Children suffering from contagious or infectious diseases;
- Children whose immunizations against communicable diseases have not been completed;
- Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and
- Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live.

In addition, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.: JEA Compulsory Attendance  
JHCB Immunization of Students  
JHCC Communicable Diseases  
LBD Home Instruction

## **STUDENT INVOLVEMENT IN DECISION MAKING**

The School Board recognizes the student body as a significant part of the community and in the decision making process.

Student input is important in the data collection process, and on relevant issues students' views will be sought and considered by the superintendent and the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: AE School Division Goals and Objectives  
BBBB Student Liaison to the School Board

## STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of Scott County. It is the responsibility of the BLANK School Board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members and parents are provided the opportunity to become familiar with this policy.

The superintendent issues Standards of Student Conduct and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. The Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is also sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review the School Board's Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

The school principal may notify the parents of any student who violates a School Board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to

meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

If a parent fails to comply with the requirements of this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

Students are subject to corrective action for any misconduct that occurs:

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school; and
- off school property, when the acts lead to: (1) notification pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260, (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including marijuana and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats, including false threats, against school personnel or school property;
- use or possession of explosives (see Policy JFCD Weapons in School);
- possession of weapons or firearms (see Policy JFCD Weapons in School);
- extortion, blackmail or coercion;
- driving without a license on school property;
- homicide;
- burglary;
- sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation);
- malicious mischief;
- shooting;
- any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs;
- stabbing, cutting or wounding;
- unlawful interference with school authorities including threats;
- unlawful intimidation of school authorities; and
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

The superintendent issues regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

The School Board biennially reviews the model student conduct code developed by the Board of Education to incorporate into policy a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-308.1, 18.2-308.7, 22.1-78, 22.1-200.1, 22.1-253.13:7.C.3; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	IIBEA/GAB	Acceptable Computer System Use
	IIBEA-R/ GAB-R	Acceptable Computer System Use
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JN	Student Fees, Fines and Charges

## STANDARDS OF STUDENT CONDUCT

The following are standards of student conduct established by the School Board for all students. The consequences of any act are determined on the basis of the facts presented in each situation in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Assault and Battery

A student shall not assault or commit battery upon another person on school property, on school buses or during school activities on or off school property.

An assault is a threat of bodily injury.

A battery is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

2. Attendance; Truancy

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See Policy JED Student Absences/Excuses/Dismissals.)

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

3. Bomb Threats

Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

4. Bullying

A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities.

"Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying.

"Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

5. Bus-Related Offenses

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus.

Riding the school bus to and from school is a privilege given to students by the Scott County School Board. Students who do not behave properly in waiting for and riding the bus may have this privilege taken away.

In addition, students may be given detention, in-school suspension, suspension, placement in an alternative program, or expulsion for misbehaving on the bus. Inappropriate behavior can lead to accidents and injuries. Safety is our greatest concern.

Students are expected to obey the following bus rules:

- a) Obey promptly and courteously the request and directions of the bus driver.
- b) Be seated quickly and remain properly seated while on the bus. Do not sit on feet or books.
- c) Follow assignment of seats as deemed necessary by the driver or school administrator.
- d) Function in an orderly manner at all times for the safety and welfare of the entire group.
- e) Follow all safety and operational regulations.
- f) Refrain from using profane, abusive, or disruptive language and suggestive mannerisms.
- g) Respect the property of others, including the bus. Make a personal effort to keep the bus clean.
- h) Understand that riding the bus is a privilege, which can be continued or discontinued based on the conduct of the individual (Virginia Code 22.1-175[1]).
- i) Be ready to board the bus at the designated stop and approach the bus only after it has completely stopped.
- j) Cross the road carefully upon signal from the driver at a point ten feet in front of the bus.
- k) Use the same procedures as above when leaving the bus, and immediately move away from the bus.
- l) Keep hands, arms, head, and any other objects inside the bus windows.
- m) Refrain from throwing any objects on, at, or from a school bus.
- n) Refrain from talking to others alongside the bus and talk in a normal conversational voice to student on the same seat.
- o) Do not use explosives or anything that could be used as a weapon or looks like a weapon. Students who bring such things on the bus will be severely punished.
- p) Refrain from bringing the following on the bus: bottles, animals, radios, games, large class projects, recorders, posters, stickers, food, pins, water pistols, and any other items that may cause a disturbance.
- q) In cases where such items are needed for a school activity, the parent should make arrangements to bring the child to school or to box/package the item(s) to minimize disturbance on the bus.
- r) In no way block the aisle.
- s) Have proper written permission before changing from assigned bus and regular stop.
- t) The bus driver will not drop off any unaccompanied Pre-K through 3rd grade student without an adult being visible at the bus stop. The driver will return your child to the custody of a school official until a parent or emergency contact can be reached.
  - **If you cannot be visible at the bus stop, then you may provide a note releasing us from liability. The note should be sent to the school stating it is acceptable to let your child off the bus without you being there. When the principal receives a note from you, then the principal will inform the bus driver. The driver will then drop your child off without you being visible.**

## 6. Cheating

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- cheating on a test or assigned work by giving, receiving, offering and/or soliciting information
- plagiarizing by copying the language, structure, idea and/or thoughts of another
- falsifying statements on any assigned schoolwork, tests or other school documents



7. Communication Devices

Students may possess/use a beeper, cellular telephone, smart phone, tablet, Personal Digital Assistant (PDA) or other communications device on school property, provided that the device must remain off and out of sight during **instructional time** unless it is being used for instructional purposes at the direction of the student's teacher.

**\*Elementary and Intermediate school students will not be allowed to use their cell phone upon arrival at school and during the school day. Exceptions to this policy must be approved by the building administrator prior to use. Students who violate this policy will be subjected to the same disciplinary measures as middle and secondary school students.**

**\*\*The following policy applies to Middle and Secondary school students.**

All mobile phones shall be silenced while on campus or school property.

Students may be allowed to use their cell phones in the morning, before classes begin, at lunch, during breaks, between classes, and after dismissal from the final class.

During periods of authorized use, taking photographs, audio recording and video recording are strictly forbidden unless authorized specifically by a staff member.

Violation may result in loss of cell phone privileges for the remainder of the year and possible referral to Alternative Education for a maximum of 45 school days.

At no time may any device be used with an unfiltered connection to the Internet.

The division is not liable for devices brought to school or school activities.

If a student possesses or uses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

Unauthorized possession or use will result in the following:

1<sup>st</sup> offense – Device may be returned to the student at the end of the day.

2<sup>nd</sup> offense – Device will be confiscated, parent or guardian will pick up the device at end of the day (Loss of cell phone privileges for 5 school days).

3<sup>rd</sup> offense – Device will be confiscated, parent will be called to pick up device. Student will receive 3 days of after school suspension or in-school suspension (Loss of cell phone privileges for 10 school days).

4<sup>th</sup> and following offense –Device will be confiscated, parent will be called to pick up device. Mandatory loss of privileges for the remainder of the school year. Student will receive 5 days of after school suspension or in school suspension.

Any offense after loss of privilege, principal will make recommendation for Alternative Education placement, maximum placement of 45 days.

Confiscation of borrowed communication devices will result in the same disciplinary sanctions.

8. Defiance of the Authority of School Personnel

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by Board policies and regulations.

9. Disruptive Conduct

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

10. Electronic Cigarettes

Students shall not possess electronic cigarettes on school premises, on school buses or at school sponsored activities.

11. Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

12. Felony Charges

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/ intervention activities.

13. Fighting

Exchanging mutual physical contact between two or more persons by pushing, shoving or hitting with or without injury is prohibited.

14. Gambling

A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property, on school buses or during any school related activity.

15. Gang Activity

Gang-related activity is not tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students). (See Policy JFCE Gang Activity or Association.)

16. Harassment

A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions.

17. Hazing

Students shall not engage in hazing.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

18. Internet Use

Students shall abide by the Scott County School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA Acceptable Computer System Use.)

19. Laser Pointers

Students shall not have in their possession laser pointers.

20. Other Conduct

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

21. Possession or Use of Weapons or Other Dangerous Articles

Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. (See Policy JFCD Weapons in School.)

22. Profane, Obscene or Abusive Language or Conduct

Students shall not use vulgar, profane or obscene language or gestures or engage in conduct that is vulgar, profane, obscene, or disrupts the teaching and learning environment.

23. Reports of Conviction or Adjudication of Delinquency

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled.

24. Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

25. Student Dress

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

Clothing should fit, be neat and clean, and conform to standards of safety, good taste and decency. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back, clothing constructed of see-through materials and head coverings unless required for religious or medical purposes.

Additionally, disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students not complying with this policy will be asked to cover the noncomplying clothing, change clothes or go home.

26. Theft

A student shall not intentionally take or attempt to take the personal property of another person by force, fear or other means.

27. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

28. Trespassing

Students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

29. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs

A student shall not possess, use, or distribute any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

A student shall not attempt to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

A student shall not be under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco and inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

The School Board may require any student who has been found in possession of, or under the influence of, drugs or alcohol in violation of School Board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school

principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

30. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events.

#### CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. The facts and circumstances of each offense are considered fully in determining reasonable corrective actions.

1. Counseling
2. Positive Behavior Intervention Plan
3. Token Interventions
4. Admonition
5. Reprimand
6. Loss of privileges, including access to the School Division's computer system
7. Parental conferences
8. Modification of student classroom assignment or schedule
9. Student behavior contract
10. Referral to student assistance services
11. Removal from class
12. Initiation of child study process
13. Referral to in-school intervention, mediation, or community service programs
14. Tasks or restrictions assigned by the principal or his designee
15. Detention after school or before school
16. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
17. In-school suspension
18. Out-of-school suspension
19. Referral to an alternative education program
20. Notification of legal authority where appropriate
21. Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event and recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school sponsored activity
22. Evaluation for alcohol or drug abuse
23. Participation in a drug, alcohol or violence intervention, prevention or treatment program
24. Behavior Assessment and Intervention Plans

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7.C.3, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.6, 46.2-323, 46.2-334.001.  
Student Code of Conduct Policy Guidelines (Virginia Board of Education October 2013).  
Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008).

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	GAB/IIBEA	Acceptable Computer System Use
	GAB-R/IIBEA-R	Acceptable Computer System Use Regulation
	GBECA	Electronic Cigarettes
	IEA	Pledge of Allegiance
	IGAG	Teaching About Drugs, Alcohol and Tobacco
	JED	Student Absences/Excuses/Dismissals
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JHCD	Administering Medicines to Students
	JN	Student Fees, Fines and Charges

	DISCIPLINARY MEASURES	PRINCIPAL REPRIMAND	EXTRA ASSIGNMENTS	SUSPENSION FROM CLASS	SUSPENSION OF PRIVILEGES MAY INCLUDE BUS RIDING	OVERNIGHT SUSPENSION	PARENT/TEACHER CONFERENCE	IN SCHOOL SUSPENSION 1 TO 3 DAYS	AFTER SCHOOL DETENTION	SATURDAY SCHOOL	OUT OF SCHOOL SUSPENSION UP TO 10 DAYS	OUT OF SCHOOL SUSPENSION MORE TO 10 DAYS	COURT PETITION	EXPULSION
<b>STANDARDS OF CONDUCT</b>														
STUDENT DRESS		•	•	•	•	•	•	•	•	•	•			
UNEXCUSED ABSENCE OR TARDIES		•	•	•	•	•	•	•	•	•				
DISRUPTIVE CONDUCT		•	•	•	•	•	•	•	•	•	•			
PROFANE, OBSCENE, OR ABUSIVE LANGUAGE		•	•	•	•	•	•	•	•	•	•			
THREATS OR INTIMIDATION				•	•	•	•	•	•	•	•	•	•	•
ASSAULT AND BATTERY				•	•	•	•	•	•	•	•	•	•	•
BULLYING		•	•	•	•	•	•	•	•	•	•			
HAZING											•	•	•	
GAMBLING		•	•	•	•	•	•	•	•	•				
DISTRIBUTION OR SALE OF ILLEGAL DRUGS/ALCOHOL/DRUG PARAPHERNALIA													•	•
USE/POSSESSION OF TOBACCO								•					•	•
USE/POSSESSION OF ALCOHOL/DRUGS											•	•	•	•
VANDALISM		•	•	•	•	•	•	•	•	•	•	•	•	•
DEFIANCE OF AUTHORITY		•	•	•	•	•	•	•	•	•	•			
POSSESSION/USE OF WEAPONS/OTHER DANGEROUS ARTICLES						•	•	•	•	•	•	•	•	•
THEFT		•	•	•	•	•	•	•	•	•	•	•	•	•
BEHAVIOR ON SCHOOL BUS		•	•		•	•	•	•	•	•	•			
CHEATING		•	•	•	•	•	•	•		•				
TRESPASS		•	•	•	•	•	•	•	•	•			•	
GANG ACTIVITY					•	•	•	•	•	•	•	•	•	•
SEXUAL HARASSMENT		•	•	•	•	•	•	•	•	•	•	•	•	•
POSSESSION OF BEEPER/COMMUNICATION DEVICE		•	•	•	•	•	•	•	•	•	•	•		
POSSESSION/EXHIBITION/DISSEMINATION OF OBSCENE LITERATURE/MATERIALS		•	•	•	•	•	•	•	•	•	•			
REPORTS OF CONVICTION OR ADJUDICATION OF DELINQUENCY		•	•	•	•	•	•	•	•	•	•			
LASER POINTERS		•	•	•	•	•	•	•	•	•				
VERBAL ABUSE		•	•	•	•	•	•	•	•	•				
ACCEPTABLE USE OF THE INTERNET		•	•	•	•	•	•	•	•	•	•	•	•	•
VIOLATION OF LOCAL SCHOOL RULES		•	•	•	•	•	•	•	•	•	•	•	•	•
IMPROPER/RECKLESS USE OF MOTOR VEHICLE		•	•		•	•	•	•	•					
REPEATED VIOLATIONS		•	•	•	•	•	•	•	•	•	•	•	•	•
FAILURE TO COMPLY WITH ASSIGNED DISCIPLINARY MEASURES											•	•	•	•
FELONY CHARGES		•	•	•	•	•	•	•	•	•	•	•	•	•
BOMB THREATS		•	•	•	•	•	•	•	•	•	•	•	•	•
OTHER CONDUCT		•	•	•	•	•	•	•	•	•	•	•	•	•

## ANTI-BULLYING POLICY

### INTRODUCTION

Bullying is a problem in many spheres of our culture: it exists in the work place, it exists in intimate relationships, and it exists in families and communities. Bullying exists in public schools, but public schools are in a unique position to educate children and adolescents about its presence, danger, and negative consequences. Schools can also teach behaviors that will protect students from the harmful effects of bullying. Based on the findings of past and current research, Scott County School's policy promotes school practices that address bullying behaviors in schools. This policy unequivocally considers bullying, aggression, and harassment as unacceptable behaviors; it promotes adoption of age-appropriate strategies designed for prevention, intervention, and accountability for bullying behaviors; and it promotes the use of whole-school and evidence-based practices in the classroom, in the school, and across the school division.

Bullying has been linked to negative outcomes for students who are its victims, for bystanders, and for students who are bullies themselves. Bullying negatively affects school climate. Bullying also has negative impacts on learning, health, behavior and school outcomes. For these reasons, Scott County Schools is committed to providing a safe and civil environment for all students, employees, parents or guardians, volunteers, and visitors.

### DEFINITIONS

The *Code of Virginia at 22.1.276-01* defines bullying as:

...any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflicts.

The Scott County School Board adopts the definition of bullying as stated in the *Code of Virginia* and expounds upon it further:

Bullying is an aggressive, purposeful behavior that repeatedly inflicts physical hurt or psychological distress on one or more students or employees. A student, either individually or as a part of a group, shall not harass or bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments regarding the race, gender, religion, physical abilities or characteristics or associates of the targeted person.

Bullying may involve, BUT is not limited to:

1. Intimidation
2. Physical violence
3. Cyber bullying
4. Public humiliation
5. Harassment
6. Unwanted taunting
7. Threatening
8. Stalking



## **Prevention and Intervention**

Scott County Public Schools expects staff and students to exhibit the finest values of humanity and civility. Bullying is unproductive and unacceptable in schools. Bullying harms the school culture and climate, and the individual lives of the victim, the bystander, and the bully. Bullying should be prevented, and intervention should be taken in cases where bullying has been reported or is suspected.

- A. Anti-Bullying Programs: A school wide-evidence based anti-bullying program will be part of a system of positive behavioral supports and school improvement efforts across grade levels.
- B. School Climate Information: The division and individual schools shall promote student involvement in the anti-bullying efforts, peer support, mutual respect, and creation of a culture which encourages students to report bullying to adults.
- C. Collaboration: Each school shall collaborate with families and the community to inform parents about the prevalence, causes, and consequences of bullying; including its central role as a public health hazard, the means of preventing it, and the methods of reporting it should it happen or occur.
- D. Bullying Prevention Coordinator: A bullying prevention coordinator is a person who serves as the primary school division contact to receive copies of all formal and informal reports of bullying incidents. S/he ensures policy is implemented and that all staff within the division are properly educated and trained.

The bullying prevention coordinator:

- a. serves as the school division's primary contact for harassment, intimidation, and bullying;
  - b. supports and assists the school principal (or designee) in resolving complaints (except where the complaint is against the principal or designee);
  - c. reviews all copies of incident reporting forms, discipline referral forms, and letters to parents providing the outcomes of investigations, before these are mailed to parents;
  - d. uses school bullying and complaint data to identify division wide patterns of behavior and areas of concern;
  - e. implements school division policy and procedures by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
  - f. assesses the training needs of staff and students to ensure successful implementation of policy throughout the school division ensuring that staff receive annual training and technical assistance based on the results of staff and student surveys;
  - g. develops a procedure for maintaining written records of all incidents of bullying and their individual resolution; and
  - h. disseminates her/his contact information liberally throughout the school division.
- E. Education: Each year students should receive age-appropriate information on the recognition and prevention of harassment, intimidation, or bullying behaviors. Information provided should include a copy of the Bullying Incident Report Form or a link to a Web-based reporting form.
  - F. Training: Staff should receive annual training on the school division's bullying prevention policy and procedures as regards their roles and responsibilities in responding immediately to bullying incidents, as well as the reporting, intervening and following-up with victims and bullies. Annual professional development should increase staff awareness of the prevalence, causes, and consequences of bullying,

and continually promote the use of evidence-based strategies for preventing bullying. Professional development should be provided for employees hired after the annual training has been conducted.

- G. School Safety Surveys: Students and staff should be surveyed at least biennially regarding the prevalence and characteristics of bullying in their school; data collected should be used to guide local decision making and program planning related to surveillance needs, prevention, intervention, and professional development. School safety survey results should be shared with the school board for eventual dissemination to the public.

### **Reporting, Investigating, and Recording Incidents**

***Scott County Schools will follow these policies and procedures to ensure prompt investigation and response to any report of an incident of bullying. These procedures should protect the victim from additional bullying or retaliation.***

Step 1: Reporting an incident (see Bullying Incident Report Form in Appendix)

- a. Any student who believes s/he has been the target of bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of bullying, may report incidents verbally or in writing to any staff member.
- b. An incident reporting form may be filed anonymously ( via the Web, a physical drop box, and/or a verbal or written report may be made to any school staff member);
- c. All reports of intimidation or bullying should be recorded on a school division incident reporting form and submitted to the principal or designee, unless the designee is the subject of the complaint, and to the bullying prevention coordinator. All reports that have an identified complainant should be investigated.
- d. All staff should document oral reports of bullying incidents made to them.

Step 2: Investigating (see Investigation Form in Appendix)

### **Upon receipt of a report of bullying, the school principal or designee shall promptly conduct an investigation.**

- a. When investigating the incident all of the surrounding facts, circumstances, severity, and age/developmental factors should be considered.
- b. At each school in the school division, the procedures for investigating bullying should include:
  - 1) investigation by the principal or designee. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.
  - 2) documentation of interviews conducted by the principal or designee with the victim, alleged perpetrator, and witnesses (interviews are confidential, and are conducted privately and separately). At no time should the alleged perpetrator and victim be interviewed together.
  - 3) the collection and evaluation of the facts including, but not limited to
    - a) a description of the incident(s) including the nature of the behavior and the context in which the alleged incident(s) occurred;
    - b) how often the conduct occurred;
    - c) whether there were past incidents or past continuing patterns of behavior;
    - d) the relationship between the parties involved;

- e) the characteristics of parties involved (i.e., grade, age, gender, ethnicity, etc.);
- f) the identity and number of individuals who participated in bullying or harassing behavior;
- g) where the alleged incident(s) occurred (time/date/place of incident);
- h) whether the conduct adversely affected the student's education or adversely affected the educational environment;
- i) whether an imbalance of power is evident; and
- j) the date, time, and method of informing parents/legal guardians of all parties involved in the incident.

**Whether conduct is "substantially interfering with a student's education" should be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in school and extracurricular activities, and other performance or behavioral indicators. Negative changes in behavior would be particularly noteworthy.**

- c. Whether a particular action or incident constitutes a violation of bullying prevention policy requires a determination based on all the facts and surrounding circumstances and includes:
  - 1) recommended remedial steps necessary to stop the bullying and/or harassing behavior,
  - 2) a safety plan and follow-up with the victim, and
  - 3) a final written report by or to the principal.

#### Step 3: Reporting investigation results

Three possible outcomes exist:

- a. If the incident falls within the scope of school division policy, appropriate consequences and/or interventions should be implemented. The prescribed actions should be designed to prevent and remediate the bullying and should include graduated interventions that are appropriate to the context and severity of the behavior.  
Appropriate support services should be provided for others affected by the bullying behavior.
- b. If the incident falls outside of the scope of school division policy, and/or is determined to be a criminal act, referral should be made to appropriate law enforcement authorities.
- c. If the incident falls outside of the scope of school division policy, and is determined not to be a criminal act, the parents/legal guardians of all students involved should be informed.

#### Step 4: Additional considerations

- a. The principal or designee may determine that other steps must be taken before the investigation is complete.
- b. The investigation should be completed within two school days from the initial complaint or report. If more time is needed to complete an investigation, the school division should provide all involved parent(s)/guardian(s) and/or the student(s) with weekly updates.

Following the completion of the investigation and the submission to the school division administrator and bullying prevention coordinator, the principal or designee shall respond to the parent/guardian of the alleged aggressor and victim(s) stating:

- 1) the results of the investigation,
- 2) if the allegations were substantiated and there was a violation of policy, and
- 3) the process for any party to challenge the findings.

If the school principal or designee determines that bullying or retaliation has occurred, the school principal or designee should take appropriate disciplinary action, notify the parents or guardians of the perpetrator, and notify the parents or guardians of the victim. If the school principal or designee believes that the situation is placing the victim in a position of harm or danger, s/he should notify local law enforcement.

#### Step 5: School division recordkeeping and review

- a. Scott County Schools will keep statistics regarding the number of incident reports submitted at each school. Each school will be required to report to the bullying prevention coordinator on a monthly basis. These summaries should include the number of incidents, and number of students involved, that were substantiated and the number still under investigation. It should also include demographics about those involved in the reported incidents, i.e., each student's grade, race/ethnicity, or other pertinent information. Locations where bullying took place should be noted. Regular review of bullying incident data will aid the school division and school in prevention planning.
- b. The statistics about incident reports should parallel the reports of behaviors on the discipline, crime and violence reporting form and have "bullying" disaggregated from other behaviors.

#### Considerations for students with disabilities:

Any bullying of a student with a disability that result in the student not receiving meaningful educational benefits constitutes a denial of a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA). Furthermore, some bullying of students with disabilities may also constitute discriminatory harassment and trigger additional responsibilities under the civil rights laws.

#### Procedures that will be followed when a student with a disability is involved in any bullying incident:

- A. Convene the Individualized Education Program (IEP) Team to determine whether, as a result of the effects of the bullying, the student's needs have changed, and if the IEP is no longer designed to provide meaningful educational benefit. The decisions must be made by the IEP Team and be consistent with the IDEA parental participation provisions. Parents have the right to request an IEP Team meeting at any time that a student's needs may have changed as a result of the bullying.
  - 1) If the IEP is no longer designed to provide a meaningful educational benefit to the student, the IEP Team must then determine to what extent additional or different special education or related services are needed to address the student's needs, and revise the IEP accordingly.
  - 2) IEP Teams should exercise caution when considering a change in placement or the location of services and should keep the student in the original placement unless the student can no longer receive FAPE in the least restrictive environment (LRE) placement.
  - 3) The placement of a student with disabilities in a more restrictive "protected" environment setting to avoid bullying behavior may constitute a denial of the IDEA's requirement that the school provide FAPE in the LRE.
  - 4) Schools may not attempt to resolve the bullying situation by unilaterally changing the frequency, duration, intensity, placement, or location of the student's special education and related services.
  - 5) If a student with a disability engages in bullying behavior, the IEP Team should review the student's IEP to determine if additional supports and services are needed to address the inappropriate behavior.
  - 6) The IEP Team and other school personnel should examine the environment in which the bullying occurred to determine if changes to the environment are necessary.

#### Notification

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies should be notified.

Additional considerations:

- A. Statement of rights to other legal recourse: This policy may not be interpreted to prevent a victim of harassment, intimidation or bullying or a victim of cyberbullying from seeking redress or other legal remedies under any other available law, whether civil or criminal.
- B. Relationship to other laws: Scott County Schools works to insure compliance with all state and federal laws regarding harassment, intimidation or bullying. Nothing in this policy or its procedures prevents a student, parent/guardian, school or school division from taking action to remediate harassment or discrimination based on a person's gender or membership in a legally protected class under local, state, or federal law.
- C. Procedure to refer victims and perpetrators of bullying for counseling: Scott County Public Schools will intervene when bullying or harassment is suspected or when a bullying incident is reported. Scott County Schools will provide a continuum of supports appropriate to the range of possible severity of incidents.

Bullying Incident Report Form



Scott County Public Schools

1. Name of reporter/person filing the report: \_\_\_\_\_  
(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Are you the target of the bullying: \_\_\_ Yes \_\_\_ No

3. Are you \_\_\_ Student \_\_\_ Staff member \_\_\_ Parent \_\_\_ Administrator \_\_\_ Other (specify)  
Your contact information/telephone number: \_\_\_\_\_

4. If student, what school do you attend? \_\_\_\_\_ Grade: \_\_\_\_\_

5. If staff member, name of your school or work site: \_\_\_\_\_

6. Information about the incident:

Name of target/victim (of aggression): \_\_\_\_\_

Name of aggressor (Person who started the aggression): \_\_\_\_\_

Date(s) of incident(s): \_\_\_\_\_

Time when incident(s) occurred: \_\_\_\_\_

Location of incident(s) (Be as specific as possible): \_\_\_\_\_

7. Witnesses (List people who saw the incident or have information about it):

Name: \_\_\_\_\_ Student \_\_\_ Staff \_\_\_ Other

Name: \_\_\_\_\_ Student \_\_\_ Staff \_\_\_ Other

Describe the details of the incident (people involved, what occurred, and what each person did and said, including specific words used). Use additional space on back if necessary.

Signature of person filing this report: \_\_\_\_\_ Date: \_\_\_\_\_

(Note: Reports may be filed anonymously.)

Form given to: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date received: \_\_\_\_\_

Investigation Form



Scott County Public Schools

1. Investigator(s): \_\_\_\_\_ Position(s): \_\_\_\_\_

If the incident is within scope of the school division, move to procedures for investigating bullying.

If the incident is outside the scope of the school division, and determined a criminal act, refer to appropriate law enforcement. Referred to \_\_\_\_\_ Date \_\_\_\_\_

If the incident is outside the scope of the school division, and determined not a criminal act, inform parents/legal guardians of all students involved.

2. Interviews:

Interviewed aggressor Name: \_\_\_\_\_ Date: \_\_\_\_\_

Interviewed target Name: \_\_\_\_\_ Date: \_\_\_\_\_

Interviewed witnesses Name: \_\_\_\_\_ Date: \_\_\_\_\_

3. Behaviors exhibited were intended to harm the target or targeted group?  Yes  No

4. Are there any prior documented incidents by the aggressor?  Yes  No

If yes, have incidents involved target or target group previously?  Yes  No

Any previous incidents with findings of BULLYING, RETALIATION  Yes  No

5. The aggressor's relationship to the target or target group included an imbalance of power/the target or targeted group felt the aggressor was in a position with more physical or social power?  Yes  No

6. The investigator shall collect and evaluate the facts including, but not limited to

a. a description of incident(s) including nature of the behavior; context in which the alleged incident(s) occurred, etc.;

b. how often this conduct occurred;

c. whether there were past incidents or past continuing patterns of behavior;

d. the relationship between the parties involved;

e. the demographics of the parties involved (i.e., grade, age, etc.);

f. the identity and number of individuals who participated in bullying or harassing behavior;

g. the location of the alleged incident;

h. whether the conduct adversely affected the student's education or educational environment;

i. whether an imbalance of power is evident; and

j. the date, time, and method in which parents/legal guardians of all parties involved were contacted.

7. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances and includes:

a. recommended remedial steps necessary to stop the bullying and/or harassing behavior and

b. a safety plan

Summary of Investigation: (Please use additional paper and attach to this document as needed)

Date: \_\_\_\_\_ Signature \_\_\_\_\_

Follow-Up to the Investigation Form



Scott County Public Schools

1. Finding of bullying or retaliation:  YES  NO  
Bullying incident documented as \_\_\_\_\_  
 Retaliation  Discipline referral only

2. Contacts:  
Target's parent/guardian: Date: \_\_\_\_\_ Aggressor's parent/guardian: Date: \_\_\_\_\_  
Central Office: Date: \_\_\_\_\_ Law Enforcement Date: \_\_\_\_\_

3. Action Taken (Note action taken with all students if more than 1)  
 Loss of Privileges  Detention  Suspension  Community Service  Education  
 Other \_\_\_\_\_

4. Description of Safety Plan (for Target/Victim)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow-up with Target: Scheduled for \_\_\_\_\_  
Initial and date when completed: \_\_\_\_\_  
Follow-up with Aggressor: Scheduled for \_\_\_\_\_  
Initial and date when completed: \_\_\_\_\_

Report forwarded to Principal: Date \_\_\_\_\_ (If principal was not the investigator)  
Report forwarded to Superintendent/Designee: Date \_\_\_\_\_

Signature and Title: \_\_\_\_\_ Date: \_\_\_\_\_



## TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers have the initial authority to remove students from class for disruptive behavior. "Disruptive behavior" means a violation of School Board regulations governing student conduct that interrupts or obstructs the learning environment.

### Criteria for Removal

In order for a teacher to remove a student from class for disruptive behavior

- removal of the student from the class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior
- interventions by the teacher and/or administrators have been attempted and failed to end the student's disruptive behavior, and
- notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or school administrators must have been provided to the student's parents as described below.

When all of the above criteria have been satisfied, a teacher may remove a student from class.

### Requirements for Incident Reports

Teachers should write incident reports regarding all incidents of disruptive behavior. The reports will be filed with the school administration and provided to the student's parents within 24 hours of the incident. The parents must be given the opportunity to meet with the teacher and/or school administrator to discuss the student's behavior and the possible consequences if the behavior continues. The teacher will document, in writing, his or her attempts to request and encourage the parents to meet with him or her or school administrators.

A student may not be removed from class for disruptive behavior unless two written incident reports have been filed with school administrators and provided to the student's parents concerning two prior incidents of disruptive behavior. Upon removal, the teacher shall file a "Student Removal Form" (JFCA-E) with school administrators. The teacher will include any other documentation supporting the removal including, but not limited to, the previous two incident reports.

### Procedures for Written Notification of Student and Parents

The teacher shall provide copies of any incident report and Student Removal Form to the student and his or her parents and notify them of the opportunity to meet with the teacher and/or school administrators to discuss the behavior and the possible consequences if the behavior continues. Such notice shall be provided within twenty-four hours of each incident. The teacher shall document, in writing, his or her attempts to request and encourage the parents to meet with school administrators and/or the teacher. Such notice and documentation shall be required for each incident report and student removal.

### Guidelines for Alternative Assignment and Instruction of Removed Students

The principal shall determine the appropriate placement of any student removed from class by a teacher. The principal may

- assign the student to an alternative program
- assign the student to another class

- send the student to the principal’s office or study hall. If the principal chooses this option, the teacher shall provide and evaluate appropriate make-up work for the student
- suspend the student or recommend the student for expulsion. If the principal chooses this option, alternative instruction and assignment, if any, shall be provided according to School Board policy and in the case of students with disabilities, in accordance with federal law
- return the student to class in accordance with the procedures below

Procedure for the Student’s Return to Class

The principal shall determine, after consultation with the teacher, the duration of the student’s removal from class. The principal shall notify the teacher of the decision to return the student to class. If the teacher disagrees with the principal’s decision to return a student to the class

- the teacher and principal shall discuss the teacher’s objection to returning the student to class and the principal’s reason for returning the student.
- the teacher, after meeting with the principal, may appeal the principal’s decision to the superintendent or designee within one school day. The incident reports and removal form must accompany the appeal. After discussion with the principal and teacher or receiving their written comments, the decision of the superintendent or designee shall be final. The decision shall be made within forty-eight hours of the teacher’s appeal. During the appeal process, the student shall not be returned to class and the principal will determine an appropriate placement for the student.

Once the decision has been made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior.

Other Provisions

The principal shall ensure that students removed from class under this policy continue to receive an education in accordance with School Board policies.

Application of this policy to students with disabilities shall be consistent with federal and state law and regulations as well as School Board policy regarding students with disabilities.

Teacher deficiencies in classroom management shall be addressed in teacher evaluations pursuant to Policy GCN Evaluation of Professional Staff.

This policy does not limit or restrict the ability of School Board employees to apply other policies, regulations or laws for maintaining order in the classroom.

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-276.01, 22.1-276.2

Cross Refs:	GCN	Evaluation of Professional Staff
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JGD/JGE	Student Suspension/Expulsion

**STUDENT REMOVAL FORM**

School Name: \_\_\_\_\_

Student: \_\_\_\_\_

Teacher: \_\_\_\_\_

Class: \_\_\_\_\_

Date: \_\_\_\_\_

Description of Behavior:

Administrative and/or Teacher Interventions Attempted Prior to Removal and Results:

Date of Prior Incident Reports. (Note: Prior incident reports must be attached.)

Signature of Teacher:

## **SPORTSMANSHIP, ETHICS AND INTEGRITY**

The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78.

Cross Ref.:	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCC	Student Conduct on School Buses
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## **SCOTT COUNTY PUBLIC SCHOOLS OUT-OF-SEASON GUIDELINES**

1. A coach must follow all dead periods set by the VHSL (Summer, Fall, Winter and Spring).
2. No full contact spring football practice, however, helmets and shoulder pads may be worn for the protection of our student athletes.
3. If a student-athlete is on a team that completes their first contest and quits the respective sport, then the student-athlete cannot join another sport until the sport they quit completes its season in entirety.
4. A student-athlete will not participate and a coach will not allow an athlete to participate in a sport (in-season) and leave that sport to participate in another sport (out-of-season) with the exception of weight-lifting. Weight lifting will be allowed with an agreement from the in-season coach.
5. All students participating in out of season practices must have a complete, current VHSL physical form on file with the school to participate.
6. All students participating in out of season practices must have a completed parent/athlete concussion awareness form on file with the school.
7. Scott County Public Schools will provide catastrophic insurance for out of season practice. This is not to be confused with medical/health insurance, which in accordance with the VHSL physical form, is to be either medical/accident insurance through the school, athletic participation insurance through the school, or insurance by family policy.
8. Only coaches having completed VHSL approval process are to supervise out of season practice activities.

**Random Alcohol and Drug Testing Regulations for Students  
Involved with Competitive Extra-curricular Activities  
Pledge Program**

**Background and Justification**

- Over the last several decades, there have been many initiatives and programs to educate our youth on the dangers of alcohol and unauthorized drugs. Examples of these programs are Drug Awareness and Resistance Education, Drug-Free Schools initiative, Mothers Against Drunk Drivers, Students Against Drunk Drivers, Project Prom, and various health education curricula.
- One particular initiative that many Virginia public school divisions have implemented has been directed at athletics and other extra-curricular activities. This initiative is a randomized drug testing of students involved in extra-curricular activities.
- During the past three years, there have been 53 students disciplined for drug or alcohol related incidents in Scott County Schools. While the number of overall incidents has been consistently the same over the past three years, during the 2013-2014 school year, the number of student athletes involved with drug and alcohol related incidents drastically increased.
- With this background and justification, The Scott County Public School's Pledge Program is based on the following facts:
  - Student participation in extra-curricular activities is voluntary. Students who choose to participate do so with the understanding that their participation is a privilege based on their adherence to high moral, ethical, and academic standards.
  - Medical studies have established that drug use affects motor skills, learning, memory retention, reasoning ability and coordination.
  - Except in extreme cases, drug use is difficult for laymen, or even physicians, to detect by casual observation.
  - No safe level of drug use has been established. Any measurable amount of a mind-altering drug or alcohol in a person's body can cause some degree of impairment, even if that impairment is not readily apparent to the layman.
  - The use of alcohol is illegal for anyone under the age of 21. All forms of drug use without a prescription are illegal.

**Purpose and Intent**

- For Scott County Public Schools to detect and prevent drug use among its students, to provide assistance to students with drug problems, and to give students additional reasons for declining to use drugs.
- Participation in extra-curricular activities is a privilege, not a right, for students in Scott County Public Schools. Consent to drug testing is a mandatory prerequisite for any student to participate in a VHSL sanctioned extracurricular activity.

**Testing Coordinator**

- The Supervisor of Personnel and Student Services will coordinate and supervise the testing program.

**Eligibility for Testing**

- Scott County Public Schools students in grades 8-12 who choose to participate in VHSL-sanctioned extra-curricular activities not required by the Board of Education for graduation will be required to participate in the random testing program for alcohol, illegal drugs, or unauthorized drugs in order to participate in their chosen activity.
- Students become eligible upon submission of a consent form. Students must submit a consent form immediately following the Student Pledge Program Parent/Guardian Meeting for their season or before their next practice following the Pledge Program Meeting.
- Students remain eligible for random alcohol and drug testing from the date the consent form is turned in through the end of their sport or extra-curricular activity season. In the event that a student eligible for random alcohol and drug testing ceases to participate or withdraws from an athletic team or extra-curricular activity, he or she will no longer be subject to random drug and alcohol testing associated with this program.

#### **For what Substances will Students be Tested?**

- In administering the program, the division will test for the presence of certain substances that may include, but are not limited to, the following substances or their metabolites: alcohol, marijuana (THC), synthetic cannabinoids, opiates, cocaine, methamphetamines, anabolic steroids and phencyclidine (aka PCP), MDMA (aka Ecstasy), and/or any other substance defined as a “controlled substance” by either Virginia or Federal law.

#### **Selection of Students for Random Testing**

- A confidential testing schedule will be created by the Program Coordinator to ensure that testing of eligible students is conducted in a manner that is random.
- Testing will only occur on student contact days during each sport or extracurricular activities’ designated season.
- Selection of eligible students for testing will be conducted in a purely and entirely random basis by a third party vendor selected by Scott County Public Schools to administer the Random Alcohol and Drug Testing Program.
- A separate group of students will be selected by sport or activity and designated as alternates to be used in the event of student absence.
- The Program Coordinator/designee will notify the individual(s) selected for testing and a designee will escort them to the designated location for testing.
- The testing site will be at the participant’s respective school in an area that has a secured bathroom/nurse’s office which will maximize privacy of the participant or in the office of an approved collection agency contracted by the school division to collect and test oral fluid and/or urine samples.
- The names and/or any other personally identifiable information of the participants will remain confidential.
- Participants are encouraged to protect their own confidentiality.

#### **Suspicion Based Testing**

- In the event that a coach or sponsor observes that a member of a team or extracurricular activity is demonstrating symptoms that cause reasonable suspicion that the member is under the influence of alcohol or drugs, during school or a school-sponsored activity, the coach or sponsor shall follow School Board Regulation JFCF.
- In the event that a coach or sponsor receives reports that a member of a team or extracurricular activity has been using alcohol or drugs outside of school or school-sponsored activities, then the Pledge Program Committee will meet with the player to further investigate the suspected use. If the committee believes there is reasonable suspicion of the use of alcohol or drugs, the Program Coordinator will contact the

student's parent/guardian(s) to inform them that the student will be required to submit to an alcohol and drug screen which will be administered according to the procedures outlined below.

### **Test Administration**

- All aspects of the program, including the taking of specimens, will be conducted so as to safeguard the personal and/or privacy rights of the participant to the maximum extent possible. The program treats a participant's test result as a confidential health record pursuant to both federal and state regulations 42C.F.R. 2.1 and 2.2; VA Code § 32.1-126.1:03. As such, any information obtained by the program which would identify the participant as a drug or alcohol user may be disclosed only for those purposes and under those conditions permitted by federal regulations in accordance with 42C.F.R. – Part II. No testing record of any participant will be used to initiate or substantiate any criminal charges against a participant or to conduct any investigation of him or her, and the division will not share participants' individual test results with law enforcement authorities unless legally required by court order or subpoena.
- The Program Coordinator/designee will coordinate the collection of specimens from the selected students in accordance with federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards and forward the specimens to a licensed laboratory for testing. The Supervisor of Personnel and Student Services/designee may conduct an initial on-site test on the specimen before sending the specimen to the laboratory.
- The participant shall complete a specimen control form.
- The participant shall submit an oral fluid or urine specimen according to the Scott County Public Schools School Division's Random Testing for Illegal/ Unauthorized Drugs and Alcohol Consent to Test Form.
- All students selected for testing must remain at the testing site under the direct supervision of the Athletic Director/designee until he/she can produce an adequate specimen for testing.
- Any attempt by a participant to tamper with the specimen collection process or refusal by the participant to provide a sample, will be treated as a resignation from all extracurricular activities for a period 365 days except in cases where a positive sample would constitute a 3<sup>rd</sup> violation. In such cases, the student will be banned from any further participation for the remainder of his/her enrollment in the Scott County Public Schools School Division.
- All efforts will be made to minimize the instructional impact of testing and to maintain the confidentiality and privacy rights of participants. All urine testing will be conducted in a closed-door restroom without direct observation by adult monitors.
- Specimens that test positive for the presence of alcohol, illegal drugs, or unauthorized drugs or their metabolites will be kept by the testing facility for at least one hundred eighty (180) days pending an appeal of the test result.

### **Notification of Testing & Testing Results**

- Students who choose to participate in division athletic programs, VHSL-sponsored activities, and/or competitive extra-curricular activities, not required by the Board for graduation, are required to complete and sign the Scott County Public Schools School Division's Random Testing for Illegal Drugs/Unauthorized Drugs and Alcohol Consent to Test Form.
- When a participant tests positive for an alcohol, illegal drugs, or unauthorized drugs, the participant's parent/guardian(s) will be contacted directly by a Medical Review Officer (MRO) to conduct a consultation. The consultation will address the reasons for the positive test and a decision will be made by the MRO regarding the legitimacy, validity, or accuracy of a positive test. Parent/guardian(s) will have 5 business days to provide documentation of a legal prescription that may have caused the positive test. The MRO will determine if that substance has been taken pursuant to a legal prescription.
- Results of student tests confirmed by the MRO will be provided to the Program Coordinator within twenty-four (24) hours of the MRO's consultation with the participant and his or her parent/guardian(s).



- The division respects the privacy of its students and shall maintain confidentiality regarding any alcohol and drug testing for this program. The results will only be released to designated division personnel. All records and subsequent actions shall be kept by the Program Coordinator in a file separate from the student's school records. The Program Coordinator will not release records of drug and alcohol tests or any resulting action to anyone other than designated school personnel and the student and/or his/her parent/guardian(s) without written authorization from the student and/or his/her parent/guardian(s) in accordance with 42C.F.R. – Part II. Student drug testing information will not be turned over to any law enforcement authorities except under circumstances in which the division is legally compelled to surrender or disclose such test results.
- The Program Coordinator will destroy all records for each student when they have no remaining eligibility to participate in VHSL activities due to the fact that they have graduated, they are over the maximum age for participation, or they have completed four years of eligibility.
- The testing company will maintain testing records according to their records retention policies.

#### **Appeal Procedure:**

- A student or his/her parent/guardian(s) may request a retest of his/her specimen at his/her own expense at a laboratory of their choice which follows federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards concerning drug testing protocols and procedures. A written request must be made within twenty-four (24) hours of receiving the results of the drug test from the Program Coordinator. The specimen previously submitted will be forwarded to the approved lab in cooperation with the division approved outside agency responsible for confirmatory testing.
- Results of the re-test will be provided to the Program Coordinator by the approved laboratory. During the appeal period students may not participate in athletics or VHSL-sanctioned, extra-curricular activities.
- The student will be ineligible to participate during the appeal.

#### **Consequences**

Consequences will result from the following:

- a confirmed positive test for alcohol, illegal drugs, or unauthorized drugs;
- refusal to participate in testing when selected; and/or
- tampering with, diluting or altering the specimen during the collection process.
- Students will be ineligible for participation in any VHSL-sanctioned, extra-curricular activities unless they complete the Scott County Public Schools' Random Testing for Illegal/Unauthorized Drugs and Alcohol Consent to Test Form. Any attempt by a participant to tamper with, dilute or otherwise alter the specimen during the collection process or refusal by the participant to provide a sample, will be treated as a resignation from all extracurricular activities for a period of 365 calendar days except in cases where a positive sample would constitute a 3<sup>rd</sup> violation. In such cases, the student will be banned from any further participation for the remainder of his/her enrollment in the Scott County Public School Division.
- Upon confirmation of a positive test or a student's confession of alcohol, illegal drugs, or unauthorized drugs use as a result of an investigation based on suspicion of use, the student will be ineligible to participate in athletics or extracurricular activities until they adhere to the consequences outlined below.
- It should be noted that the consequences outlined below are cumulative across each participant's athletic and/or extracurricular "career" in the Scott County Public School Division. Each student's "career" begins in the 8th grade or upon initial participation in an athletic activity, VHSL-sanctioned, extracurricular activity and ends when they graduate or cease to participate in athletics or VHSL-sanctioned, extracurricular, competitive activities. For example, if a student has a positive test for an alcohol, illegal drugs, or unauthorized drugs in the 8th grade and, a second positive test for alcohol, illegal drugs, or unauthorized drugs in the 11th grade, they will be subject to the consequences outlined for a second offense.

## Consequences – First Offense

**Step 1:** Upon confirmation of a positive screen for alcohol, illegal drugs, or unauthorized drugs or a student's confession of alcohol, illegal drugs, or unauthorized drugs use as a result of an investigation based on suspicion of use, the Supervisor of Personnel and Student Services will schedule a meeting with the student, his/her parent/guardian(s), and the principal on the first school day following the confirmation of alcohol, illegal drugs, or unauthorized drugs use to impose a suspension from athletic/extracurricular participation. The student shall be suspended from participating in contests for a period of time equivalent to 50 percent of the total number of VHSL contest limitations or activity contest for each sport or activity to be played during the regular season (any fraction of the calculation will be dropped). The penalty will be applied immediately and include the next contest(s) including playoffs, and/or to the next season in which the student athlete participates within 365 calendar days. During this time, the student shall continue to attend scheduled meetings, practices, and contests associated with his/her activity. The student shall participate in practices and may not dress out for contests. Written notification will be provided to parent/guardian(s) that will detail the conditions and the endpoint of the suspension. Additionally, in the event the season concludes while the student is suspended, the student will be allowed to participate in try-outs for the next activity season if the student has been retested by the current company who provides Scott County Public Schools with our student drug-testing or another drug-testing company approved by Scott County Public Schools administration that operates under SAMHSA (Substance Abuse and Mental Health Services Administration) certified laboratory guidelines, at the parent/guardian(s) expense, less extenuating circumstances; and the test results must be negative. After which time, the student will be ineligible until all conditions of reinstatement have been completed.

**Step 2:** The Program Coordinator will conduct a screening interview with the student and parent/guardian(s) as soon as possible. Based on the interview, the coordinator will design an intervention program suitable for the student.

**Step 3:** After suspension and prior to resuming full participation with his/her team/activity, the student will be required to take an additional oral fluid test/urinalysis screen to prove that he/she no longer has any trace of illegal substances in his/her system. The parent/guardian(s) shall be responsible for the cost of the screening, less extenuating circumstances.

**Step 4:** The student and parent/guardian(s) must participate in the recommended intervention program at their expense, less extenuating circumstances. Progress reports will be provided to the Program Coordinator to document the student's successful participation.

**Step 5:** The student and his/her parent/guardian(s) must agree to regular testing for alcohol, illegal drugs, or unauthorized drugs for the student for the remainder of the school year. The parent/guardian(s) shall be responsible for the cost of the screening(s), less extenuating circumstances.

**Step 6:** Upon satisfactorily attending all the prescribed intervention sessions, the student will be provided with a letter of reinstatement from the Program Coordinator indicating that he/she is a "student in good standing" and eligible to resume regular participation with his/her team.

## Second Offense

**Step 1:** Upon confirmation of a second positive test for alcohol, illegal drugs, or unauthorized drugs or the student's admission of continued use of alcohol, illegal drugs, or unauthorized drugs, the Program Coordinator will schedule a meeting with the student, his/her parent/guardian(s), and the Principal on the first school day following the confirmation of alcohol, illegal drugs, or unauthorized drugs. The student shall be suspended from play for a period of time equivalent to 75 percent of the total number of VHSL contest limitations or activity contest for each sport or activity to be played during the regular season (any fraction of the calculation will be dropped). The penalty will be applied immediately and include the next contest(s) including playoffs, and/or to the next sport season in which the student participates within 365 calendar days. During this time, the student shall continue to attend scheduled meetings, practices, and contests associated with his/her activity. The student shall not participate in practices and may not dress out for contests. Written notification will be provided to the parent/guardian(s) that will detail the

conditions and the endpoint of the suspension. Additionally, in the event the season concludes while the student is suspended, the student will be allowed to participate in try-outs for the next activity season if the student athlete has been retested by the current drug-testing company who provides Scott County Public Schools with our student drug-testing or another drug-testing company approved by Scott County Public Schools administration that operates under SAMHSA (Substance Abuse and Mental Health Services Administration) certified laboratory guidelines, at the parent/guardian(s) expense, less extenuating circumstances; and the test results must be negative. After which time, the student will be ineligible until all conditions of reinstatement have been completed.

**Step 2:** The Program Coordinator will conduct a screening interview with the student and parent/guardian(s) as soon as possible. Based on the interview, the coordinator will design an intervention program suitable for the student.

**Step 3:** After suspension and prior to resuming full participation with his/her team/activity, the student will be required to take an additional oral fluid test/urinalysis screen to prove that he/she no longer has any trace of illegal substances in his/her system. The parent/guardian(s) shall be responsible for the cost of the screening, less extenuating circumstances.

**Step 4:** The student and parent/guardian(s) must participate in the recommended intervention program at their expense, less extenuating circumstances. Progress reports will be provided to the Program Coordinator to document the student's successful participation.

**Step 5:** The student and his/her parent/guardian(s) must agree to regular testing for alcohol, illegal drugs, or unauthorized drugs for the student for the remainder of the activity season. The parent/guardian(s) shall be responsible for the cost of the screening(s), less extenuating circumstances.

**Step 6:** Upon satisfactorily attending all the prescribed intervention sessions, the student will be provided with a letter of reinstatement from the Supervisor of Personnel and Student Services indicating that he/she is a "student in good standing" and eligible to resume regular participation with his/her team.

### Third Offense

Upon confirmation of a third positive test for alcohol, illegal drugs, or unauthorized drugs or the student's admission of continued alcohol, illegal drugs, or unauthorized drugs use, the Program Coordinator will schedule a meeting with the student, his/her parent/guardian(s), and the Principal on the first school day following the confirmation of alcohol, illegal drugs, or unauthorized drugs use to suspend the student from any further athletic and/or extracurricular participation while enrolled in the Scott County Public School Division.

### **COLLECTION PROCESS**

Selected students are escorted from class or practice to the collection site. A specimen of oral fluid/urine is collected following this process:

#### Oral Fluid Testing Procedures

- No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- Student is asked to rinse his/her hands and dry them. If no water is easily accessible, an alcohol free wipe may be used instead.
- The Testing Custody and Control Form is completed by the student and collector.
- The student is told to check expiration date on back of kits for validity.
- The student opens the kits.
- The collector instructs the student to position the swab in their mouth and rub back and forth several times on inside of cheek one at a time.
- The student places the swabs in his own mouth.
- The collector and the student fill in designated sections of the laboratory chain of custody form.

- The samples and chain of custody form are labeled by the student and packaged for overnight delivery to the SAMHSA certified lab.
- The top lab copies of the Testing Custody and Control Form are folded with the top portion visible to the outside and placed in the Requisition Pouch. The transport bag and pouch are sealed as indicated. The student is given the donor copy of the form.
- The student may wash his/her hands and be released from the testing site.
- The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the MRO in a timely manner.
- The Program Coordinator will be notified immediately of any student who refuses to give a sample or is suspected of tampering with the sample.

#### Urine Testing Procedures

- No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- The collector adds a bluing agent (food coloring) to the water in the urinal or toilet.
- Student is asked to rinse his/her hands and dry them. If no water is easily accessible, an alcohol free wipe may be used instead.
- The Testing Custody and Control Form is completed by the Student and collector.
- The student is told to urinate directly into the provided container and should provide a sufficient amount of urine (at least 45ml) in one attempt. The student is also told they are to hand the container of urine to the collector.
- The student enters a closed stall or single use bathroom to collect the specimen, and then hands the container to the collector when they exit the stall or bathroom.
- The collector checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered refusal to test and the Program Coordinator will be notified.
- With the student watching, the collector will pour the specimen into the two bottles and recap the specimen bottles tightly.
- The collector takes the properly signed and student initialed bottle seals and places them over the caps and sides of the bottles. The sealed bottles are placed inside the transport bag.
- The top lab copies of the Testing Custody and Control Form are folded with the top portion visible to the outside and placed in the Requisition Pouch. The transport bag and pouch are sealed as indicated. The student is given the donor copy of the form.
- The student may wash his/her hands and be released from the testing site.
- The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the MRO in a timely manner.
- The Program Coordinator will be notified immediately of any student who refuses to give a urine sample or is suspected of tampering with the sample.

#### **MEDICAL REVIEW OFFICER (MRO) RESPONSIBILITIES**

- The MRO will review all results of oral fluid/urine testing. Any urine specimen testing positive for alcohol, illegal drugs, unauthorized drugs, banned substances, or adulteration will be handled in the following manner:
- The MRO determines if any discrepancies have occurred in the Chain of Custody.
- Depending on the substances found in the urine, if necessary, the MRO will contact the parent/guardian to determine if the student is on any prescribed medication from a physician.

- If the student is on medication, the parent/guardian(s) will be asked to provide documentation from the prescribing physician, within five working days, to document what medication(s) the student is currently taking. Failure to provide such requested information will be considered a positive result.
- The MRO will determine if the prescribed medications resulted in the positive test result. For example, a positive test result for codeine may be ruled negative by the MRO when he receives a letter from the treating physician that the student has been prescribed Tylenol© with codeine as a pain medication following tooth extraction. Or, if the student has a positive screen for codeine and has no documented physician order for the medication (maybe a parent/guardian gave the student one of his/her pills), this would likely be ruled a positive test by the MRO.
- Finally, the MRO, based on the information given, will certify the test results as positive or negative and report this to the Program Coordinator, initially reporting positive results by phone.
- Screens positive for alcohol or illicit drugs (marijuana, heroin, cocaine) would automatically be considered positive by the MRO.
- The MRO may use quantitative results to determine if positive results on repeat tests indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.



**Scott County Public Schools  
Testing for Illegal/Unauthorized Drugs and Alcohol Consent Form**

Student Pledge/Consent:

I understand fully that my participation in athletics and VHSL-sanctioned, extracurricular activities is a privilege; in order to participate, I must be a "student in good standing". Therefore, I hereby agree to accept and abide by the standards, rules, and regulations set forth by the Scott County School Board and the coaches/sponsors for these activities in order to participate. I acknowledge receipt of a copy of the Student Pledge Program Regulations.

Furthermore, I understand that any use, possession, or distribution of alcohol or illegal or unauthorized drugs is strictly prohibited. I pledge not to use, possess, or distribute these substances under any circumstances; and, I authorize Scott County Public Schools to test my urine or saliva for the presence of these substances in my body. I also authorize the release of information concerning the results of such tests to the Medical Review Officer, the Program Coordinator, and my parent(s)/guardian(s).

I understand that I will be subject to random and/or reasonable suspicion testing for illegal/unauthorized drugs and alcohol from the first day of my sport or activity through the last day of competition and I understand that, if necessary, consequences will be administered as specified in the Student Pledge Program Regulations.

By my signature below, I understand and agree to the above and agree to abide by and be subject to the terms, conditions, and consequences of the Student Pledge Program Regulations.

\_\_\_\_\_  
(Student's Name- Please Print)

\_\_\_\_\_  
(Student's Signature)

\_\_\_\_\_  
(Date)

Parent/Guardian Consent:

I have read and understand the above and by my signature below, I hereby agree and give my consent for the above-specified student to be required to abide by and be subject to the terms, conditions, and consequences of the Student Pledge Program Regulations.

\_\_\_\_\_  
(Parent/Guardian's) Name- Please Print)

\_\_\_\_\_  
(Parent/Guardian's Signature)

\_\_\_\_\_  
(Date)

## STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions.

If a student's riding privileges are suspended or revoked, the student's parents are responsible for seeing that the student gets to and from school safely.

The bus driver is responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal and provide a copy of the report to the transportation office.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, 22.1-293.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EEA	Student Transportation Services
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises

## WEAPONS IN SCHOOL

### I. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action.

A student who has possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07 or a firearm muffler or firearm silencer or a pneumatic gun as defined in Va. Code § 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Disciplinary proceedings for violation of this policy will be initiated promptly.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in Va. Code § 22.1-277.07, designed or intended to propel a projectile of any kind, including a rifle,
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart,
- explosives, and
- destructive devices as defined in Va. Code § 22.1-277.07, or other dangerous articles.

### II. Students with Disabilities

- A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.
- B. Additional authority to remove a student with a disability from school for a weapons violation.
  1. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school



personnel for not more than forty-five (45) school days when the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition:

“a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.”

Legal Refs.: 18 U.S.C. § 930(g)(2).  
20 U.S.C. § 1415(k)(1)(G)(i).  
Code of Virginia, §§ 15.2-915.4, 18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 277.07:1.  
Wood v. Henry County Public Schools, 255 Va. 85, 495 S.E.2d 255 (1998).  
8 VAC 20-81-10.

Cross Refs.:	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## **GANG ACTIVITY OR ASSOCIATION**

The Scott County School Board recognizes the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of three or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school environment
- creation of an atmosphere of fear and intimidation.

Students are subject to disciplinary action in accordance with Policy and Regulation JFC for participating in gang activity. Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

The superintendent shall, in cooperation with local law enforcement and/or juvenile agencies, develop a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols. The list shall be updated regularly.

The superintendent shall provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Legal Refs.: Code of Virginia, as amended, §§ 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2),  
§ 22.1-276.01

## DRUGS IN SCHOOL

### I. Generally

Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code § 18.2-247, on school property or at a school-sponsored activity is prohibited.

#### A. Expulsion

A student who is determined to have brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The superintendent may determine, based on the facts of the particular case, that special circumstances exist and another form of discipline is appropriate. Any such disciplinary action shall be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

#### B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in BLANK school division's drug and violence prevention plan.

The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

#### C. Required Reporting to Parents and Local Law Enforcement

The Principal shall report a violation of this policy to parents and local law enforcement as required by Policy CLA.

### II. Students with Disabilities

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a drug violation.

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, “illegal drugs” and “controlled substance” are defined as follows:
  - a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).
  - b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Legal Refs: 20 U.S.C. §§1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).  
 21 U.S.C. § 812(c).  
 Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08.  
 8 VAC 20-81-10.

Cross Refs:	CLA	Reporting Acts of Violence and Substance Abuse
	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGDA	Disciplining Students with Disabilities

## **TOBACCO-FREE SCHOOL FOR STAFF AND STUDENTS**

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy:

1. "School property" means:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
  - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

### Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

### Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Legal Refs.: 20 U.S.C. §§ 6083, 7183.  
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2825, 15.2-2827, 22.1-79.5,  
22.1-279.6.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	GBEC	Tobacco-Free School for Staff and Students
	GBECA	Electronic Cigarettes
	JFC-R	Standards of Student Conduct
	KG	Community Use of School Facilities
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises

## **SUBSTANCE ABUSE - STUDENT ASSISTANCE PROGRAM**

The primary responsibility for helping students who are involved with substance abuse lies with the students and their parents. Nevertheless, the School Board strives to provide a supportive school environment for students involved with substance use or abuse.

The School Board supports substance abuse programs which vary according to individual needs. Included among these are programs for persons who desire more information, and for those who need help with intervention activities and programs.

The School Board supports efforts to help students during the school day as well as to reinforce programs provided by other sources. To that end, individual school substance abuse programs may provide group experiences, individual counseling and other programs.

Alcohol and illegal drug use and abuse are prohibited by the Code of Student Conduct in compliance with all applicable federal, state or local laws and ordinances.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 16.1-305.1.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	IGAG	Teaching about Drugs, Alcohol and Tobacco
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCF	Drugs in School
	JGD/JGE	Student Suspension/Expulsion
	JHG	Child Abuse and Neglect Reporting
	JO	Student Records

**WRITTEN NOTIFICATION OF VIOLATION OF SCHOOL POLICIES  
BY STUDENTS IN ALTERNATIVE EDUCATION PROGRAMS**

The School Board requires written notification of an offense to the parent, guardian or other person having charge or control of a pupil in an alternative education program as described in Va. Code § 22.1-209.1:2 when

- a pupil commits an offense in violation of School Board policies and school officials determine the offense was committed without the willful intent to violate such policies, or
- the offense did not endanger the health and safety of the individual or other persons.

The notification shall be made no later than two school days following the incident. The School Board requires the principal of the school the child attends, or other appropriate school personnel, to develop appropriate measures, in conjunction with the pupil's parent or guardian, for correcting such behavior.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-209.1:2(D).



## **NOTIFICATION REGARDING PROSECUTION OF JUVENILES AS ADULTS**

The Scott County School Board will annually provide information developed by the Office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-279.4.

### **Tobacco, Possession of or Use of by Students**

The possession or use of any tobacco product by pupils of the Scott County School System is prohibited. This prohibition applies whenever and wherever such pupils are subject to or under the control, direction, or supervision of Scott County School System personnel, whether on or off school premises. This includes extra-curricular school activities.

Refer to Standards of Student Conduct  
Scott County Public Schools  
(18.2-371.2 Code of Virginia)

## SEARCH AND SEIZURE

A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school or any item described as unauthorized in school rules available beforehand to the student.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

### PERSONAL SEARCHES

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched by a school official whenever the official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation.

All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be:

1. justified at its inception and
2. reasonably related in scope to the circumstances justifying the search.

An individual search is justified at its inception when a school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonable in scope when it is reasonably related to the objectives of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

A personal search may include requiring a student to be scanned with a metal detector.

A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

Strip searches involve an extreme intrusion into the rights of a student and may only be conducted when an extremely serious situation exists requiring immediate action because of an imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent threat of death or great bodily injury to the student or another person. If a strip search must be conducted by a school official, it must be by a same sex official with a same sex adult witness, and

the school official must have the prior approval of the superintendent or superintendent's designee, unless the health or safety of the student is endangered by the delay.

#### LOCKER AND DESK SEARCHES

Student lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers and desks may be conducted by school authorities for any reason at any time without notice, without student consent and without a search warrant.

#### AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation, or that illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile. Such patrols and inspections may be conducted without notice, without student consent and without a search warrant.

#### COMPUTER SEARCHES

School computers, software and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school and in accordance with Policy IIBEA Acceptable Computer System Use. School officials may search school computers, software and internet access records at any time for any reason and without student consent.

#### CONSENT SEARCHES

If a student gives a school official consent for a search the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive himself at risk of punishment for refusing to grant permission for the search.

#### SEIZURE OF ILLEGAL MATERIALS

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Legal Refs.:       New Jersey v. T.L.O., 469 U.S. 325 (1985).  
                          U.S. Const. amend IV.  
                          Va. Const. art.I, § 10.  
                          Code of Virginia, 1950, as amended, § 22.1-279.7.  
                          Virginia School Search Resource Guide (Virginia Department of Education Oct. 2000).

Cross Ref.:	CLA	Reporting Acts of Violence and Substance Abuse
	EGAA	Reproduction and Use of Copyrighted Materials
	GAB/IIBEA	Acceptable Computer System Use
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School

JFCF  
KNAJ

Drugs in School  
Relations with Law Enforcement Authorities

## **INTERVIEWS OF STUDENTS**

When a law enforcement officer or employee of the Child Protective Services Unit of the Social Services Department calls at the school, whether to question a student or to serve a court order or arrest warrant, the principal shall lend his or her full cooperation.

1. Criminal Investigations  
Should a law enforcement officer wish to interrogate a non-adult student during an investigation of possible criminal activity by the student, the student must be asked if he/she wishes for a parent, or his/her attorney to be present. If he/she does not, the school officials must make a good faith effort to contact the student's parents or guardian prior to the beginning of the interrogation and it is mandatory that the principal or his/her representative be present as an observer. However, the interrogation must be conducted by the officer and not by the principal or representative.
  
2. Student Interviews  
Except in Child Protective Services cases, should a law enforcement officer wish to speak with a non-adult student about matters which do not involve possible criminal activity by the student, the student should be asked if he or she wants a parent or attorney to be present. If he or she does not, the principal or his representative should be present as an observer.
  
3. Child Protective Services Investigators  
Because of the sensitive nature of Child Protective Services cases, Child Protective Services Unit employees and law enforcement officers investigating Child Protective Services cases are permitted by state law to interview students outside the presence of school personnel, parents, or attorneys, Virginia Code Section 63.1-248.10. School officials are expected to cooperate fully in maintaining strict confidentiality in Child Protective Services investigations. School officials should adhere to requests of Child Protective Services officers as to whether or not parents are to be informed of Protective Services investigations.

## **POLICY CONCERNING USE OF STUDENT PARKING LOTS**

It shall be the policy of the Scott County School Board that:

1. Students are permitted to park on school premises as a matter of privilege, not of right;
2. The school system retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property;
3. The school system may inspect the interiors of student automobiles whenever a school authority has reasonable suspicion to believe illegal or unauthorized materials are contained inside the automobiles;
4. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant; and
5. Failure to provide access to the interior of a student's car upon request by a school official, will subject the student to school disciplinary action.

**POLICY CONCERNING THE USE OF STUDENT LOCKERS**

It shall be the policy of the Scott County School Board that:

1. Student lockers are the property of the school system;
2. Student lockers remain at all times under the control of the school system;
3. Students are expected to assume full responsibility for their school lockers, and
4. The school system retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

**ACKNOWLEDGMENT CONCERNING THE USE OF STUDENT LOCKERS**

I acknowledge and understand that:

1. Student lockers are the property of the school system;
2. Student lockers remain at all times under the control of the school system;
3. I am expected to assume full responsibility for my school locker; and
4. The school system retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

\_\_\_\_\_  
Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Locker Number



## **MOTOR VEHICLES ON SCHOOL PARKING LOTS**

All school parking lots are under the jurisdiction, ownership, and control of the Scott County School Board and are available only for use by school personnel, students, and authorized visitors.

All such use is subject to regulations issued by the Superintendent of the Scott County School System in cooperation with the principal of the local school.

Such regulations shall contain the following minimal requirements as to the high schools, vocational center and middle and intermediate schools:

1. All students who drive motor vehicles to and from the high schools and vocational center shall be fully licensed drivers. Permission must be obtained from the principal to drive to and from school. Special permission must be obtained from the vocational school principal and the high school principal to drive to and from vocational school.
2. All students' motor vehicles must be registered. Any information required must be furnished to the school office.
3. All visitors to the school must park only in the assigned marked "visitor spaces" and must sign-in at the school principal's office.
4. Student vehicles parked on the school parking lot shall be parked in the assigned areas and shall not be occupied or driven during the student's regular school day.
5. If there are insufficient parking spaces on the school campus to accommodate the requests, parking spaces will be assigned on the basis of criteria developed and the Superintendent working with the school principal.
6. Student motor vehicles are subject to search in accordance with School Board Policy Manual and Code of Student Conduct.
7. Any student who rides as a passenger to and from school with another student must have specific written permission to do so from the parent/guardian of the passenger and from the registered driver of the vehicle on file in the school principal's office. The principal has final approval of this request. Students will not be permitted to ride with other students to vocational school.
8. As provided in Virginia Code Section 46.2-1231, any vehicle parked on a school parking lot in violation of this policy and the regulations issued pursuant to this policy, will be subject to removal by towing or otherwise to a licensed garage for storage until called for by its owner or his/her agent. However, prior notice of towing or removal shall be first given to a local law enforcement officer. If the vehicle is removed and stored, the vehicle owner shall be responsible for cost of such removal and storage. If the owner of the trespassing vehicle is present and removes the trespassing vehicle before it is actually towed, the trespassing vehicle shall not be towed, but the owner of the trespassing vehicle shall be liable for a fee of \$25.00 (twenty-five dollars).
9. Any vehicle requiring more than one parking space must have prior approval from the principal.

This section shall not apply to police, fire or public health vehicles or where a vehicle, because of a wreck or other emergency is parked or left temporarily.

In addition to the foregoing, any violation by a student shall be treated as a violation of required student conduct and disciplined accordingly.

## PROHIBITION AGAINST HARASSMENT AND RETALIATION

### Policy Statement

The Scott County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Scott County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

#### The school division

- promptly investigates all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

### Definitions

#### A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

**B. Harassment Based on Race, National Origin, Disability or Religion**

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

**C. Additional Prohibited Behavior**

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, perceived sexual orientation or gender identity.

**Complaint Procedure**

**C. Formal Procedure**

1. File Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

## 2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how

often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

### 3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Scott County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

### 4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

### 5. Compliance Officer and Alternate Compliance Officer

The Scott County School Board has designated **Brenda Robinette**, [brenda.robinette@scottschools.com](mailto:brenda.robinette@scottschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Office **Jason**

Smith, [jason.smith@scottsschools.com](mailto:jason.smith@scottsschools.com), or Jennifer Frazier, [jennifer.frazier@scottsschools.com](mailto:jennifer.frazier@scottsschools.com), 340 East Jackson Street, Gate City, VA 24251, 276-386-6118.

The Compliance Officer shall

- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

#### D. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or principal's designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal's designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

#### **Retaliation**

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

#### **Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

#### **Prevention and Notice of Policy**

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

#### **False Charges**

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Legal Refs: 20 U.S.C. §§ 1681-1688.  
29 U.S.C. § 794.  
42 U.S.C. §§ 2000d-2000d-7.  
42 U.S.C. §§ 2000e-2000e-17.  
42 U.S.C. § 2000ff-1.  
34 C.F.R. 106.9.  
Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFHA-F/GBA-F	Report of Harassment
	GCPD	Professional Staff Discipline
	JHG	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

### Report of Harassment

Name of Complainant: \_\_\_\_\_

For Students, School Attending: \_\_\_\_\_

For Employees, Position and Location: \_\_\_\_\_

Address, Phone Number  
and Email Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date(s) of Alleged Incident(s) of Harassment: \_\_\_\_\_

Name of person(s) you believe harassed you or others: \_\_\_\_\_

\_\_\_\_\_

If the alleged harassment was toward another, please identify that person: \_\_\_\_\_

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Complaint Received By: \_\_\_\_\_  
(Principal or Compliance Officer)

\_\_\_\_\_  
Date



## **CORPORAL PUNISHMENT**

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this policy, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. "Corporal punishment" does not include physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-279.1.

Cross Ref.: JM Restraint and Seclusion of Students

## STUDENT SUSPENSION/EXPULSION

### I. DEFINITIONS

As used in this Policy,

“Alternative education program” shall include night school, adult education or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

“Destructive device” means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. “Destructive device” does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

“Disruptive behavior” means a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

“Exclusion” means a Virginia school board’s denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

“Expulsion” means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

“Firearm” means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.

“One year” means 365 calendar days as required in federal regulations.

"Pneumatic gun" means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

"School Board Disciplinary Committee or Disciplinary Committee" means a committee composed of at least three members of the BLANK School Board.

"School property" means any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

"Short-term suspension" means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

"Superintendent's designee" means a 1) trained hearing officer or 2) professional employee in the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

## II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

## III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal or teacher responsible for such suspension reports the facts of the case in writing to the superintendent or superintendent's designee and the parent of the pupil suspended. The superintendent or superintendent's designee reviews forthwith the action taken by the principal, assistant principal or teacher upon a petition for such review by any party in interest and confirms or disapproves such action based on an examination of the record of the pupil's behavior.

The decision of the superintendent or superintendent's designee **SELECT ONE** may be appealed to the School Board Disciplinary Committee **OR** is final and may not be appealed.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any

community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, are borne by the parent of the student.

#### IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for more than ten days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee. The Disciplinary Committee may confirm or disapprove the suspension. If the Disciplinary Committee's decision is not unanimous, the pupil or his parent may appeal the Disciplinary Committee's decision to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for more than ten days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

#### V. EXPULSION

##### A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee in accordance with the regulations of the School Board.

The School Board Disciplinary Committee may confirm or disapprove the expulsion of a student. If the Committee's decision is not unanimous, the pupil or his parent may appeal the Committee's decision to the full School Board. Such appeal is decided by the School Board within 30 days.

The Committee confirms or disapproves of proposed expulsions regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and his parent includes notification of the length of the expulsion and provides information concerning the availability of community-based educational, training, and intervention programs. The notice states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion is borne by the parent of the student.

Nothing in this Policy shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board establishes, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule is designed to ensure that any initial petition for readmission will be reviewed by the Disciplinary Committee or the superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the superintendent or the Disciplinary Committee denies such petition, the student may petition the School Board for review of such denial.

#### B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

#### Firearms

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this Policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this Policy on school property or at a school-sponsored activity. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board may, by regulation, authorize the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this Policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this Policy do not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

#### Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance or marijuana as defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board may, by regulation, authorize the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this Policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

C. Procedure for School Board Disciplinary Committee Hearing

The procedure for the Disciplinary Committee hearing is as follows:

- The Disciplinary Committee determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the Disciplinary Committee.
- The Disciplinary Committee may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representative). The Disciplinary Committee may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the Disciplinary Committee may take the testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the Disciplinary Committee determines, in its discretion, that such action is necessary to protect the student witness.
- The parties shall produce such additional evidence as the Disciplinary Committee may deem necessary. The Disciplinary Committee is the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, are marked and made part of the record.
- The Disciplinary Committee may, by majority vote, uphold, reject or alter the recommendations.
- The Disciplinary Committee transmits its decision, including the reasons therefor, to the student, his parent(s), the principal and superintendent.

Following the decision of the Disciplinary Committee or upon expiration of the appeal period, the student's parent(s) or guardian is provided with written notice which includes the following:

- The terms or conditions of re-admission, if any;
- The duration of expulsion;

- A statement declaring whether the student is eligible to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after the expulsion. If neither option applies, a statement that the student may petition the School Board for readmission after one calendar year from the date of his expulsion; and
- The availability of community-based educational, training and intervention programs.

The student or his parent(s) may appeal the Disciplinary Committee's decision to the full School Board only if the decision of the Disciplinary Committee is not unanimous. Otherwise the decision of the Disciplinary Committee is final.

The appeal to the full School Board must be in writing and must be filed with the superintendent within five (5) calendar days of the Committee's decision. Failure to file a written appeal within the specified time constitutes a waiver of the right to an appeal. The full School Board decides the appeal upon the record of the case within thirty (30) calendar days of the request for an appeal and communicates its decision in writing to the student and his parent, guardian or other person having control or charge of the student. Such written notice includes any changes in: (1) the duration of the suspension or expulsion; (2) the availability of community-based educational, training, and intervention programs; and/or (3) eligibility to return to school or attend an alternative education program. No statements, witnesses or evidence may be presented at this appeal unless specifically requested by the Chairman of the Board.

#### VI. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

- (1) charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol, or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- (2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G.;
- (3) found to have committed a serious offense or repeated offenses in violation of School Board policies;
- (4) suspended pursuant to Va. Code § 22.1-277.05; or
- (5) expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code § 22.1-277,

to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil.

## VII. REPORTING

- A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the superintendent and to the principal or principal's designee on all incidents involving
- (1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;
  - (2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described by Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
  - (3) 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;
  - (4) any 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 and
  - (9) any illegal possession of weapons, alcohol, drugs or tobacco products.
- B. The superintendent and the principal or principal's designee may receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this Policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.
- C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this Policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.
- 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 subsection VII.B. of this Policy.
- D. The principal or principal's designee also notifies the parent of any student involved in an incident required by this subsection to be reported, 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 concerning other students.
- E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent's designee.



- F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this Policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this Policy.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.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 that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

- G. For purposes of this section, “parent” or “parents” means any parent, guardian or other person having control or charge of a child.

#### VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the BLANK Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the BLANK School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student is admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student’s behavior, unless the school principal or principal’s designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this Policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student’s behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or superintendent or superintendent’s designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

#### IX. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

Legal Refs.: 20 U.S.C. § 7151.  
Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.  
8 VAC 20-560-10.

Cross Refs.:	BCEA	Disciplinary Committee
	IGBH	Alternative School Programs
	JEC	School Admission
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## **STUDENT SUSPENSION/EXPULSION**

The following violations of the Code of Student Conduct and the School Board policy shall be grounds for suspension or expulsion:

1. Student Dress
2. Unexcused Absence or Tardiness
3. Disruptive Conduct
4. Profane or Abusive Language
5. Threats or Intimidation
6. Assault and Battery
7. Bullying
8. Gambling
9. Use and/or Possession of alcohol, Tobacco, and Other Drugs
10. Distribution or Sale of Illegal Drugs, Drug Paraphernalia or Alcohol or Possession or Distribution of Same with Intent to Sell
11. Vandalism
12. Defiance of the Authority of School Personnel
13. Possession or Use of Weapons or Other Dangerous Articles
14. Theft
15. Behavior on School Bus
16. Cheating
17. Trespass
18. Gang Activity
19. Sexual Harassment
20. Possession of Beeper, Cellular Phone, or other Similar Devices
21. Possession, Exhibition, or Dissemination of Obscene Literature or Materials
22. Reports of Conviction or Adjudication of Delinquency
23. Laser Pointers
24. Felony Charges
25. Bomb Threats
26. Verbal Abuse
27. Acceptable Use of the Internet
28. Violation of Local School Rules
29. Improper or Reckless Use of Motor Vehicles
30. Repeated Violations
31. Failure to Comply with Assigned Disciplinary Measures
32. Other Conduct

The decision of the superintendent or his/her designee for a suspension for ten days or less may not be appealed to the School Board Policy JGD/JGE.

In the case of a suspension for more than ten days, the student and his/her parent(s), guardian, or person having control or charge of the student may appeal the decision to the School Board Disciplinary Committee pursuant to Policy JGD/JGE. The School Board Disciplinary Committee decision shall be final and may not be appealed to the full School Board if it is unanimous. If the School Board Disciplinary Committee decision is not unanimous, it may be appealed to the full School Board pursuant to Policy JGD/JGE. If appealed to the full School Board, the appeal shall be decided by the School Board within 30 (thirty) days.

In the case of expulsion, the decision may be appealed to the School Board Disciplinary Committee. The Disciplinary Committee's decision may not be appealed to the full School Board if it is unanimous. If the School Board Disciplinary Committee decision is not unanimous, it may be appealed to the full School Board pursuant to Policy JGD/JGE. If appealed to the full School Board, the appeal shall be decided by the School Board within thirty days.

## **DISCIPLINING STUDENTS WITH DISABILITIES**

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

### **I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long Term Removals and Considered a Disciplinary Change in Placement**

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) Pattern analysis: there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
  - (a) the length of each removal,
  - (b) the proximity of the removals to each other,
  - (c) the total time the student is removed, and
  - (d) the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year.
  - (e) The pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

### **II. Short-Term Suspensions**

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

No MDR or IEP meeting is required for a short term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

### **III. Functional Behavior Assessments and Behavior Intervention Plans**

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and a BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals.

If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

#### IV. Educational Services While Disciplined

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

- 1) continue to progress in the general curriculum, although in another setting, and
- 2) make progress toward meeting the goals set out in the student's IEP.

The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

#### V. Manifestation Determination Review

When a disciplinary action is proposed that will result in a disciplinary change of placement, an MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

- 1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and
- 2) determines that:
  - (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
  - (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

#### VI. Disciplinary Action Following an MDR Determination that there is No Manifestation

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to students without disabilities. The student must continue to receive

the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the imposition of discipline.

A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. During any appeal, the student will remain in the interim alternative education setting unless reversed by decision of the hearing officer; provided, however, the student may still serve the balance of any applicable forty-five school day removal. The placement may also be changed through the IEP process with the consent of the parent.

VII. Disciplinary Action Following MDR Determination that there is a Manifestation

A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may be removed to a more restrictive placement by following change in placement procedures through the IEP process. The IEP team must conduct or review an FBA and/or BIP as provided in Section III.

VIII. Interim Alternative Educational Settings for Weapons, Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim alternative educational setting for up to forty-five school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

In addition to the other options for removal, a hearing officer through an expedited due process hearing requested by the school division, may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45) school day removals may be authorized by the hearing officer as appropriate.

X. Placement During Appeals

During the course of any appeals, the student's placement shall be in accordance with the provisions of state and federal law unless the parent and the school division agree otherwise. Students with disabilities are also entitled to the due process rights available to a non-disabled student who is subject to discipline. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended, and any state procedures.

#### XI. Students Not Yet Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if, before the behavior that precipitated the disciplinary action occurred, one of the following occurred:

- (1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or
- (2) the parent requested an evaluation of the student for special education eligibility; or
- (3) the student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division that suggests the presence of a disability.

A school division would not be found to have knowledge of a student's disability if:

- (1) the parents refused to allow an evaluation of the student or refused special education services; or
- (2) the student was evaluated and found not eligible for special education services.

If a request for an initial evaluation is made during the period a student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities which placement can include suspension or expulsion without services.

#### XII. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act, and who are currently engaging in the illegal use of drugs or alcohol, may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

#### XIII. Reporting of Crimes

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

Legal Refs.: 20 U.S.C. § 1415(k).  
29 U.S.C. § 705(20)(C)(iv)  
34 C.F.R. 300.530-300.536.  
8 VAC 20-81-160.



Cross Ref.:	JFC	Student Code of Conduct
	JFCD	Weapons in School
	JFCF	Drugs in School
	JGD/JGE	Student Suspensions/Expulsions
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

**DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION  
OF SERIOUS BODILY INJURY**

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

The term serious bodily injury has the same meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Legal Refs:     18 U.S.C. § 1365(h)(3).  
                  20 U.S.C. § 1415(k)(1)(G)(iii).

Cross Refs:     JFCD                 Weapons in School  
                  JFCF                 Drugs in School  
                  JGD/JGE             Student Suspension/Expulsion  
                  JGDA                 Disciplining Students with Disabilities

## STUDENT HEALTH SERVICES

The Scott County School Board may employ school nurses, physicians, physical therapists, occupational therapists and speech therapists who meet such standards as may be determined by the Board of Education. Subject to the approval of the local appropriating body, a local health department may provide personnel for health services for the school division.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-274.

Cross Refs.:	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members
	JHCA	Physical Examinations of Students
	JHCB	Student Immunizations
	JHCC	Communicable Diseases
	JHCCA	Blood Borne Contagious or Infectious Diseases
	JHCD	Administering Medicines to Students

## **STUDENT HEALTH SERVICES AND REQUIREMENTS**

### **A. ACCIDENT/INJURIES/ILLNESSES**

Any accident, injury or illness which occurs on school property must be immediately reported to the principal. This is essential for medical and insurance purposes.

Every effort shall be made to immediately contact the parent or guardian. If they cannot be reached, the student will be transported by the most appropriate means to emergency treatment. Under no circumstances shall the student be permitted to start home alone.

The principal shall report serious incidents to the office of the Superintendent.

### **B. ACCIDENTS AND INJURIES: EMERGENCY CARE**

School Personnel:

1. Shall render emergency care to students who are injured at school.
1. Shall proceed on the assumption of maximum disability in the event the severity of an injury cannot be determined.
2. Shall see that first-aid kits are handily available when students are conducted on field trips.
3. Shall under no circumstances stipulate or imply to anyone that they or the school are responsible or liable for an accident. Responsibility or cause and payment of doctor bills are to be decided by the insurance carrier.
4. Shall notify the parent before a physician is contacted except in cases of extreme emergency. This must be a matter of judgment. The decision to contact a physician immediately should be made if it is in the best interest of the student.
6. Shall file a report of the accident on forms provided for that purpose.

## PHYSICAL EXAMINATIONS OF STUDENTS

- A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in Scott County School Division unless such pupil furnishes, prior to admission,
- (1) a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or
  - (2) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.
- B. If the pupil is a homeless child or youth as defined in Va. Code § [22.1-3](#), and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the division's homeless liaison, who will, as soon as practicable, assist in obtaining the necessary physical examination by the local health department or other clinic or physician's office and shall immediately admit the pupil to school.
- C. The health care provider making a report of a physical examination shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.
- D. Physical examination reports shall be placed in the child's health record at the school and shall be made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.
- E. A physical examination shall not be required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of his or her knowledge, the child is in good health and free from any communicable or contagious disease.
- F. The health departments of the counties and cities of the Commonwealth shall conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the departments establish.

Parents/guardians of students entering school shall complete a health information form as required by state law. Such forms shall be returned within 15 days of receipt unless reasonable extensions have been granted by the superintendent or his designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of Va. Code § [22.1-3](#) shall be excluded from school for such failure to complete such form.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-270.

Cross Refs.: JEC School Admission  
JECA Admission of Homeless Students

## STUDENT IMMUNIZATIONS

No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization as required by Va. Code §§ 22.1-271.2 and 32.1-46 to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3.

If a student does not have documentary proof of immunization, the school will notify the student or his parent

- (i) that it has no documentary proof of immunization for the student;
- (ii) that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3;
- (iii) that the student may be immunized and receive certification by a licensed physician, physician assistant, nurse practitioner, registered nurse or an employee of a local health department; and
- (iv) how to contact the local health department to learn where and when it performs these services.

Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code §§ 22.1-271.4 and 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

### Conditional Enrollment

Any student whose immunizations are incomplete may be admitted conditionally if he provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days.

The immunization record of each student admitted conditionally will be reviewed periodically until the required immunizations have been received.

Any student admitted conditionally who fails to comply with his schedule for completion of the required immunizations will be excluded from school until his immunizations are resumed.

### Exemptions

No certificate of immunization is required for the admission to school of any student if

- (i) the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or
- (ii) the school has written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

### Homeless Pupils

If a student is a homeless child or youth as defined in Va. Code § 22.1-3 and

- (a) does not have documentary proof of necessary immunizations or has incomplete immunizations and

(b) is not exempted from immunization,

the school division will immediately admit such student and will immediately refer the student to the local school division homeless liaison who will assist in obtaining the documentary proof of, or completing, immunization.

#### Immunization Record

Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which will be a part of the mandatory permanent student record. Such record is open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record will be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official will file a report with the local health department. The report will be filed on forms prepared by the State Department of Health and will state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-271.2, 22.1-271.4, 32.1-46, 54.1-2952.2, 54.1-2957.02.  
12 VAC 5-110-10.

Cross Refs.: JEC School Admission  
JECA Admission of Homeless Students  
JO Student Records  
LBD Home Instruction

## COMMUNICABLE DISEASES

The Scott County School Board recognizes the importance of protecting its students and employees from the transmission of communicable diseases which present a threat to their health and safety while also protecting the legitimate interests and rights of students and employees with communicable diseases. The Board directs the superintendent to act in compliance with applicable law to exclude from school attendance or work in the school setting any person who has a communicable disease. Both the decision to remove the student or employee and the decision to readmit the student or to permit the employee to return to work are made by the superintendent based upon consultation with the local health department, the student's or employee's physician, physician assistant, nurse practitioner and/or other medical authorities. (See policy JHCCA Blood Borne Contagious or Infectious Diseases).

The identity of a student who has a communicable disease is kept confidential and revealed only in accordance with state law. An alternative educational program is made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Administrative procedures concerning the exclusion of employees and students with communicable diseases are consistent with the requirements of law, including the policies of the Virginia Department of Education and reflect current medical knowledge and research.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-271.3, 22.1-272, 32.1-36.1, 54.1-2952.2, 54.1-2957.02.

8 VAC 20-131-180.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	IGBG	Homebound, Correspondence and Alternative Means of Instruction
	JHCCA	Blood Borne Contagious or Infectious Diseases



## COMMUNICABLE DISEASES

These procedures are in place for school system teachers and administrators who identify or suspect communicable disease in the school or workplace.

1. Teachers and administrators shall report suspected cases of communicable disease to their immediate supervisors who will channel the concern to the Superintendent at which time the Superintendent may require a medical evaluation of the student or employee and can convene the Communicable Disease Review Panel if needed.
2. Most communicable diseases which occur in the school setting are short-term illnesses which require 1-5 days exclusion from school. In these cases, it is practical and reasonable for the principal or his/her designee and/or the school nurse to make the initial decision to exclude a child from school attendance. In cases of exclusion, the parents shall be called. In situations in which the child's private physician has directed that the child stay home for a longer period of time, and this directive is uncontested, there is no additional requirement other than the provision of alternative education, if appropriate.
3. The remainder of these administrative regulations pertain to cases in which there may be prolonged or recurring exclusion from the school setting due to a student or employee's having a long-term disease which has the potential for communicability.
4. If it is the judgment of the local Health Department, after consultation with private medical doctors and/or other public health authorities, that a communicable disease is present in the school division and that there is significant risk of transmission thereof or that the risk of transmission is unknown, the Health Department shall advise the Superintendent of Schools who will make the decision to exclude the student or employee from the school setting and will convene the Communicable Disease Review Panel if needed.
5. The Superintendent shall establish a Communicable Disease Review Panel consisting of the local Health Department Director, a private physician, the Supervisor of Instructional Support Services, and the Superintendent's designee. The Superintendent shall convene the Communicable Disease Review Panel whenever the decision to exclude a student or employee with a communicable disease is questionable or contested. Each case shall be handled individually. The Communicable Disease Review Panel shall review all pertinent information and make its recommendations to the Superintendent. Persons called on for information to this panel may include, but not be limited to, the attending physician, the principal, teacher(s), and parents of the student. In the case of an employee, contributing persons include the attending physician and the immediate supervisor. The Review Panel should be established immediately upon approval of these regulations.
6. Employees with communicable diseases and parents of students with communicable diseases shall be notified of the five-day time limit for submitting any medical evaluations to the Communicable Disease Review Panel. Medical evaluation(s) submitted to the Panel will be considered before the Panel makes its recommendation on a case. The Panel shall meet, review information, and make recommendations to the Superintendent within 5 school days following exclusion of the affected student or employee. The recommendations shall include, but not be limited to, a timetable on future school presence.
7. Within 5 school days following his/her receipt of the Panel's report, the Superintendent shall notify the parents of the affected student, or notify the affected employee of his/her decision to re-admit or to continue to exclude the student from school attendance or the employee from work in the school setting.

8. Confidentiality and the right to privacy regarding the affected student or employee shall be maintained by all persons involved. Information regarding students or school employees suspected of or diagnosed as having a communicable disease shall be released only through the office of the Superintendent of Schools.
9. The Scott County School System will institute preventive measures to control communicable disease transference. Such preventive measures shall include the education of employees and students about communicable diseases and the methods of reducing the risks of transmission. Employees shall be taught the proper methods of cleaning up spilled body fluids, collecting trash and disinfecting areas which might be sources of contamination.
10. The Superintendent shall advise the School Board to regularly re-examine its policy and regulations on communicable diseases as new knowledge regarding communicable diseases becomes known.

#### Procedure for Blood Borne Contagious or Infectious Diseases

The following procedure will be utilized in determining the attendance at school or work of any student or employee who suffers from a blood borne disease which is infectious or contagious, such as AIDS and Hepatitis B, and which may be transmitted by the exchange of body secretions. Each such determination will be made on a case-by-case basis. This procedure will not apply to persons suffering from common childhood diseases, such as measles, chicken pox, impetigo, strep throat, scarlet fever, head lice, etc.

1. The Superintendent will establish a Review Committee composed of the Director of the local Health Department or a public health physician designated by the Director, the student/employee's family physician, and two administrators appointed by the Superintendent. The Superintendent may appoint other persons to the Review Committee. After reviewing all pertinent information regarding the student/employee and consulting with the employee or the student's parents, the student, if appropriate, and such other persons as the Review Committee shall deem necessary, the Review Committee shall make a recommendation to the Superintendent regarding the student/employee's attendance at school or work. The Review Committee may make such further recommendations as it deems necessary.
2. The Review Committee shall meet within fourteen (14) days of being established and shall make its recommendation to the Superintendent as soon thereafter as practical. The Superintendent will notify the student's parents or the employee, as the case may be, of his decision within five school days after receiving the Review Committee's recommendation. The student's parents or the employee, as the case may be, may appeal the Superintendent's decision to the School Board. A written request for such appeal must be submitted to the Superintendent within ten (10) days of the decision or the right to appeal will be deemed to be waived.
3. The student/employee's status will be re-evaluated based upon a plan for periodic review formulated by the Review Committee.
4. All parties involved shall respect the individual's right to privacy. The number of personnel who are informed of the student/employee's condition shall be kept at a minimum needed to assure proper care of the student/employee and to detect situations where the potential for transmission may occur (e.g., bleeding injury).

## **BLOOD BORNE CONTAGIOUS OR INFECTIOUS DISEASES**

The attendance at school of students, who suffer from blood borne diseases which are infectious or contagious, such as AIDS and Hepatitis B, and which may be transmitted by the exchange of body secretions, shall be determined by the superintendent on a case-by-case basis. The superintendent shall obtain the advice of the local department of health to assist him/her in making his/her determination. The student may be excluded from school and school-related functions pending the superintendent's decision. The superintendent shall issue regulations setting forth the procedures to be followed to effectuate this policy.

The identity of a student who has tested positive for human immunodeficiency virus shall be confidential in accordance with state law.

An alternative educational program shall be made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Training in the use of universal precautions for handling blood shall be conducted periodically in accordance with state and federal law. Universal precautions for handling blood shall be implemented within the school setting and on buses in accordance with state and federal law and guidelines.

The School Board shall adopt guidelines for school attendance for children with human immunodeficiency virus. Such guidelines shall be consistent with the model guidelines for such school attendance developed by the Board of Education.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-271.3, 32.1-36.1, 32.1-45.2.  
Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus  
(Attachment to Virginia Department of Education Superintendent's Memo #32 (Feb. 13, 2004)).

Cross Ref: EBAB Possible Exposure to Viral Infections  
EBBB Personnel Training—Viral Infections  
IGBG Homebound, Correspondence, and Alternative Means of Instruction  
JHCCA-E Guidelines for School Attendance for Students with Human  
Immunodeficiency Virus

## **GUIDELINES FOR SCHOOL ATTENDANCE FOR STUDENTS WITH HUMAN IMMUNODEFICIENCY VIRUS**

The Scott County School Board recognizes its dual obligations to protect the rights of individual students infected with human immunodeficiency virus (HIV) and to provide a safe environment for students, staff, and the public. Because HIV is not transmitted through casual contact, any student who is HIV-infected will continue in a regular classroom assignment unless the student's health significantly interferes with his or her ability to benefit from the educational program.

Scott County Public Schools will work cooperatively with the local health department with regard to the school attendance of students infected with HIV. To enhance the school attendance of students who are HIV-infected, the school division will collaborate with public and private organizations in the provision of support services to HIV-infected students.

All students are expected to satisfy the immunization requirements of Virginia Code § 22.1-271.2 unless a required immunization would be harmful to the health of the student. Students who are HIV-infected or have acquired immune deficiency syndrome (AIDS) may be exempted from obtaining immunizations which would otherwise be required. School personnel will cooperate with public health personnel regarding exemptions from the requirements.

Mandatory screening for HIV infection is not warranted as a condition of school attendance. Upon learning that a student is HIV-infected or has AIDS, the division superintendent may consult with the student's family, the student's family physician, or an official from the local department of health to determine whether the student is well enough to stay in school. If a change in the student's program is necessary because of the student's health, the division superintendent or designee will work with the student's family, family physician or local health official to develop an educational plan for the student.

Any school board employee or volunteer who has any information regarding a student's HIV-infected status will treat that information as confidential. Division personnel will share information regarding a student's HIV status only with the written consent of the student's parent or guardian.

Despite the extremely remote risk that exposure of skin to blood could result in infection, the following universal precautions for handling blood will be implemented within schools and on school buses:

- persons involved in cleaning surfaces exposed to blood and persons rendering first aid to bleeding students should wear disposable gloves to avoid exposure of open skin lesions and mucous membranes to blood;
- surfaces contaminated with blood should be promptly cleaned with household bleach (1 part bleach to 9 parts water) using disposable towels and tissues;
- hands must be washed after gloves are removed;
- if one person's skin is exposed to the blood of another person, the exposed areas should be washed with soap and water.

Universal precautions do not apply to feces, nasal secretions, saliva, sputum, sweat, tears, urine, and vomit unless they contain blood.

To ensure implementation of the proper procedures for all body fluids, training will be provided to all school personnel. Training will include information regarding the following: etiology, transmission, prevention,

and risk reduction of HIV; standard procedures for handling blood and body fluids; community resources available for information and referral; and local division policies.

Comprehensive and age-appropriate instruction on the principal modes by which HIV is spread and the best methods for the reduction and prevention of AIDS will be provided.

## ADMINISTERING MEDICINES TO STUDENTS

### Medications Prescribed for Individual Students

Employees of the Scott County School Board may give medication prescribed for individual students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.

### Nonprescription Medications

Employees of the Scott County School Board may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.

### Self-Care and Self-Administration of Medication

Each enrolled student who is diagnosed with diabetes, with parental consent and written approval from the prescriber, is permitted to

- carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and
- self-check his own blood glucose levels on school buses, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or reinsertion of the pump or any of its parts. Nothing in this policy requires any employee to assist with the insertion or reinsertion of the pump or any of its parts.

Students may be permitted to carry and self-administer other medications when the following conditions are met:

- Written parental permission for self-administration of specified non-prescription medication is on file with the school.
- The non-prescription medication is in the original container and appropriately labeled with the manufacturer's directions.
- The student's name is affixed to the container.
- The student possesses only the amount of non-prescription medicine needed for one school day/activity.

Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited. Permission to self-administer non-prescription medication may be revoked if the student violates this policy and the student may be subject to disciplinary action in accordance with the Standards of Student Conduct.

## Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. A student may possess and self-administer asthma medication, or auto-injectable epinephrine, or both, when the following conditions are met:

- Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, is on file with the school.
- Written notice from the student's health care provider is on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication.
- An individualized health care plan is prepared, including emergency procedures for any life-threatening conditions.
- There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.
- Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health.
- Information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

Permission granted to a student to possess and self-administer asthma medications or auto-injectable epinephrine, or both, will be effective for a period of 365 calendar days, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication or auto-injectable epinephrine, or both, may be limited or revoked after appropriate school personnel consult with the student's parents.

### Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, School Board employee, employee of a local appropriating body or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction.

### Regulation

The superintendent shall develop a regulation for administration of medicines to students. The regulation shall include provisions for the handling, storage, monitoring, documentation and disposal of medication.

Legal Refs.: Code of Virginia, as amended, §§ 22.1-78, 22.1-274, 22.1-274.01:1, 22.1-274.2, 54.1-2952.2, 54.1-2957.02, 54.1-3408.  
Manual for Training Public School Employees in the Administration of Insulin and Glucagon (Virginia Department of Education Revised 2015).

Cross Refs.:	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	JFC-R	Standards of Student Conduct
	JHCE	Recommendation of Medication by School Personnel
	JO	Student Records



## **Anaphylaxis Policy**

### **I. Introduction:**

The purpose of this Scott County School Policy on Anaphylaxis is to provide best-practice guidelines for responding to anaphylaxis in the school setting. It is not intended to supersede the individual prescriptive orders for epinephrine administration contained in the individualized healthcare plans of students with an established need for epinephrine availability. In fact, all students who have had a prior anaphylactic reaction or otherwise identified as with need for epinephrine availability, should have this addressed specifically in an individualized healthcare plan and should provide epinephrine for their personal use to their school.

### **II. Definition of Anaphylaxis:**

Anaphylaxis is one type of allergic reaction, in which the immune system responds to otherwise harmless substances from the environment (called “allergens”). A variety of allergens can provoke anaphylaxis, but the most common culprits are food, insect venom, medications, and latex. Unlike other allergic reactions, however, anaphylaxis is potentially lethal and can kill in a matter of minutes. Anaphylaxis typically begins within minutes or even seconds of exposure, and can rapidly progress to cause airway constriction, skin and intestinal irritation, and altered heart rhythms. Without treatment, in severe cases, it can result in complete airway obstruction, shock, and death. Initial emergency treatment is the administration of injectable epinephrine (also known as “adrenaline”) coupled with immediate summoning of emergency medical personnel and emergency transportation to the hospital. Appropriate, timely treatment can totally reverse anaphylaxis and return a child or adult to their prior state of health.

### **III. Signs and Symptoms of Anaphylaxis:**

- Sudden difficulty breathing, wheezing
- Sneezing or coughing
- Hives, generalized flushing, itching, or redness of the skin, or paleness
- Swelling of the throat, lips, tongue, eyes, face; tightness/change of voice; difficulty swallowing
- Blueness around lips, inside lips, eyelids
- Low blood pressure, dizziness and/or fainting
- Heart beat complaints: rapid or decreased
- Tingling sensation, itching, or metallic taste in mouth
- Sweating and anxiety
- Feeling of apprehension, agitation
- Nausea, abdominal pain, vomiting and diarrhea
- Loss of consciousness
- Burning sensation, especially face or chest

Although anaphylaxis typically results in multiple symptoms, reactions may vary substantially from person to person. In some individuals, a single symptom may indicate anaphylaxis. Anaphylaxis usually occurs quickly-within seconds or minutes of exposure; death has been reported to occur within minutes. An anaphylactic reaction occasionally can occur up to one to two hours after exposure to the allergen.

### **IV. Treatment of Anaphylaxis**

- A. **Epinephrine-** also known as “adrenaline” is the drug of choice to treat and reverse the symptoms of anaphylaxis by constricting blood vessels and raising blood pressure, relaxing the bronchial muscles and

reducing tissue swelling. It is a prescribed medication and is administered by injection, either intramuscularly by an auto-injector or intramuscularly by syringe. **It should be administered at the first sign of anaphylaxis.** It is safer to administer epinephrine than to delay treatment for anaphylaxis. The sooner it is treated, the greater the person's chance for survival. It is fast acting, but its effects last only 5-15 minutes; therefore, a second dose may be required if symptoms continue or return.

- B. **Doses-** epinephrine is available premeasured in an auto-injector or by ampule or vial. The single dose epinephrine auto-injector is available in two doses: **.15mg (for individuals weighing 33-66 lbs.) and .3mg (for individuals weighing greater than 66 lbs.)** Each school will stock 2 doses of both concentrations. Unless the principal can say 100% of the students weigh >66 lbs, only 2 doses of the .3mg concentration will be mandatory. Schools will use only the auto-injectors.
- C. **Trained Personnel-** Epinephrine auto-injectors can be administered in the school setting by both licensed personnel (i.e., registered nurse, physician) and by trained unlicensed personnel as well as by self-administration in the case of older students. Persons rendering emergency care in good faith shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. (Code of Virginia § 8.01-225) Unlicensed personnel shall be trained on an annual basis by a licensed registered nurse or physician. Training shall be conducted utilizing the most current edition of the Virginia Department of Education *Manual for Training of Public School Employees in the Administration of Medication*. **Each school administrator shall appoint 2 personnel to receive Epinephrine Administration training and administer epinephrine in the absence of the school nurse. All school staff shall be trained annually on the signs and symptoms of Anaphylaxis by a registered nurse or physician.**
- D. **Storage-** Epinephrine auto-injectors should be stored in a safe, unlocked and accessible location, in a dark place at room temperature (between 59-86 degrees F). It should be protected from exposure to heat, cold or freezing temperatures. Supplies associated with responding to suspected anaphylaxis should be stored along with the epinephrine (ex. Incident Form, copy of Anaphylaxis guidelines, Epi Injection Directions)
- E. **Inspection-** The expiration date of epinephrine solutions should be periodically checked. Each school should maintain documentation that stock epi has been checked on a monthly basis to ensure proper storage, expiration date, and medication stability. The medication should be discarded if expired and immediately replaced. The drug should be checked for discoloration or contents of solid particles if contents are visible. If contents are cloudy or contain solid particles, the drug should be discarded in a sharps container and replaced immediately. For replacement, nurse coordinator should be contacted.

#### V. Administration of Epinephrine by Auto-injector

- A. Based on symptoms, determine that an anaphylactic reaction appears to be occurring. Act quickly. It is safer to give epinephrine than to delay treatment. **Anaphylaxis is a life-threatening reaction.**
- B. If you are alone and are able to provide epinephrine, call out or yell for help as you immediately go to get the epinephrine. Do not take extra time seeking others until you have provided the epinephrine.
- C. If you are alone and do not know how to provide epinephrine, call out or yell for help. If someone is available to help you, have them get the personnel trained to provide epinephrine while you dial 911 and follow the dispatcher's instructions. Advise 911 operator that anaphylaxis is suspected and epinephrine is available. Your goal is to get someone (EMS or trained personnel) to provide epinephrine and care as soon as possible.
- D. Select appropriate epinephrine auto-injector to administer, based on weight.
  - Dosage: .15 mg if <66 lbs
  - .3 mg if >66lbsFrequency: If symptoms persist or return, a second dose should be administered 5-15 minutes after the first dose.
- E. Inject epinephrine via auto-injector: Pull off safety release cap. Swing and jab firmly into upper, outer thigh (through clothing if necessary). **Hold in place for 10 seconds to deliver medication and then remove.** Massage area for 10 seconds. Note the time.
- F. Call or have a bystander call 911 immediately or activate the Emergency Medical System (EMS). Advise the 911 operator that anaphylaxis is suspected and epinephrine was given.

- G. Keep the individual either lying down or seated. If they lose consciousness, check if they are breathing and have a pulse. If not, begin CPR, call out for help and continue CPR until the individual regains a pulse and is breathing or until EMS arrives and takes over.
- H. Call school nurse, administrator, or office staff and advise of situation.
- I. Repeat the dose after 5-15 minutes if symptoms persist or return.
- J. Stay with the individual until EMS arrives, continuing to follow the directions in #5 above.
- K. Provide EMS with Epinephrine auto-injector labeled with name, date, and time administered to transport to the ER with the student.
- L. Follow up: make sure parents have been notified and are encouraged to let child's pediatrician know about the episode.
- M. Complete required documentation of incident.
- N. Order replacement epinephrine auto-injector(s) by contacting nurse coordinator.

## **VI. Standing Order**

Standing orders are written to cover multiple people as opposed to individual-specific orders, which are written for one person. Scott County Schools shall designate an authorized medical provider (MD, DO, PA, or NP with prescriptive authority) to prescribe non-student specific epinephrine in the school division, to be administered to any **student** believed to be having an anaphylactic reaction on school grounds, during the academic day. This order does not cover faculty or guests, only Scott County Students. Standing orders must be renewed annually and with any change in prescriber.

## **VII. Incident Report of Anaphylactic Reaction**

A "Report of Anaphylactic Reaction" must be filled out immediately following the incident and rescue of the anaphylactic reaction. (see attached form) Person responsible for initiating the completion of this form should be either the 1<sup>st</sup> Responder who administered the epinephrine or the school Administrator. All parties involved in the rescue shall have input in the completion of this report. Once completed, a copy should be sent to the nurse coordinator, School Board Office, and the original shall be filed in the student's medical records.

## **VIII. Offsite School Activities**

Stock Epinephrine is intended for use on school premises and should not be carried offsite. Additional epinephrine should be made available along with arrangements for administration during field trips and other official offsite school activities.

### Report of Anaphylactic Reaction

Demographics and Health History

Name: \_\_\_\_\_ School: \_\_\_\_\_

DOB: \_\_\_\_\_ Status of Person: Student \_\_\_\_\_ Staff \_\_\_\_\_ Visitor \_\_\_\_\_ Gender: M \_\_\_\_\_ F \_\_\_\_\_

History of allergy: Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_ If known, specify type of allergy: \_\_\_\_\_

If yes, was allergy action plan available? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

History of prior anaphylaxis? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

History/Diagnosis of asthma? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

School Plans and Medical Orders

Individual Health Care Plan (IHCP) or 504 Plan in place: Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

Does the student have a student specific order for epinephrine? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

Source of Epinephrine: Student Provided \_\_\_\_\_ Stock Epinephrine \_\_\_\_\_ Expiration date of Epi \_\_\_\_\_

Incident Reporting

Date/Time of occurrence: \_\_\_\_\_ Vital Signs: BP \_\_\_\_\_/\_\_\_\_\_ Temp \_\_\_\_\_ Pulse \_\_\_\_\_ Respirations \_\_\_\_\_

Specify suspected trigger that precipitated this allergic episode: Food \_\_\_\_\_ Insect Bite \_\_\_\_\_ Exercise \_\_\_\_\_

Medication \_\_\_\_\_ Latex \_\_\_\_\_ Other \_\_\_\_\_

If food was a trigger, please specify food and when ingested: \_\_\_\_\_

If medication was a trigger, please specify medication given: \_\_\_\_\_

Location where symptoms started: Classroom \_\_\_\_\_ Cafeteria \_\_\_\_\_ Clinic \_\_\_\_\_ Playground \_\_\_\_\_ Bus \_\_\_\_\_

Hallway \_\_\_\_\_ Gym \_\_\_\_\_ Office \_\_\_\_\_ Other \_\_\_\_\_

How did exposure occur? \_\_\_\_\_

\_\_\_\_\_

Symptoms: (circle all that apply)

<u>Respiratory</u>	<u>GI</u>	<u>Skin</u>	<u>Cardiac/Vascular</u>	<u>Other</u>
Cough	Abdominal Discomfort	Angiodema	Chest discomfort	Sweating
Difficulty Breathing	Diarrhea	Flushing	Cyanosis	Irritability
Hoarse Voice	Difficulty Swallowing	General Itching	Dizziness	Loss of Consciousnes
Stuffy or runny nose	Oral Itching	General Rash	Faint/Weak pulse	Metallic Taste
Swollen throat/tongue	Nausea	Hives	Headache	Red Eyes
Shortness of Breath	Vomiting	Lip swelling	Low Blood Pressure	Sneezing
Stridor/Wheezing		Localized rash	Rapid Heart Beat	Uterine Cramping
Tightness (chest, throat)		Paleness		

Epinephrine Administration

First Epinephrine Dose Given (.15mg or .3mg) \_\_\_\_\_ Site (ex: upper left thigh) \_\_\_\_\_

Time Given: \_\_\_\_\_ Initials of Person giving medication: \_\_\_\_\_

Second Epinephrine Dose Given (.15mg or .3mg) \_\_\_\_\_ Site: \_\_\_\_\_

Time Given: \_\_\_\_\_ Initials of Person giving medication: \_\_\_\_\_

Location where epinephrine administered to patient: Clinic \_\_\_\_\_ Classroom \_\_\_\_\_ Gym \_\_\_\_\_ Playground \_\_\_\_\_

Bus \_\_\_\_\_ Office \_\_\_\_\_ Cafeteria \_\_\_\_\_ Hallway \_\_\_\_\_ Other \_\_\_\_\_

Location of Epinephrine Storage: Clinic \_\_\_\_\_ Office \_\_\_\_\_ Self-Carry \_\_\_\_\_ Other \_\_\_\_\_

Epinephrine Administered By: RN \_\_\_\_\_ Self \_\_\_\_\_ Unlicensed trained personnel \_\_\_\_\_ Other \_\_\_\_\_

Parent/Guardian notified of epinephrine administration: Yes \_\_\_\_\_ No \_\_\_\_\_ Time: \_\_\_\_\_

By whom: \_\_\_\_\_

Biphasic Reaction: Yes \_\_\_\_\_ No \_\_\_\_\_ Don't know \_\_\_\_\_

Disposition

EMS notified at what time: \_\_\_\_\_ By whom: \_\_\_\_\_

Transported to hospital ER: Yes \_\_\_\_\_ No \_\_\_\_\_ If "NO", reason: \_\_\_\_\_

If "YES", transferred via: Ambulance \_\_\_\_\_ Parent/Guardian \_\_\_\_\_ School Staff \_\_\_\_\_ (name: \_\_\_\_\_)

Student/Staff/Visitor outcome: \_\_\_\_\_

School Follow-up

Were parents/guardians advised to follow up with student's medical provider? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

Were arrangements made to restock epinephrine? Yes \_\_\_\_\_ No \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signatures

Form completed by: \_\_\_\_\_  
(please print) (Date/Time)

\_\_\_\_\_  
(Signature) (Title)

School Administrator: \_\_\_\_\_  
(Signature) (Date)

## **RECOMMENDATION OF MEDICATION BY SCHOOL PERSONNEL**

School personnel are prohibited from recommending the use of psychotropic medications for any student. School health staff, classroom teachers, or other school professionals may recommend that a student be evaluated by an appropriate medical practitioner. In addition, school personnel may consult with a medical practitioner who is serving the student with the written consent of the student's parent.

For the purpose of this policy, "psychotropic medications" means those medications that are prescribed with the intention of altering mental activity or state, including, but not limited to, antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-274.3.  
Superintendent's Memorandum No. 54 (August 16, 2002).

Cross Ref.: JHCD Administering Medicine to Students

## STUDENT WELLNESS

### I. Policy Statement

The Board of Education of the Scott County School District support the health and well-being of the District's students by promoting nutrition and physical activity at all grade levels. In accordance with federal law, it is the policy of the Board to provide students access to healthy foods and beverages; provide opportunities for developmentally appropriate physical activity; provide nutrition education; and require that all meals served by the District meet or exceed the federal nutritional guidelines issued by the U. S. Department of Agriculture.

### II. Wellness Policy Leadership

The designated official for oversight of the wellness policy is the School Nutrition Supervisor. The official shall convene the Wellness Committee and lead the review, updating and evaluation of policy. Each school shall designate a site coordinator who shall ensure compliance with the policy.

### III. School Wellness Committee

To assist in the creation of a healthy environment, the District shall establish a Wellness Committee that will provide ongoing review and evaluation of the Wellness Policy. The Committee shall meet no less than 3 times during the school year to implement, assess and review, and make recommendations for changes to the Wellness Policy.

The Committee shall consist of a diverse group of stakeholders to participate in the development, implementation, periodic review and updating of the Wellness Policy.

### IV. Goals

The Board of Education of the Scott County School District has established the following goals to promote student wellness.

#### A. Nutrition Education

1. Nutrition topics shall be integrated within the comprehensive health education curriculum taught at every grade (k-12)
2. The entire school environment, just the classroom shall be aligned with healthy school goals to positively influence a student's understanding, beliefs, and habits as they relate to good nutrition and regular physical exercise.
3. Nutrition education will incorporate helping children acquire skills for reading food labels and menu planning.
4. Nutrition education curriculum is aligned with state and federal learning objectives and standards.
5. Nutrition is integrated into the health education or core curricula (e.g., math, science, language arts).
6. Schools link nutrition education activities with the coordinated school health program.
7. Staff who provide health education, culinary arts, and nutrition/wellness classes will have appropriate training and/or licensure.



8. The level of student participation in the school breakfast and school lunch programs is appropriate.
9. Schools are enrolled as Team Nutrition Schools, and they conduct nutrition education activities and promotions that involve parents, students, and the community.
10. Nutrition education instructional activities shall stress the appealing aspects of healthy eating and be participatory, developmentally appropriate, and enjoyable. The program shall engage families as partners in their children's education.

**B. Physical Activity**

Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.

1. Students are given opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, physical activity clubs, and other after school programs.
2. Schools encourage parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.
3. Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

**C. Other School-based Activities**

1. Fresh fruit/vegetable snacks are offered daily, when grants are available, to certain elementary schools that meet the criteria of 75% free & reduced lunches.
2. Grab-N- Go Breakfast is available in all Scott County Schools to ensure every child has an opportunity to eat a nutritious breakfast.
3. An adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities.
4. All children who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.
5. Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.
6. School staff are encouraged to model healthy eating behaviors.
7. The commonwealth of Virginia mandated screenings for students are performed within the guidelines set up by the Code of Virginia. Appropriate referrals are then completed for hearing, vision, and dental.
8. The Scott County Health Department, in conjunction with Lee County & Wise County Health Departments, provide free dental screenings by a dental hygienist.
9. VA SMILES dental program offers our students dental cleanings, sealants, cavity fillings, extractions, x-rays, and makes referrals for further surgical needs. They see the students twice a year.
10. The Scott County Health Department offers Flu vaccines to all eligible students and staff members in the fall for those that are interested.

11. Scott County Health Department offers upcoming 6<sup>th</sup> grade students their T-dap boosters, to be given in the school with the assistance of the school health nurse/aide.
12. School Health Services cooperates with the Scott County Health Department in tracking communicable diseases, influenza and influenza like illnesses to monitor the health status of our students.
13. Individual classroom activities are provided by the school nurses to the students for nutrition, health and hygiene as requested by teachers & principals.
14. Blood Borne Pathogens training is given to the staff on a yearly basis. CPR/1<sup>st</sup> Aide training is offered for those staff who are mandated by the state of Virginia to be certified in order to perform their job duties/skills.

**D. Nutrition Guidelines**

1. Nutritional standards for the school breakfast and school lunch programs, a la carte items, and after school snacks meet or exceed state and federal standards.
2. All food and beverages sold and served outside the school meal program (“competitive” foods and beverages) shall, at a minimum, meet the standards established in the USDA’s Nutrition Standards for all Foods Sold in Schools (Smart Snacks) rule.
3. The nutritional content of foods and beverages donated for class parties or other school events is considered.
4. Marketing: Schools will restrict food and beverage marketing to only those foods and beverages that meet the nutrition standards set forth by USDA’s Nutrition Standards for All Foods Sold in Schools (Smart Snacks) rule. marketing includes brand names, trademarks, logos, or tags except when placed on a food or beverage product/container; displays, such as vending machine exteriors; corporate/brand names, logos, trademarks on cups, posters, school supplies, education materials, food service equipment, and school equipment (e.g. message boards, scoreboards, uniforms); advertisements in school publications/mailings; sponsorship of school activities, fundraisers, or sports teams; educational incentive programs such as contests or programs; and free samples or coupons displaying advertising of a product.
5. Outreach strategies to encourage families to reinforce and support healthy eating and physical activity are in place.
6. When drinking fountains are not present in the cafeteria, water cups/jugs are available.
7. Menus shall be posted on the district and school websites.
8. The District allows up to 30 exempt fundraisers per school year. All other fundraisers sold during the school day must meet Smart Snacks nutrition standards. No restrictions are placed on the sale of food/beverage items sold outside of the school day.

**E. Community Engagement**

1. The District shall provide information on how the public can participate in the school wellness committee on an annual basis.

**F. Monitoring and Evaluation**

1. The District wellness policy shall be updated as needed based on evaluation results, District changes, emersion of new health science information/technology, and/or new federal or state guidance are issued.

## V. Implementation

The School Board encourages parents, students, representatives of the school food authority, teachers of physical education, school health professionals, school administrators and the general public to participate in the development, implementation and periodic review and update of this policy.

The School Nutrition Supervisor is responsible for overseeing the implementation of this policy and developing procedures for evaluating the policy, including indicators that will be used to measure its success.

Implementation procedures include measuring and making available to the public, at least once every three years, an assessment of the implementation of the policy, including the extent to which schools are in compliance with the policy, the extent to which this policy compares to model school wellness policies and a description of the progress made in attaining the goals of the policy. The results of the triennial assessment are considered in updating the policy.

The School Board retains the following records to document compliance with 7 C.F.R. § 210.31:

- the policy;
- documents demonstrating compliance with community involvement requirements, including requirements to make the policy and triennial assessments available to the public; and
- documentation of the triennial assessment of the policy.

Legal Refs: 42 U.S.C. § 1758b.  
7 C.F.R. 210.3.  
Code of Virginia, 1950, as amended, § 22.1-253.13:1.

Cross Refs: EFB Free and Reduced Price Food Services  
IGAE/IGAF Health Education/Physical Education  
JL Fund Raising and Solicitation  
JHCH School Meals and Snacks  
KQ Commercial, Promotional and Corporate Sponsorships and Partnerships

## **SCHOOL MEALS AND SNACKS**

The Scott County School Board recognizes that students need adequate, nourishing food in order to learn, grow, and maintain good health.

### Generally

To reinforce the division's nutrition education program, foods sold to students during regular school hours on school premises will be:

- carefully selected so as to contribute to students' nutritional well-being and the prevention of disease;
- prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits; and
- served in age-appropriate quantities and at reasonable prices.
- The Scott County School Board promotes high-quality school meals and snacks by involving students in the selection, tasting, and marketing of healthy foods and beverages that appeal to students;
- providing a variety of food options, such as fruits, vegetables, whole grains, and dairy foods, which are low in fat and added sugars;
- offering a variety of healthy choices that appeal to students, including cultural and ethnic favorites;
- restricting student access to unhealthy foods in vending machines, school stores, and other venues that compete with healthy school meals; and
- ensuring that healthy snacks and foods are provided in vending machines, school stores, and other venues within the division's control. The healthy options should cost the same or less than unhealthy alternatives.

The Scott County School Board strives to provide an environment conducive to good health by allowing an adequate amount of time and space for students to eat school meals:

- scheduling lunch periods at reasonable hours around midday;
- ensuring that drinking fountains are operable, clean, and convenient for use throughout the school day;
- offering extracurricular physical activity programs, such as physical activity clubs, intramural programs, or interscholastic athletics;
- discouraging the promotion and advertising of unhealthy foods;
- using non-food items rather than food items such as candy, cakes, soda, and foods high in fat, as incentives and rewards for good behavior or academic performance; and
- encouraging parents to support the division's nutrition education efforts by considering nutritional quality when selecting any snacks which they may donate for occasional class parties.

The Scott County School Board supports nutrition education and physical education by

- ensuring that qualified nutrition education and physical education specialists focus on knowledge and skill development so students are able to learn and adopt healthy eating and physical activity behaviors;
- offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and
- eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

## Meals and Snacks

Meals and snacks offered as part of the National School Lunch Program or the School Breakfast Program meet, at a minimum, the requirements established by state and federal law and regulation.

Schools make potable water available and accessible without restriction to children at no charge in the place(s) where lunches are served during the meal service.

1. Students who do not have money on account or in hand to cover the cost of a meal at the time of service may be permitted to charge the meal. Cafeteria accounts have a \$25 charge limit. Students may not purchase a la carte items if they have a \$10.00 negative balance (Bottled water, extra entrees, etc.).

When students have reached the maximum \$25.00 charge limit, the child's parents/guardian must be notified with a call from the school office. The office will cover the cost meals for that day.

A student who is not permitted to charge any additional amounts is permitted to buy meal if the student has cash on hand. Reasonable efforts are used to avoid calling attention to a student's inability to pay.

Notices of low or negative balances in a student's meal account are sent to parents and the school principal. Parents are expected to pay all meal charges in full by the last day of the school year.

The superintendent ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt.

## Competitive Foods Definitions

"Competitive food" means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day.

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

"School day" means the period from the midnight before to 30 minutes after the end of the official school day.

All competitive food sold to students on the school campus during the school day meets the nutrition standards specified by federal and state law and regulation.

Each school may conduct 30 school-sponsored fundraisers per school year during which food that does not meet the nutrition guidelines for competitive foods may be available for sale to students.

The Scott County School Board is responsible for maintaining records that document compliance with this policy. Those records include receipts, nutrition labels and/or product specifications for the competitive food available for sale to students.

Legal Refs: U.S. Department of Agriculture, SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016.

U.S. Department of Agriculture, SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016.

Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-207.4.

Virginia Board of Education, A Resolution to Establish and Define Exemptions for School-Sponsored Fundraisers Pending Incorporation in the Proposed Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools (Nov. 19, 2015).

Cross Refs:	EFB	Free and Reduced Price Food Services
	IGAE/IGAF	Health Education/Physical Education
	JHCF	Student Wellness
	JL	Fund Raising and Solicitation
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

## **LACTATION SUPPORT**

The superintendent shall designate a non-restroom location in each school as an area in which any mother who is employed by the Scott County School Board or enrolled as a student in the division may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one. The area must be shielded from public view.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-79.6.

## HUMAN RESEARCH

Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government shall be conducted in accordance with Policy KFB Administration of Surveys and Questionnaires, 20 U.S.C. § 1232h, and the applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved. Any other human research involving students must be approved and conducted under the review of a human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student's parents or legally authorized representative give their informed consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18. The human research committee will submit to the Governor, the General Assembly, and the Superintendent of Public Instruction or his designee at least annually a report on the human research projects reviewed and approved by the committee. The report will state any significant deviations from the proposals as approved.

The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19. Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

Definition: as used in this policy, "human research" means any systematic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. "Human research" does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b).

Legal Refs.: 20 U.S.C. § 1232h.  
Code of Virginia, 1950, as amended, §§ 22.1-16.1, 32.1-162.16, 32.1-162.17, 32.1-162.19, 32.1-162.20.  
8 VAC 20-565-30.  
8 VAC 20-565-40.  
8 VAC 20-565-50.

Cross Refs.: KFB Administration of Surveys and Questionnaires  
IIAE Innovative or Experimental Program



**STUDENT SUBMISSION TO PSYCHIATRIC OR PSYCHOLOGICAL  
EXAMINATIONS, TESTING OR TREATMENT**

No student shall be required, as part of any program which is funded by the United States Department of Education, to submit, without prior consent, to psychiatric or psychological examination, testing or treatment, in which the primary purpose is to reveal information concerning:

- (1) political affiliations;
- (2) mental and psychological problems potentially embarrassing to the student or his family;
- (3) sex behavior and attitudes;
- (4) illegal, anti-social, self-incriminating and demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or
- (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Prior consent to any such psychiatric or psychological examination, testing or treatment means the prior written consent of the student's parent or guardian or, if the student is emancipated, of the student. Any such examination, testing or treatment within the definition of human research shall be conducted in accordance with Section 22.1-16.1 of the Code of Virginia.

As used herein, the terms psychiatric or psychological examination, testing or treatment are intended to have their ordinary and customary meaning which refers to a recognized medical or therapeutic discipline practiced by licensed professionals. These terms do not include ordinary classroom activities or teaching techniques.

Legal Ref.: 20 U.S.C. 1232 (h) (a)  
Code of Virginia, 1950, as amended  
Section 22.1-16.1

## **STUDENT SAFETY**

The primary consideration of the Scott County School Board in all student activities shall be the safety of the student. The Division Superintendent shall implement the provisions of state law and the regulations of the Board of Education concerning student safety.

Students shall be instructed properly in accident prevention including proper conduct on streets and highways, the operation of motor vehicles, and fire prevention.

Students shall be carefully supervised at all times and caution shall be exercised in these classes where machinery or chemicals are used or are in use. Protective eye devices shall be worn where there could be damage to the student.

Care shall be taken that all equipment or grounds used by students shall be kept free from hazardous conditions.

Any employee, volunteer, student, or other individual becoming aware of a threat by any individual to do serious bodily harm to any person or facilities must report same immediately to the principal. The principal shall report immediately the threat to the Division Superintendent and police officials. The individual(s) making the threat(s) is/are to be removed immediately from school grounds.

In an effort to make our schools as safe as possible, the following precautions will be taken:

1. Students, faculty, and staff will notify the office of any strangers they see on school property.
2. Visitors sign in
3. Hall/Visitor pass
4. Make available to teachers a list of students suspended or expelled
5. Be alert to the presence of any students who have been suspended or expelled from school and immediately notify the office
6. Limit access to the building by closing and locking all outside doors except those leading to the main entrance. (Only lock those doors equipped with panic bars that allow students to exit safely.)
7. Periodic locker search
8. Discuss safety with students the first day of each school year and ask for their help concerning school safety.

## CHILD ABUSE AND NEGLECT REPORTING

### Reporting Requirement

Every employee of the Scott County School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

### Notice of Reporting Requirement

The School Board posts in each school a notice that

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and
- all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

### Complaints of Abuse and Neglect

The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.A, 22.1-291.3, 63.2-1509, 63.2-1511.

Cross Refs.: JFHA/GBA Prohibition Against Harassment and Retaliation  
GBLA Third Party Complaints Against Employees

## **SUICIDE PREVENTION**

### Duties of Teachers and Administrative Staff

Any person licensed as administrative or instructional personnel by the Board of Education and employed by the Scott County School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

### Contacting the Parent/Guardian

If the section below titled "Abuse or Neglect" does not apply, then the staff member shall call at least one of the student's parents/guardians. When contacting a parent/guardian, the staff member should:

1. Provide his/her name and position in the school;
2. Tell the parent/guardian that he has reason to believe, as a result of direct communication from the student, that the student is at imminent risk of suicide;
3. Assure the parent/guardian that the student is currently safe;
4. State the legal requirement for the call, citing Va. Code § 22.1-272.1;
5. Ask the parent/guardian whether he or she is aware of the student's mental state;
6. Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
7. Provide names of community counseling resources if appropriate and offer to facilitate the referral; and
8. Determine the parent's intent to seek appropriate services for the student.

### Abuse or Neglect

If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, contact shall not be made with the parent. Instead, the staff person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by Policy JHG/GAE Child Abuse and Neglect\_Reporting and Va. Code § 63.2-1509. When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.

### Inability to Reach Parent/Guardian

If the staff member is unable to make contact with the parent/guardian by the end of the school day, then he shall follow the school's crisis management plan.

## Required Documentation

The staff member shall document the phone call to the parent/guardian by recording: (a) the time and date of the call; (b) the individual contacted; (c) the parent/guardian's response; and (d) anticipated follow-up.

## Additional Concerns

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the staff member shall report the abuse or neglect in accordance with policy JHG/GAE Child Abuse and Neglect Reporting.

## Duty to Keep Student Safe and Secure

A student who is at imminent risk of suicide shall remain under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1-272.1 and 63.2-1509.

Va. Board of Education "Suicide Prevention Guidelines," (Revised 2003).

Cross Refs: JHG/GAE Child Abuse and Neglect Reporting  
EB School Crisis, Emergency Management and Medical Emergency Response Plan

## STUDENT-ATHLETE CONCUSSIONS DURING EXTRACURRICULAR ACTIVITIES

### Definitions

**Concussion:** a brain injury that is characterized by an onset of impairment of cognitive and/or physical functioning, and is caused by a blow to the head, face or neck, or a blow to the body that causes a sudden jarring of the head (i.e., a helmet to the head, being knocked to the ground). A concussion can occur with or without a loss of consciousness, and proper management is essential to the immediate safety and long-term future of the injured individual.

**Licensed Health Care Provider:** a physician, physician assistant, osteopath or athletic trainer licensed by the Virginia Board of Medicine; a neuropsychologist licensed by the Board of Psychology; or a nurse practitioner licensed by the Virginia State Board of Nursing.

**Return-to-Learn:** instructional modifications that support a controlled, progressive increase in cognitive activities while the student recovers from a brain injury allowing the student-athlete to participate in classroom activities and learn without worsening symptoms and potentially delaying healing.

**Return-to-Play:** to participate in a nonmedically supervised practice, game, or athletic competition.

### I. Concussion Management Team

- a. The Concussion Management Team (“CMT”) shall be appointed by the superintendent and shall consist of a school administrator, an athletic administrator, a licensed health care provider, a coach, a parent or guardian of a student-athlete, a student-athlete and any such other person or persons the superintendent determines will assist the CMT in its actions.
- b. The CMT shall develop concussion training materials for school personnel, volunteers, student-athletes and parents of student-athletes. Those materials may address the proper fitting and maintenance of helmets. The CMT shall also develop concussion reporting, management and review protocols for the school division. The CMT shall maintain a record of all incidents where a student-athlete has been removed from a game, competition or practice because he or she has been suspected of sustaining a concussion.
- c. The CMT shall meet at least once per semester and shall evaluate the division’s training materials, concussion reporting, management and review protocols annually.

### II. Required Concussion Training for School Personnel and Volunteers:

- a. Every coach, assistant coach, school staff, adult volunteer, or other person serving in a coaching or advisory role over student-athletes during games, competitions or practices shall receive training in the signs and symptoms of sports-related concussions, strategies to reduce the risk of concussions, how to seek proper medical treatment for concussions and the process by which a concussed student-athlete may safely return to practice or competition. Each school and the CMT shall maintain a written record of the names and dates of completion for all persons completing the school’s concussion training.
- b. Each school shall ensure that no person is allowed to coach or advise a student-athlete in any practice, game, or competition who has not completed the school’s concussion training within the previous twelve months.

### III. Distribution of Training Materials for Student-Athletes and Parent/Guardian:

- a. Prior to participating in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian shall review concussion training materials developed by the CMT and sign a statement acknowledging receipt of such information. The concussion training materials shall describe the short-and long-term health effects of concussions.
- b. The signed statements acknowledging the receipt of concussion training materials shall be valid for one calendar year and will satisfy the concussion training requirements for all of a student-athlete's extracurricular physical activities for a calendar year.

### IV. Removal from Extracurricular Physical Activities

- a. A student-athlete suspected by a student-athlete's coach, athletic trainer or team physician of sustaining a concussion or brain injury in a practice, game or competition shall be removed from the activity immediately, evaluated and, if necessary, referred for further treatment. A student-athlete who has been removed from play, evaluated, and suspected to have sustained a concussion or brain injury shall not return to play that same day.
- b. In determining whether a student-athlete removed from play is suspected of having sustained a concussion, an appropriate licensed health care provider or other properly trained individual, shall evaluate the student-athlete at the time of removal utilizing a standardized concussion sideline assessment instrument (e.g., Sideline Concussion Assessment Tool (SCAT-II, SCAT III, ChildSCAT3), the Standardized Assessment of Concussion (SAC), or the Balance Error Scoring System (BESS)).
- c. The determination of whether a student-athlete removed from play is suspected of having sustained a concussion shall be the sole determination of the licensed health care provider or other properly trained individual conducting the concussion sideline assessment. Such determination is final and may not be overruled by another licensed health care provider or other properly trained individual, coach, assistant coach, school staff, or other person serving in a coaching or advisory role, the student-athlete or the parent or guardian of the student-athlete.
- d. The coach of a student-athlete may elect not to return the student-athlete to play, even if after the concussion sideline assessment it is determined that the student-athlete is no longer suspected of having sustained a concussion.

### V. Return-To-Play Protocol

- a. No student-athlete shall be allowed to return to extracurricular physical activities, which includes the student-athlete's practices, games or competitions, until the student presents a written medical release from the student-athlete's licensed health care provider. The written medical release shall certify that (i) the provider is aware of the current medical guidance on concussion evaluation and management; (ii) the student-athlete no longer exhibits signs symptoms or behaviors consistent with a concussion at rest or with exertion; and (iii) that the student-athlete has successfully completed a progressive return to sports participation program. The length of progressive return to sports participation program shall be determined by the student-athlete's licensed health care provider but shall last a minimum of five calendar days.
- b. The coach of a student-athlete may elect not to allow a student-athlete to return to extracurricular physical activities, even after the production of written medical release from the student-athlete's licensed health care provider, if the coach observes signs and symptoms of sports-related concussions. If the student-athlete's coach makes such a decision, the coach shall communicate the observations and

concerns to the student-athlete's parent or guardian within one day of the decision not to allow such student-athlete to return to extracurricular physical activities.

VI. Return-to-Learn Protocol

- a. School personnel shall be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including (i) difficulty with concentration, organization and long-term and short-term memory; (ii) sensitivity to bright lights and sounds; and (iii) short-term problems with speech and language, reasoning, planning and problem solving.
- b. School personnel shall accommodate the gradual return to full participation in academic activities by a student who has suffered a concussion or other head injury as appropriate, based on the recommendation of the student's licensed health care provider as to the appropriate amount of time that such student needs to be away from the classroom.

VII. Helmet Replacement and Reconditioning

- a. All helmets used in school physical activities must conform to the National Operations Committee on Standards for Athletic Equipment (NOCSAE) and certified as conforming by the manufacturer at the time of purchase.
- b. Reconditioned helmets that have been purchased must be recertified as conforming to the NOCSAE by the reconditioner.

VIII. Athletic Activities Conducted by Non-School Organizations on School Property

The school division may provide this policy and the Board of Education's Guidelines for Policies on Concussions in Student-Athletes to organizations sponsoring athletic activity for student-athletes on school property. The school division does not enforce compliance with the policy or Guidelines by such organizations.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-271.5, 22.1-271.6.  
Virginia Board of Education Guidelines for Policies on Concussions in Student-Athletes (Adopted January 22, 2015).

Cross Refs.: KG Community Use of School Facilities  
KGB Public Conduct on School Property.



## Scott County Schools Head Concussion Policy

### Introduction

Pursuant to subsection A of § 22.1-271.5 of the Code of Virginia, Scott County Schools have developed a policy dealing with the identification and proper handling of suspected head concussions in student-athletes. Our goal is to ensure that student-athletes are properly diagnosed, given adequate time to heal, and are comprehensively supported until they are symptom free.

### Definitions

A **concussion** is a brain injury that is characterized by an onset of impairment of cognitive and/or physical functioning, and is caused by a blow to the head, face or neck, or a blow to the body that causes a sudden jarring of the head (i.e., a helmet to the head, being knocked to the ground). A concussion can occur with or without a loss of consciousness, and proper management is essential to the immediate safety and long-term future of the injured individual. A concussion can be difficult to diagnose, and failing to recognize the signs and symptoms in a timely fashion can have dire consequences.

Most athletes who experience a concussion can recover completely as long as they do not return to play prematurely. The effects of repeated concussions can be cumulative, and after a concussion, there is a period in which the brain is particularly vulnerable to further injury. If an athlete sustains a second concussion during this period, the risk of permanent brain injury increases significantly and the consequences of a seemingly mild second concussion can be very severe, and even result in death (i.e., “second impact syndrome”).

**Appropriate licensed health care provider** means a physician, physician assistant, osteopath or athletic trainer licensed by the Virginia Board of Medicine; a neuropsychologist licensed by the Board of Psychology; or a nurse practitioner licensed by the Virginia State Board of Nursing.

**Return to Play** means participate in a nonmedically supervised practice or athletic competition.

### Procedures

#### A. Participation in Athletic Activity

1. In order to participate in any extracurricular athletic activity, each student-athlete and the parent/guardian shall review, on an annual basis (every 12 months), information on concussions provided by Scott County School Division. After having reviewed materials, the student-athlete and parent/guardian shall sign a statement acknowledging receipt, review, and understanding of such information.

#### B. Suspected Head Concussion

1. A student-athlete suspected by that student’s coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice or game shall be removed from the activity at that time. A student-athlete who has been removed from play, evaluated, and suspected to have a concussion or brain injury shall not return to play that same day nor until (i) evaluated by an appropriate licensed health care provider as determined by the Board of Education and (ii) in receipt of written clearance to return to play from such licensed health care provider. The licensed health care provider evaluating student-athletes suspected of having a concussion or brain injury may be a volunteer.
2. Appropriate licensed health care providers or properly trained individuals evaluating student-athletes at the time of injury will utilize a standardized concussion sideline assessment instrument. **Sideline**

**Concussion Assessment Tool (SCAT II), the Standardized Assessment of Concussion (SAC) and the Balance Error Scoring System (BESS)** are examples of sideline concussion assessment tools that test cognitive function and postural stability.

**C. Protocol For Return To Play**

1. No member of a school athletic team shall participate in any athletic event or practice the same day he or she is injured and:
  - a. Exhibits signs, symptoms, or behaviors attributable to a concussion; or
  - b. Has been diagnosed with a concussion.
2. No member of a school athletic team shall return to participate in an athletic event or training on the days after he/she experiences a concussion unless all of the following conditions have been met:
  - a. The student no longer exhibits signs, symptoms, or behaviors consistent with a concussion, at rest or with exertion;
  - b. The student is asymptomatic during, or following periods of supervised exercise that is gradually intensifying; and
  - c. The student receives a written medical release from a licensed health care provider.

**D. Helmet Replacement and Reconditions**

1. Helmets must be National Operating Committee on Standards for Athletic Equipment (NOCSAE) certified by the manufacturer at the time of purchase.
2. Reconditioned helmets must be NOCSAE recertified by the reconditioner.

**E. Signs and Symptoms of Concussions**

1. Nausea (feeling that you might vomit)
2. Dizziness or balance problems
3. Double or fuzzy vision
4. Sensitivity to light or noise
5. Headache
6. Feeling sluggish or tired
7. Feeling foggy or groggy
8. Confusion
9. Trouble concentrating
10. Trouble remembering
11. Pupil changes (change in size or no reaction to light)

**F. Education and Training**

1. Each school principal or designee will be responsible for requiring all PE/Health teachers, coaches, trainers, and volunteer athletic personnel to participate in **annual** training on concussion management. The school's Nursing Coordinator will be responsible for requiring all clinic nurses and aides to participate in **annual** training on concussion management. This training will consist of:
  - A. **The National Federation of State High School Associations' (NFHS)-Concussion in Sports-What you need to know.** This CDC-endorsed program provides a guide to understanding, recognizing, and properly managing concussions in high school sports. It is available at [www.nfhslearn.com](http://www.nfhslearn.com). For new enrollees to this website, they will have to register with an email login and password. This course is at no cost to the enrollee, it is free. It is approximately 15 minutes duration and a certificate of completion is mandatory. It is to be kept on file by the school's athletic director, and/or Nursing Coordinator.
  - B. **A Head Concussion Training Class** taught by a designated Medical Professional. This class will provide and explain the educational material that is given to the students, parents, and coaches (Head Concussion Fact Sheets for Student Athletes, Parents, and Coaches). This class will also allow time for questions and answers forum. A certificate of completion is mandatory. It is to be kept on file by the school's athletic director, and/or Nursing Coordinator.

## FUND RAISING AND SOLICITATION

All fundraising activities conducted for the benefit of the Scott County school division must provide an educational benefit to students and must not interfere with the instructional program. All fundraising activities conducted by school-sponsored organizations or clubs must be approved in advance by the principal. Fundraising refers to the raising of non-appropriated funds by students, parents or others for the educational benefit of students and their schools.

Students may participate in fundraising activities provided such activities are approved in writing and carefully monitored and regulated by the school principal or a principal's designee. Elementary school students may not participate in door-to-door solicitation. Students will not be excused from class to participate in fundraising activities. No grade will be affected by a student's participation, or lack of participation, in a fundraising activity.

Each principal shall develop and maintain a list of all approved fundraising activities and report all activities to the superintendent pursuant to procedures issued by the superintendent.

The superintendent periodically shall furnish the School Board with an up-to-date listing of all fundraising activities being conducted by the school division.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

Cross Refs.:	JHCF	Student Wellness
	KJ	Advertising in the Schools
	KGA	Sales and Solicitations in Schools
	KMA	Relations with Parent Organizations
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## RESTRAINT AND SECLUSION OF STUDENTS

Physical and mechanical restraint and seclusion may only be used consistent with this policy.

As used in this policy,

“physical restraint” means the use of physical force to restrict the free movement of all or a part of a student’s body. Excluded from this definition is the use of procedures the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“mechanical restraint” means the use of any device or material attached to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“seclusion” means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student’s IEP, Section 504, or behavior intervention plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by a staff member in close proximity. It is preferable that the staff member can see or observe student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student’s IEP, Section 504 plan, or behavior intervention plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.

Physical restraint, mechanical restraint, and seclusion may only be used by a staff member who has been trained in the proper use of the technique applied or device utilized and should only be used in the following circumstances:

- as needed to protect an individual from his or her own actions;
- as needed to protect others from injury by the restrained person;
- as needed to quell a disturbance;
- as needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;
- as needed for self-defense;
- as needed to escort a student safely from one area to another;
- as reasonably needed to prevent imminent destruction to school or another person’s property;
- when using seat belts or other safety restraints to secure a student during transportation;
- to direct the movement or actions of a student to avoid the undue or deliberate disruption of the learning environment;
- as authorized by the Code of Virginia, or
- as authorized by a student’s IEP, Section 504 plan or behavior intervention plan.

Nothing in this policy is intended to limit the application of Va. Code § 22.1-279.1 which provides generally that:

No teacher, principal or other person employed by the school board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent

- the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;

- the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;
- the use of reasonable and necessary force for self-defense or the defense of others;
- the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;
- physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport; or
- participation in physical education or an extracurricular activity.

**Documentation and Notice to Parents**

A parent or guardian will be notified in writing within a reasonable period of time, not to exceed 15 school days, after any use of

- physical restraint; or
- seclusion resulting in observed physical injury to the student.

The staff member who utilizes restraint or seclusion will be responsible for making a record of information regarding its use including the date, time, duration, precipitating behavior, outcome and other pertinent observations. Documentation is not required when using mechanical devices that are authorized and utilized for the student’s safety or physical support such as bus harnesses, lap belts, rifton chairs and similar devices. This policy does not permit the use of a restraining device to limit a student’s mobility when that device is not ordinarily used with the student.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-279.1.

Cross Refs.:	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGA	Corporal Punishment
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## **STUDENT FEES, FINES AND CHARGES**

The School Board charges student fees and takes action to recover funds for the loss of or damage to School Board property in accordance with the state and federal law. No fee may be charged unless it has been approved by the School Board.

The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the School Board shall ensure that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees will not be charged to students for instructional materials, textbooks, or other materials used by a School Board employee that are not directly used by a public school student.

The following fees are charged.

Fees may be charged for 1) optional services such as parking or locker rental; 2) student-selected extracurricular activities; 3) class dues; 4) field trips or educationally-related programs that are not required instructional activities; 5) fees for musical instruments, as long as the instruction in the use of musical instruments is not part of the required curriculum; 6) distance learning classes for enrichment which are not necessary to meet the requirements for a diploma; 7) summer school, unless the classes are required for remediation as prescribed by the Standards of Quality; 8) overdue or lost or damaged library books; 9) lost or damaged textbooks; 10) consumable materials such as workbooks, writing books, drawing books and fine arts materials and supplies; however, workbooks, writing books, drawing books and fine arts materials and supplies must be furnished to students who are unable to afford them at a reduced price or free of charge; fees may not be charged to students for instructional materials, textbooks, or other materials that are not directly used by a public school student; 11) the behind-the-wheel portion of the driver's education program; 12) a fee not to exceed a student's pro rata share of the cost of providing transportation for voluntary extracurricular activities; and 13) the preparation and distribution of official paper copies of student transcripts; a reasonable number of copies of official paper copies must be provided for free before a charge is levied for additional official copies; official electronic copies of student transcripts must be provided for free.

Fees may not be charged 1) as a condition of school enrollment, except for students who are not of school age or who do not reside within the jurisdiction; 2) for instructional programs and activities, or materials required for instruction, except as specified in by 8 VAC 20-720-80.H; 3) for textbooks or textbook deposits; however, a reasonable fee or charge for lost or damaged textbooks may be charged; 4) for pupil transportation to and from school; or 5) for summer school programs or other forms of remediation required by the Standards of Quality.

Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; and families that are homeless.

Each time a fee is charged, notice will be given that a fee waiver may be requested. The notice will include directions as to how to apply for a waiver.

This policy will be provided to parents annually and posted on the division's website.  
The consequences for nonpayment of fees include exclusion from the activity related to the fee.

No student's report card, diploma or class schedule will be withheld because of nonpayment of fees or charges. No student will be suspended or expelled for nonpayment of fees or charges.

The School Board upon recommendation of the superintendent may take action against a pupil or the pupil's parent for any actual loss, breakage, or destruction of or failure to return property owned by or under the control of the School Board, caused or committed by such pupil in pursuit of his studies. Such action may include seeking reimbursement from a pupil or pupil's parent for any such loss, breakage, or destruction of or failure to return school property.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-6, 22.1-243, 22.1-280.4.  
8 VAC 20-720-80.

Cross Refs.: ECAB Vandalism  
IIA Instructional Materials

## STUDENT RECORDS

### Generally

The Scott County School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The superintendent and/or his designee(s) is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

### Definitions

For the purposes of this policy, Scott County Public Schools uses the following definitions:

Authorized representative – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

Directory information - information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children's cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

Education program - any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special



education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

Education records - any information recorded in any way including handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche maintained by the Scott County School Board or an agent of the school division which contains information directly related to a student, except

- records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;
- records created and maintained for law enforcement purposes by the Scott County School Board's law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;
- in the case of persons who are employed by the Scott County School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in his capacity as an employee;
- records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student;
- grades on peer-graded papers before they are collected and recorded by a teacher; and
- any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student's file or is stored electronically under an individual student's name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Eligible student - a student who has reached age 18.

Parent - a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

Student - any person who is or has been in attendance at BLANK Public Schools regarding whom the school division maintains education records or personally identifiable information.

#### Dissemination and Maintenance of Records About Court Proceedings

##### Adjudications

The superintendent shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G. contained in a notice received pursuant to Va. Code § 16.1-305.1 to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.

A parent, guardian, or other person having control or charge of a student, and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor. The parent or

guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.

Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by him and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

#### Petitions and Reports

The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.
- If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

#### Annual Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

- the type of information designated as directory information and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

#### Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

#### Copies of Education Records

Scott County Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

#### Fees for Copies of Records

The fee for copies will be **\$0.75** per page. The actual cost of copying time and postage will be charged. Scott County Public Schools does not charge for search and retrieval of the records. Scott County Public Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

#### Types, Locations, and Custodians of Education Records

Scott County Public School shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

#### Disclosure of Education Records

Scott County Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.  
A school official is:
  - a person employed by the School Board
  - a person appointed or elected to the School Board
  - a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
  - a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education recordsA school official has a legitimate educational interest if the official is:
  - performing a task that is specified in his or her position description or by a contract agreement
  - performing a task related to a student's education
  - performing a task related to the discipline of a student
  - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
  - specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;

- requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
  - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
  - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
7. requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. To accrediting organizations to carry out their functions.
  8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
  9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
  10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
    - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
    - the parties to whom the division disclosed the information.
  11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
  12. Directory information so designated by the school division.
  13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

#### Unauthorized Disclosure of Electronic Records

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent of any student affected by such disclosure, except as otherwise provided in Va. Code §§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

#### Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Scott County School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

#### Disclosure of Information Relating to Home Instructed Students

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student's parent, such information to the extent provided by the parent's consent. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

#### Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

Any authorized representative other than an employee must be designated by a written agreement which

- designates the individual or entity as an authorized representative;
- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;
- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- specifies the time period in which the information must be destroyed; and
- establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

#### Military Recruiters and Institutions of Higher Learning

Scott County Public Schools provides, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student. The school division notifies parents of the option to make a request and complies with any request.

The school division provides military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

#### Record of Disclosure

Scott County Public Schools maintains a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his assistants who are responsible for the custody of such records and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

#### Directory Information

Scott County School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

Parents and eligible students may not use the right to opt out of directory information disclosures to 1) prevent disclosure of the student's name, identifier or institutional email address in a class in which the student is enrolled; or 2) prevent an educational agency or institution from requiring the student to wear, to display publicly or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

#### Correction of Education Records

The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows.

1. Parents or the eligible student must request in writing that the BLANK Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
2. SCOTT COUNTY Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights.
3. Upon request, Scott County Public Schools shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
4. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
6. Scott County Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.

7. If Scott County Public Schools decides that the information is inaccurate, misleading or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.
8. If Scott County Public Schools decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

#### Confidentiality of HIV and Drug and Alcohol Treatment Records

Scott County Public Schools complies with the confidentiality requirements of Va. Code § 32.1-36.1 providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division maintains confidentiality of drug and alcohol treatment records as required by federal and state law.

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.  
 20 U.S.C. §§1232g, 7908.  
 42 U.S.C. § 290dd-2.  
 34 C.F.R. 99.3, 99.7, 99.10, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37.  
 Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-254.1, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23.1-405, 32.1-36.1.

Cross Refs.:	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JHCB	Student Immunizations
	JHCD	Administering Medicines to Students
	JOA	Student Transcripts
	JRCA	School Service Providers' Use of Student Personal Information
	KBA-R	Requests for Information
	KBC	Media Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction
	LEB	Advanced/Alternative Courses for Credit



## **STUDENT RECORDS AND RELEASE OF STUDENT INFORMATION (NOTIFICATION TO PARENTS AND STUDENTS)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the Division receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the Scott County School Division to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the Division decides not to amend the record as requested by the parent or eligible student, the Division will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the Division as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the Division has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Upon request, the Division discloses educational records without consent to officials of another school division in which a student seeks or intends to enroll. [NOTE: FERPA requires a school division to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.]

- (4) The right to file a complaint with the US Department of Education concerning alleged failures by the Division to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

FAMILY POLICY COMPLIANCE OFFICE  
US DEPARTMENT OF EDUCATION  
600 INDEPENDENCE AVENUE, SW  
WASHINGTON, DC 20202-6605

179-J

SCOTT COUNTY PUBLIC SCHOOLS

**SCOTT COUNTY PUBLIC SCHOOLS  
340 EAST JACKSON STREET  
GATE CITY, VA 24251  
(276) 386-6118**

Parents and Eligible Student's Rights Relevant to Student Records

It is the desire of the Scott County Public School System that you, as the student's parent, have a clear understanding of the content of your child's record, how the record is being handled, and your rights with regard to the record.

A. The content of the student record is limited to data needed by the school to assist the student in his/her personal, social, educational, and vocational development and in his/her post-high school placement. The following information will be maintained as a part of the record at the school where your child attends in the Scott County School System and may be accessed by either the parent or parents of a student with disabilities or by the student.

1. Name and address of student and parent or guardian;
2. Date of birth;
3. Scholastic work completed and level of achievement (grades, grade point average, standardized achievement test scores);
4. Attendance data;
5. Special aptitudes and interests including scores on standardized group ability, aptitude, and interest instruments;
6. School and community activities and work experience (employment evaluations for students in cooperative vocational programs);
7. Record of employment counseling and placement;
8. Health and physical fitness data, including immunization record, preschool physical examination report and school physical examination report;
9. Program of studies plan;
10. Type of diploma;
11. Results of Literacy Testing Program;
12. Social security number (unless waiver is granted) or school student number.

B. For those students identified as needing further evaluation for a successful learning experience, additional data may be gathered for the student's cumulative file. This information may only be accessed with parent permission. These are as follows:

1. Social history;
2. Legal, psychological, and medical reports;
3. Records of sensitive mental or physical problems;
4. Verified reports of serious or recurrent behavior patterns;
5. Required reports of evaluation for special education placement, to include educational, physiological, psychological, and sociological assessments;
6. Reports from juvenile court, social welfare, and other agencies;
7. Case studies;
8. Vocational assessment data;
9. Individualized Education Program and report of annual review of placement;
10. Permission form for testing, placement, and release of information;

11. Confidential interviews and/or recommendation;
12. Records of referral;
13. Summary of minutes of eligibility findings for special education students;
14. Report of appeals.

C. The principal of the school your child attends and/or those professional personnel he/she designates are responsible for the collection of information; the recording, maintenance and security of data; and access and control of dissemination of information from the records based upon Scott County School Board policy. There is a periodic evaluation of the records by professional personnel and data no longer pertinent is removed. School records may be purged/destroyed five years after the student graduates/leaves school. An attempt will be made to contact parents so that you can get a copy of your child's record prior to destroying any file.

When a request for access to records is made, the granting of such a request is made immediately, if practical, but in any case no more than forty-five days after the date of the request.

D. Information from the student's cumulative folder may be disclosed to the following individuals:

1. Professional personnel within the school, local educational agency, and the State Department of Education who have a professionally justifiable reason for such access and legitimate educational interest in the student.
2. The student who is the subject of the record who is under the age of 18 and who is requesting evaluation documents provided written consent of the parent or legal guardian has been obtained. The student under 18 may request any information in Item A without parent permission.
3. Upon request to an official of a school or post-secondary institution in which the student intends to enroll.
4. The parents or legal guardian of the student, until the student becomes 18 years of age, is an emancipated minor, or is attending an institution of post-secondary education.
5. Adult clerical personnel charged with the responsibility of record maintenance.
6. Appropriate persons in connection with a student's application for financial aid (cumulative record data only).
7. An employee or official of the state or local health department shall have access to the preschool physical examination report, the immunization record, and the school entrance health examination form.
8. An authorized representative of the Comptroller General of the United States; the Secretary of the Department of Education; the local division superintendent; and state educational authorities needing information in connection with the audit and evaluation of state and federal legal requirements related to such programs.
9. Access and/or release of data to other persons or agencies will be allowed only as prescribed by federal and state law or by parental permission, and in all cases, a record of such access will be maintained as part of the student's file showing the signature of each person who has had access to the record, the date of access, his specific legitimate interest in seeking such access, and the signature of the principal or his designee. This form will be available to the parents, the student, and school officials responsible for record maintenance.
10. The Scott County Department of Social Services and the Scott County Health Department may have access without parental consent to all educational information on students.
11. Education records are forwarded without parent notification to another school division where the student seeks or intends to enroll.

The school charges a fee for copies of the scholastic record(s) at \$0.75 per page. No fee is charged for a copy of the Individualized Education Program nor is a fee charged for search and retrieval.

Parents or their appointed representative(s) have the right to an explanation and/or interpretation of their student's scholastic record by an appropriate representative of the school division. Parents or their appointed representative(s) have the right to inspect, review and/or copy, or be provided copies of, the contents of their child's record in an expeditious manner. They have the right to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. In addition, the parent or eligible student has the right to a hearing to provide an opportunity for the correction or deletion of information found to be inaccurate, misleading, or inappropriate and to file with the United States Department of Education of complaint concerning an alleged failure by the school board to comply with the Family Educational Rights and Privacy Act (FERPA), US Code, Section 1232g.

A copy of the Scott County School Board's Policy on the management of student records may be obtained upon request at the School Board Office Building.

The data in the individual student's official school record and the legal and ethical maintenance and use of such data is a matter of concern to your school board. The Scott County Public School System has a responsibility to protect the rights and privacy of the student and his/her parents and will adhere strictly to legal statutes designed to safeguard information in your child's record.

If you have questions, please contact the office of the school principal of the school your child attends.

\_\_\_\_\_  
(Date)

Scott County Circuit Court  
340 Jackson Street  
Gate City, VA 24251

To Whom It May Concern:

As directed by State Regulations, we are providing your agency with a copy of the Scott County Schools policy on the management of scholastic records.

If you have any questions with regard to the policy and procedures enclosed, please contact

\_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
\_\_\_\_\_

Enclosure

Identical letter to:

Scott County Department of Social Services  
Scott County Health Department  
Scott County Juvenile & Domestic Relations Court

## STUDENT TRANSCRIPTS

### Generally

Secondary school transcripts contain information as specified by the Virginia Board of Education.

### Test Record

The superintendent is responsible for establishing a procedure by which parents, guardians or others with legal control of a student can elect in writing to have the student's test record excluded from the student transcript. The test record includes at least the highest score earned, if applicable, on college performance-related standardized tests such as SAT and ACT, excluding Standards of Learning (SOL) test scores.

### High School Credit-Bearing Courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The superintendent specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Legal Refs.: 8 VAC 20-131-90.  
8 VAC 20-160-30.

Cross Refs.: JO Student Records

## **RELEASE OF STUDENT DATA/RECORDS**

The parent/legal guardian of any student enrolled in the Scott County School Division may authorize the release of their student's data/records to any individual or Agency upon completion and execution of the Consent for Release of Student Data/Records form accompanying this policy.

This form may be used by Community Policy and Management Teams, and the Departments of Health, Social Services, Juvenile Justice, and Behavioral Health and Development Services.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-79.3.



**CONSENT FOR RELEASE OF STUDENT DATA/RECORDS**

Student Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name of School \_\_\_\_\_ School ID # \_\_\_\_\_

Student Address \_\_\_\_\_

Home Telephone #: \_\_\_\_\_

Parent/Legal Guardian (1) Mobile Telephone # \_\_\_\_\_

Parent/Legal Guardian (2) Mobile Telephone # \_\_\_\_\_

I authorize the \_\_\_\_\_ Division to release to the individual or Agency identified below identifying educational/medical data and records (the "Records") of the student listed above. I understand that in addition to educational records and data, such Records may also contain health information pertaining to diagnosis and treatments, immunization records, suspensions/office referral data, attendance data, referrals to student service teams, as well as written communications with school staff related to mental health interventions.

**Time Period During Which Release of Student/Data is Authorized:**

**From:** Date that form is signed below.

**Until:** \_\_\_\_\_

**Name of Authorized Individual or Agency**

**Name and Title** \_\_\_\_\_

**Agency Name (if applicable)** \_\_\_\_\_

**Address (1)** \_\_\_\_\_

**Address (2)** \_\_\_\_\_

**Email Address** \_\_\_\_\_

**Phone Number** \_\_\_\_\_

**Fax Number** \_\_\_\_\_

**Signature of Parent/Guardian** \_\_\_\_\_

**Name of Parent/Guardian** \_\_\_\_\_

**Relationship to Student** \_\_\_\_\_

**Date** \_\_\_\_\_

**Witness** \_\_\_\_\_

## ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORD

### Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Scott County School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

### Definitions

“Attribution” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

“Electronic Signature”- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Electronic Record” – Any record created, generated, sent, communicated, received or stored by electronic means.

### Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

### Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the BLANK School Board agrees to accept or send such communication electronically; and
2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

### Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
4. The electronic signature conforms to all other provisions of this policy.

#### Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-79.3, 59.1-479 et seq.

Cross Ref.: JO Student Records

## STUDENT PUBLICATIONS

### Definition of Official School Publications

Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. In all instances related to these publications, the School Board will be the publisher, the principal will be the editor, the faculty sponsor will be co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

### Responsibilities of Student Editors and Journalists

Student editors and journalists shall be responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that

- is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
- which advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
- which advertises or advocates illegal products or services; or
- which advocates prejudice, hatred, violence, or harassment on the basis of race, religion, national origin, ancestry or disability.

### Responsibilities of Student Publications Faculty Co-Editor

School publications faculty co-editors shall instruct students in the Code of Ethics of the American Society of Newspaper Editors and help students to understand and follow it. Faculty members shall instruct students in correct and appropriate journalistic techniques and consult with the principal, who is the editor, on material that may violate the law or the journalism Code of Ethics. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal (editor).

### Responsibilities of the School Principal (Editor)

The school principal is responsible for approving all publications in accordance with School Board policy and his/her judgment and discretion.

Legal Refs            Hazelwood School Dist. v. Kuhlmeier, 484 U.S. 261, 108 S. Ct. 562, 98 L.Ed.2d 592 (1988).

Cross Refs:	AC	Nondiscrimination
	GB	Equal Employment Opportunity/Nondiscrimination
	JB	Equal Educational Opportunities/Nondiscrimination
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	GBECA	Electronic Cigarettes
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises

## **SIMULTANEOUS HIGH SCHOOL-COLLEGE ENROLLMENT FOR SECOND SEMESTER SENIOR STUDENTS**

To be eligible to participate in their graduation ceremony, students must satisfy all standards set forth by the Virginia Department of Education and Scott County Public Schools. Should a second semester senior elect to ease their transition from high school to college, simultaneous enrollment in high school and accredited colleges or universities is available. Simultaneous enrollment provides second semester senior students an opportunity to gain college credit while completing their high school education.

Students are qualified for participation in simultaneous high school – college enrollment by fulfilling the following criteria:

- continue enrollment in Scott County Public Schools,
- complete first semester senior year prior to beginning simultaneous enrollment status,
- possess a “C” or better average at the end of the first semester senior year,
- satisfy, by the end of first semester senior year, all the graduation requirements set forth by the Virginia Department of Education and Scott County Public Schools to receive a standard or advanced studies diploma,
- complete Simultaneous High School-College Enrollment application, inclusive of parent/guardian signature for minor students, and receive principal approval prior to enrollment in an accredited college or university.
- provide to their high school administration proof of full-time enrollment\* in an accredited college or university, and
- remain enrolled in their high school as students participating in independent study courses which mirror the courses in which the students are enrolled in the accredited college or university.

Prior to approval by the high school principal or designee for students to participate in simultaneous high school-college enrollment:

- the principal or designee must verify that students have met graduation requirements prior to simultaneous enrollment in accredited college or university courses,
- the students must submit to the principal or designee a completed Simultaneous High School-College Enrollment application, inclusive of parent/guardian signature for minor students, and proof of full-time enrollment in an accredited college or university,
- the students must submit to the principal or designee a list of the courses in which the students will be enrolled, and
- the principal or designee must ensure the courses in which the students will be enrolled are assigned appropriate course codes as independent study courses.

To qualify for high school credit, students must present to the principal or designee, within fifteen (15) days upon completion of the college course, a transcript from the accredited college or university where the courses were successfully completed. The principal or designee will ensure the students receive corresponding grades for the independent studies in which the students are enrolled at the high school. As it relates to final G.P.A. and class ranking, the grades from the accredited college or university will be calculated into the students’ high school G.P.A.

If students drop or add college or university courses within the college or university’s drop/add timeline, students are responsible for forwarding the information within five (5) days to their principal or designee to ensure the

students' independent study courses mirror the college or university courses in which the students are enrolled. Simultaneously enrolled students who elect to withdraw from a college/university courses after the accredited college/university drop/add deadline, are required to notify immediately the principal or designee.

Simultaneously enrolled students are solely responsible for their own transportation to and from college or university courses and are responsible for all tuition, fees and books associated with enrollment as students in an accredited college or university.

\*Full-time enrollment status is determined by the accredited college or university.

**Simultaneous High School-College Enrollment for Second Semester Senior Students  
Application for Minor Student\***

School: \_\_\_\_\_ Anticipated Spring Graduation Year: \_\_\_\_\_  
Student's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_  
Name of Parent(s)/Legal Guardian(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Parent Telephone: (1) \_\_\_\_\_ (2) \_\_\_\_\_ Date of Request: \_\_\_\_\_

My signature below indicates that I desire to ease my transition to college by pursuing college credits while completing high school. My signature also acknowledges that I am fully aware of the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students. Additionally, my signature acknowledges that the final grades I will earn while enrolled in the independent study courses at my high school will be calculated in my high school grade point average and class rank. Finally, my signature below indicates that after reviewing the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students, I agree with the terms and conditions for my participation in, compliance with and completion of the requirements of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students.

\_\_\_\_\_  
Signature of Student Date of Signature

My signature below indicates that I desire for my son/daughter to ease his/her transition to college by pursuing college credits while completing high school. My signature also acknowledges that I am fully aware of the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students. Additionally, my signature acknowledges that the final grades my son/daughter will earn while enrolled in the independent study courses at his/her high school will be calculated in his/her high school grade point average and class rank. Finally, my signature below indicates that after reviewing the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students, I agree with the terms and conditions for my son/daughter's participation in, compliance with and completion of the requirements of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students.

\_\_\_\_\_  
Signature of Parent/Legal Guardian Date of Signature

*\*A Minor Student is defined as a student who, on the date of the request, is not yet 18 years of age.*

**TO BE COMPLETED BY THE PRINCIPAL:**

- Student has met all the requirements deleted in SCPS Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students.
- Student **has not met** the following requirement(s) deleted in SCPS Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students: \_\_\_\_\_

- I approve Simultaneous High School-College Enrollment for the student.
- I **do not** approve Simultaneous High School-College Enrollment for the student.

\_\_\_\_\_  
Signature of Principal Date of Signature

**Simultaneous High School-College Enrollment for Second Semester Senior Students  
Application for Adult Student\***

School: \_\_\_\_\_ Anticipated Spring Graduation Year: \_\_\_\_\_  
Student's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_  
Name of Parent(s)/Legal Guardian(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Parent Telephone: (1) \_\_\_\_\_ (2) \_\_\_\_\_ Date of Request: \_\_\_\_\_

My signature below indicates that I desire to ease my transition to college by pursuing college credits while completing high school. My signature also acknowledges that I am fully aware of the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students. Additionally, my signature acknowledges that the final grades I will earn while enrolled in the independent study courses at my high school will be calculated in my high school grade point average and class rank. Finally, my signature below indicates that after reviewing the provisions of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students, I agree with the terms and conditions for my participation in, compliance with and completion of the requirements of Scott County Public School Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date of Signature

*\*An Adult Student is defined as a student who, on the date of the request, is 18 years of age or older.*

**TO BE COMPLETED BY THE PRINCIPAL:**

Student has met all the requirements deleted in SCPS Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students.

Student **has not met** the following requirement(s) deleted in SCPS Policy JQ, Simultaneous High School-College Enrollment for Second Semester Senior Students: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- I approve Simultaneous High School-College Enrollment for the student.
- I **do not** approve Simultaneous High School-College Enrollment for the student.

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Date of Signature



## SCHOOL SERVICE PROVIDERS' USE OF STUDENT PERSONAL INFORMATION

### Definitions

For the purposes of this policy:

"Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Machine-readable format" means a structured format that can automatically be read and processed by a computer such as comma-separated values (CSV), JavaScript Object Notation (JSON) or Extensible Markup Language (XML). "Machine-readable format" does not include portable document format (PDF).

"Personal profile" does not include account information that is collected and retained by a school service provider and remains under control of a student, parent or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

"School service" means a website, mobile application or online service that (i) is designed and marketed solely for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses or shares student personal information. "School service" does not include a website, mobile application or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with the school division.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online behavior, use of applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

### Required Contract Terms

The contract between a school service provider and the School Board shall require the school service provider

- to provide clear and easy-to-understand information about the types of student personal information it collects through any school service and how it maintains, uses or shares such student personal information;
- to maintain a policy for the privacy of student personal information for each school service and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service;
- to maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality and integrity of student personal information and makes use of appropriate administrative, technological and physical safeguards;
- to facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used or shared by the school service provider, or by such student's parent, either directly or through the student's school or teacher;
- to collect, maintain, use and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the School Board and the school service provider;
- when it collects student personal information directly from the student, to obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service, and when it collects student personal information from an individual or entity other than the student, to obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service;
- to require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information;
- to require that, upon the request of the school or School Board, the school service provider will delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than 18 years of age, his parent consents to the maintenance of the student personal information by the school service provider; and
- to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. Contracts between local school boards and school service providers may require that such electronic copy be in a machine-readable format.

The contract will also prohibit the school service provider from knowingly

- using or sharing any student personal information for the purpose of targeted advertising to students;
- using or sharing any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider; or
- selling student personal information except to the extent that such student personal information is sold to or acquired by a successor entity that purchases, merges with or otherwise acquires the school service provider.

Nothing in this policy shall be construed to prohibit school service providers from

- using student personal information for purposes of adaptive learning, personalized learning or customized education;
- using student personal information for maintaining, developing, supporting, improving or diagnosing the school service;

- providing recommendations for employment, school, educational or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;
- disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability or (iii) protect the security or integrity of its school service; or
- disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider to any third party unless such disclosure is permitted by Va. Code § 22.1-289.01(B)(7) and (iii) requires the service provider to comply with the requirements set forth Va. Code § 22.1-289.01(B) and the prohibitions set forth in Va. Code § 22.1-289.01(C).

Nothing in this policy shall be construed to:

- impose a duty upon a provider of an electronic store, gateway, marketplace, forum or means for purchasing or downloading software or applications to review or enforce compliance with this policy with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum or means;
- impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; or
- prohibit any student from downloading, exporting, transferring, saving or maintaining his personal information, data or documents.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-289.01.

Cross Refs.:	ET	Educational Technology Foundation and Public School Foundations
	JO	Student Records
	KMA	Relations with Parent Organizations

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## SECTION K: School-Community Relations

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## GOALS FOR SCHOOL-COMMUNITY RELATIONS

The School Board recognizes that good school-community relations are essential to securing public input and public support for educational programs. The School Board sets goals and standards for school-community relations and regularly evaluates its relationship with the public. The School Board also regularly evaluates its programs for maintaining open channels of communication and good relations with parents, community organizations, other governmental organizations, non-profit organizations, businesses and industries and the community at large.

Through its school-community relations program, the Board encourages the community to

- take an active interest in the schools and participate in school activities,
- place a high priority on education and make funds available for an educational system that supports learning for all children, and
- establish partnerships with the schools to enhance learning opportunities.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.C.4.

Cross Refs :	AF	Comprehensive Plan
	KBC	Media Relations
	KB	Public Information Program
	KF	Distribution of Information/Materials
	KG	Community Use of School Facilities
	KMA	Relations with Parent Organizations
	KNAJ	Relations with Law Enforcement Authorities
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships
	IGBC	Parental Involvement

## **PUBLIC INFORMATION PROGRAM**

The Scott County School Board recognizes the importance of providing information regarding the school division to the community. The Board will utilize all appropriate means and media in order to

- explain the programs, achievements, and needs of the school division;
- keep students, parents/guardians, and staff members fully informed about Board policies and procedures as well as their own rights and responsibilities;
- communicate factual information regarding the school division: and
- involve students, parents/guardians, and the community in discussions regarding education programs, student activities, and Board policy.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78.

Cross Refs.: KA                   Goals for School Community Relations  
KBA                    Requests for Information  
KBC                    Media Relations

## REQUESTS FOR INFORMATION

The Scott County School Board complies with the Virginia Freedom of Information Act. Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. All requests for information are processed in accordance with KBA-R Requests for Information.

The name(s) and contact information for the person(s) BLANK School Board has designated as its Freedom of Information (FOIA) Officer(s) is listed in regulation KBA-R Requests for Information and posted at the School Board office and on the division's website. The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA officer(s) receive(s) training at least annually from the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2.

Cross Ref.: KBA-R Requests for Information



## **RIGHTS & RESPONSIBILITIES**

### The Rights of Requestors and the Responsibilities of Scott County Public Schools under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials and public employees.

A public record is any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or record in any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open to the public and may only be withheld if a specific statutory exemption applies.

The policy of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

#### **FOIA Rights**

- A citizen of the Commonwealth has the right to request to inspect or receive copies of public records, or both.
- A citizen of the Commonwealth has the right to request that any charges for the requested records be estimated in advance.
- If a citizen of the Commonwealth believes that their FOIA rights have been violated, the citizen may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, they may contact the FOIA Council for a nonbinding advisory opinion.

#### **Making a Request for Records from Scott County Public Schools**

- A citizen of the Commonwealth may request records by U.S. Mail, fax, e-mail, in person or over the phone. FOIA does not require that a request be in writing, nor that it specifically state that records are being requested under FOIA.
- As a practical matter, it may be helpful to both the requestor and the person receiving the request to put the request in writing. This creates a record of the request. It also gives us a clear statement of what records are requested, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to a FOIA request if it is not put in writing.
- A request must identify the records sought with “reasonable specificity.” This is a common-sense standard. It does not refer to or limit the volume or number of records requested; instead, it requires the requestor to be specific enough so that we can identify and locate the records that are requested.
- A request must ask for existing records or documents. FOIA creates a right to inspect or copy records; it does not apply to general questions about the work of Scott County Public Schools, nor does it require BLANK Public Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by Scott County Public Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor you may elect to receive those records electronically, via e-mail or on a computer disk or to receive a printed copy of those records.
- If we have questions about a request, please cooperate with staff’s efforts to clarify the type of records sought, or to attempt to reach a reasonable agreement about a response to a large request. Making a

FOIA request is not an adversarial process, but we may need to discuss a request to ensure that we understand what records are being sought.

**To request records from Scott County Public Schools, direct your request to Scott County Public Schools' designated Freedom of Information Act Officer (FOIA Officer) who is responsible for serving as a point of contact for members of the public who wish to request public records. The Scott County Public Schools FOIA Officer is:**

**K.C. Linkous or Beverly Stidham  
340 East Jackson Street  
Gate City, VA 24251  
276-386-6118**

In addition, the FOIA Advisory Council is available to answer questions about FOIA. The Council may be contacted by e-mail at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov) or by phone at (804) 225-3056 or 1-866-448-4100.

### **Scott County Public Schools' Responsibilities in Responding to Your Request**

Scott County Public Schools must respond to a request within five working days of receiving it. "Day One" is considered the day after the request is received. The 5-day period does not include weekends or holidays.

The reason behind a request for public records from Scott County Public Schools is irrelevant and a requestor does not have to state why they want the records before we respond to the request. FOIA does, however, allow Scott County Public Schools to require a requestor to provide their name and legal address.

FOIA requires that Scott County Public Schools make one of the following responses to a request within the 5-day time period:

1. We provide the records requested in their entirety.
2. We withhold all of the records requested, because all of the records are subject to a specific statutory exemption or exemptions. If all of the records are being withheld, we must send a response in writing. That writing must identify the volume and subject matter of the records withheld and state the specific section(s) of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide the remainder of the record. We must provide the requestor a written response stating the specific section(s) of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform the requestor in writing that the requested records cannot be found or do not exist (we do not have the records requested). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response.
5. If it is practically impossible for Scott County Public Schools to respond to the request within the 5-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us 7 additional working days to respond to the request, giving us a total of 12 working days to respond to the request.

If a request is made for a very large number of records and we feel that we cannot provide the records within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to the request. However, FOIA requires that we make a reasonable effort to reach an agreement with the requestor concerning the production of the records before we go to court to ask for more time.

### **Costs**

Scott County Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records. Scott County Public Schools will not impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the schools. Any duplicating fee charged by Scott County Public Schools will not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the requestor as set forth in subsection Va. Code § 2.2-3704.F.

The requestor may have to pay for the records requested from Scott County Public Schools. FOIA allows us to charge for the actual costs of responding to FOIA requests. This includes items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It does not include general overhead costs.

If we estimate that it will cost more than \$200 to respond to a request, we may require the requestor to pay a deposit, not to exceed the amount of the estimate, before proceeding with the request. The five days that we have to respond to the request does not include the time between when we ask for a deposit and when the requestor responds.

A requestor may request that we estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs.

If a requestor owes us money from a previous FOIA request that has remained unpaid for more than 30 days, Scott County Public Schools may require payment of the past-due bill before it will respond to a new FOIA request.

### **Types of Records**

The following is a general description of the types of records held by Scott County Public Schools:

- Personnel records concerning employees and officials of Scott County Public Schools
- Scholastic records
- Business and finance records
- Operational records involving support departments such as Technology, Transportation, Facilities, Food Services, etc.
- Agendas, minutes and other records of the meetings of the School Board and committees appointed by the School Board (which are also available on the Scott County Public Schools website at <http://scott.k12.va.us/default/pageframe.html>)
- Records of contracts to which Scott County Public Schools is a party

### **Commonly Used Exemptions**

The Code of Virginia allows any public body to withhold certain records from public disclosure. Scott County Public Schools commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))
- Records related to critical incident response (§ 2.2-3705.2 (14))
- Scholastic records (§ 2.2-3705.4(1) and 20 U.S.C. § 1232g)

### **Policy Regarding the Use of Exemptions**

The general policy of Scott County Public Schools is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Scott County Public Schools.

The general policy of Scott County Public Schools is to invoke the contract negotiations exemption whenever it applies in order to protect Scott County Public Schools bargaining position and negotiating strategy.

The general policy of Scott County Public Schools is to invoke the scholastic records exemption in those instances where it applies in order to protect the privacy of students and comply with other state and federal laws governing the privacy of student records.

## REQUESTS FOR INFORMATION

The Scott County School Board is committed to full compliance with the Virginia Freedom of Information Act (FOIA) and processes all requests for information in accordance with the following procedures.

K.C Linkous, Clerk of the Board, and Beverly Stidham, Deputy Clerk, are Scott County School Board's FOIA Officer(s). The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA Officer(s) may be reached at 276-386-6118.

### Access to Records

1. Official records subject to disclosure under the Freedom of Information Act are open to inspection and copying during the regular office hours of the Scott County School Board's central office.
2. When practicable, the following records are available on request at the central office:  
For example, most recent School Board meeting minutes.
3. Unless otherwise specified by the FOIA Officer, inspection of records takes place at the central office of Scott County Public Schools, and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by the Scott County School Board, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
4. One of the following forms of identification must be presented, or a photocopy thereof must be provided, before any person is allowed to inspect any records or receive copies of any records:
  - press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth or of a radio or television station broadcasting in or into the Commonwealth, or
  - driver's license or other official photo identification showing that requester is a citizen of the Commonwealth.
5. The FOIA Officer or designee is present during inspection or copying of records. A record of each inspection is made, using form KBA-F2 Record of Inspection and/or Delivery of Copies.

### Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the Scott County Public Schools FOIA Officer at:  
**340 East Jackson Street, Gate City, VA 24251; 276-386-6118 (Ph), 276-386-2684 (Fx).**
3. Requesters should make their requests using Form KBA-F1 Request for Public Records. Requests received via telephone are transcribed onto Form KBA-F1 Request for Public Records by School Board staff. Written requests other than on Form KBA-F1 Request for Public Records are appended to a copy of the form by staff, who fill out as much of the form as possible.
4. School Board staff provide Form KBA-F1 Request for Public Records and a copy of this regulation upon request to any person interested in obtaining access to records, and shall instruct the requester to direct the request to the FOIA Officer. Telephone inquiries are redirected to the FOIA Officer. Any written requests received by building personnel are immediately forwarded to the FOIA Officer with a notation indicating the date and time the request was received.

### Responding to Requests

1. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester or makes one of the following responses in writing:

- (a) The requested records are being entirely withheld. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section(s) or other law that authorizes the withholding of the records.
- (b) The requested records are being provided in part and are being withheld in part. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records.
- (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body.
- (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

No public record is withheld in its entirety on the grounds that some portion of the public record is excluded from disclosure by law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion may be withheld, and all portions of the public record that are not so excluded are disclosed.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

2. The five-day period begins on the first working day following the day the request is received by the school division, and ends at the close of business on the fifth working day following receipt of the request. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

### **Processing of Requests**

1. The FOIA Officer, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.
2. If the FOIA Officer is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought.
3. If the FOIA Officer is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist.
4. If the requested records will be made available either in whole or in part, the FOIA Officer promptly consults with School Board staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:
  - Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates of \$15.00 per quarter hour may apply.
  - Computer search time, charged at the rate of \$10.00 per quarter hour
  - Computer printouts, charged at the rate of \$0.15 cents per page

- Photocopies (including those necessary to perform redactions), charged at the rate of \$0.15 cents per page.
  - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$200.00, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200.00, the School Board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
  6. Before processing a request for records, the FOIA Officer may require the requester to pay any amounts owed to the School Board for previous requests for records that remain unpaid 30 days or more after billing.
  7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.
  8. Any records to be disclosed are assembled for inspection and copying by School Board staff, under the direction and supervision of the FOIA Officer.
  9. School Board staff are responsible for recording the date the request was received, verifying photo identification and signature and recording and assembling additional information about the request as indicated on Form KBA-F1 Request for Public Records.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.2.

Cross Ref.: KBA Requests for Information

**REQUEST FOR PUBLIC RECORDS**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E-mail address: \_\_\_\_\_

Phone \_\_\_\_\_

I am a (check one):

- Citizen of the Commonwealth of Virginia
- Member of the Press referenced in Va. Code §2.2-3704  
News Organization \_\_\_\_\_

Identification must be presented prior to inspection of records or receipt of copies. A photocopy of identification is acceptable with a mailed/faxed request.

<b>STAFF USE ONLY</b>	
Date Request Received:	_____
Request was made (check one)	
<input type="radio"/> by requester on this form	
<input type="radio"/> by telephone	
<input type="radio"/> in writing other than on form	
(attach original requested)	
Date Response Sent:	_____
(attach copy)	
<input type="radio"/> Identification Verified	
Type:	_____
Number:	_____
<input type="radio"/> Itemized Cost Estimate Attached	

I am requesting access to the following records (please be as specific as possible, and attach additional paper if necessary):

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Reasonable costs may be assessed in connection with this request. A current schedule of costs appears in Regulation KBA-R. If the costs associated with this request are expected to exceed \$200, the requestor will be asked to pay the estimated costs before the request is processed.

In addition, the requester may ask for an advance determination of the cost of the request. Please indicate here if you would like an advance determination cost.     Yes     No

If you are requesting copies, please specify the format in which you would like to receive them. The Scott County School Division will provide the record(s) in the requested format if that medium is used by it in the regular course of its business.

Specify format desired (if available):

- Photocopies
- Website posting
- E-mail (give address): \_\_\_\_\_
- Other (please specify): \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RETURN COMPLETED FORM TO:**  
SCOTT COUNTY PUBLIC SCHOOLS  
340 EAST JACKSON STREET  
GATE CITY, VA 24251



**RECORD OF INSPECTION and/or DELIVERY OF COPIES**

**Inspection of Public Records**

Date \_\_\_\_\_

Time In \_\_\_\_\_

Time Out \_\_\_\_\_

Person Inspecting Records

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

Staff Person in Attendance

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

Records Reviewed (describe)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Copies of Public Records**

<u>Record</u>	<u>No. Pages</u>	<u>Delivery Method</u> (mail, e-mail, etc.)
---------------	------------------	--

<u>Date of Delivery</u>	<u>Cost (if any)</u>	<u>Date and Method of Payment</u>
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**Staff Person Providing Copies**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

## **MEDIA RELATIONS**

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities.

News and information concerning personnel and students shall be released to the press only with the approval of the principal and in accordance with state and federal laws regarding confidentiality.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-287, 22.1-287.1.

Cross Ref.: JO Student Records  
KB Public Information Program

## **INTERNET PRIVACY**

The Scott County School Board is committed to complying with the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act. The Scott County School Board does not collect unnecessary personal information by means of its website, and collects only appropriate personal information to the extent necessary to serve its constituents and the community.

Personal information collected and retained by the school division's website is maintained in compliance with the Government Data Collection and Dissemination Practices Act. Any individual wishing to learn the purpose for which information has been recorded and the particulars of its use and dissemination may contact the superintendent or the superintendent's designee regarding this information. Any person wishing to correct, erase or amend inaccurate, obsolete or irrelevant information may do so by procedures established by the superintendent or the superintendent's designee.

The School Board informs the public of any personal information collected through its website by posting the following privacy statement or a link to this privacy statement in a conspicuous fashion at the top of the website home page:

It is the policy of the Scott County School Division that personal information about citizens will be collected only to the extent necessary to provide the service or benefit desired; that only appropriate information will be collected; that the citizen shall understand the reason the information is collected and be able to examine their personal record which is maintained by the public body. This website:

1. Collects no personal information. Internet servers do collect communication protocol address from the personal computers accessing the website in order to facilitate communication. By itself, this information does not constitute personal information.
2. Does not place a "cookie" on your computer. Will not track your movements through the website.

The following information explains the Internet Privacy Policy, which the Scott County School Board has adopted for its website. The following is intended to explain our current Internet privacy practices, but shall not be construed as a contractual promise. We reserve the right to amend our Internet Privacy Policy Statement at any time without notice.

### **Virginia law**

We protect our records in accordance with our obligations as defined by applicable Virginia statutes, including, but not limited to, Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act and by any applicable federal laws.

### **Links to other websites**

Our website may contain links to other public or private entities' websites, whose privacy practices we do not control.

### **Information we collect**

When you access our website, the routing information, and the essential and nonessential technical information listed below, is automatically collected. No other information is collected through our website except when you

deliberately decide to send it to us (for example, by clicking on a link to send us an e-mail). The information you might choose to send us is listed below as "optional information."

Routing information: the Internet domain and Internet address of the computer you are using.

Essential technical information: identification of the page or service you are requesting, type of browser and operating system you are using and the date and time of access.

Optional information: when you send us an e-mail, your name, e-mail address, and the content of your e-mail, and/or when you fill out online forms, all the data you choose to fill in or confirm.

#### **Cookies:**

Our website does not place any "cookies" on your computer.

Routing information is used to route the requested web page to your computer for viewing. We send the requested web page and the routing information to our Internet Service Provider (ISP) or other entities involved in transmitting the requested page to you. We do not control the privacy practices of those entities. Essential and nonessential technical information helps us respond to your request in an appropriate format, or in a personalized manner and helps us plan website improvement.

Optional information enables us to provide services or information tailored more specifically to your needs or to forward your message or inquiry to another entity that is better able to do so, and also allows us to plan website improvements.

We may keep your information indefinitely, but we ordinarily delete the routing information from our computer within [X] days after the web page is transmitted and do not try to obtain any information to link it to the individuals who browse our website. We use this routing information primarily in a statistical summary type format to assess site content and server performance. We may share this summary information with our business partners when needed.

However, on rare occasions when a "hacker" attempts to breach computer security, logs of routing information are retained to permit a security investigation and in such cases may be forwarded together with any other relevant information in our possession to the appropriate law enforcement agency.

Optional information is retained in accordance with the Records Retention Schedules promulgated by the Library of Virginia.

Under the Freedom of Information Act, any records in our possession at the time of a request for information, including the collection of logs and data of a website, may be subject to being inspected by or disclosed to members of the public for any purpose.

#### **Choice to provide information**

There is no legal requirement for you to provide any information at our website. However, our website will not work without routing information and the essential technical information. Failure of your browser to provide nonessential technical information will not prevent your use of our website but may prevent certain features from working. Failure to provide optional information may mean that the particular feature or service associated with that part of the web page will not be available to you.

#### **Comments or review**

If you have questions about this privacy statement or the practices of this website or if you choose to review or correct any information, please contact us at 276-386-6118.

Legal Refs: Code of Virginia, 1950, as amended, § 2.2-3803(B).  
Internet Privacy Guidelines (Final Draft), Virginia Department of Technology Planning.

## COMMUNITY INVOLVEMENT IN DECISION MAKING

The Scott County School Board will call meetings of the people of the school division for consultation in regard to school interests thereof when it deems such meetings to be necessary.

The Board may appoint a committee of not less than three nor more than seven members for each public school in the school division. The committee's duty will be to advise the members of the School Board with reference to matters pertaining to the school and to cooperate with the School Board in the care of the school property and in the successful operation of the school. Such committees shall serve without compensation.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1 86, 22.1-253.13:7.C.4.

Cross Ref.:	AF	Comprehensive Plan
	BCF	Advisory Committees to the School Board
	BDDH/KD	Public Participation at Board Meetings
	CA	Administration Goals

## **PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS**

Members of the community are invited and encouraged to attend meetings of the Scott County School Board to observe its deliberations. Any member of the community may address the School Board on matters related to Scott County Public Schools at any regular meeting as provided in the accompanying regulation. Persons wishing to address the School Board are requested to contact the superintendent, the School Board chairman or their designee for placement on the agenda.

The chairman is responsible for the orderly conduct of the meeting and rules on such matters as the appropriateness of the subject being presented and length of time for such presentation. Upon recognition by the chairman, the speaker shall address himself to the chairman and if, at the conclusion of his remarks, any member of the School Board desires further information, the member will address the speaker only with the permission of the chairman. No one will be allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation.

A reasonable period of time, as determined by the School Board, will be allocated at each regular meeting for community members to present matters of concern.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.

Cross Ref.: BDDE Rules of Order

Policy and Legal References updated.

## DISTRIBUTION OF INFORMATION/MATERIALS

The Scott County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. The division superintendent, or his/her designee, must approve, in advance, any materials sought to be distributed or made available by non-school organizations, including parent-teacher organizations and booster clubs. Approval will be granted only for materials from governmental organizations regarding activities related to the educational mission of the Scott County School Division.

Approval will not be given for materials which

- are likely to cause substantial disruption of, or a material interference with, school activities;
- endorse or encourage the use of alcohol, tobacco, electronic cigarettes or any illegal substance or action;
- endorse or encourage any violation of the Standards of Student Conduct (see Policy JFC-R); or
- are obscene, pornographic, or defamatory.

The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

### Political Communications

Students shall not be required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question; or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.

This Policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

Legal Refs.: U. S. Constitution amend. I.  
Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> Cir. 2006)  
Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-79.5, 22.1-131, 22.1-279.6 and 22.1-293(B-D).

Cross Refs.: JFC-R Standards of Student Conduct  
KFB Administration of Surveys and Questionnaires  
KG Community Use of School Facilities  
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships



## ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

### I. Instructional Materials and Surveys

#### A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with Policy KBA Requests for Information.

#### B. Participation in Surveys and Evaluations

No student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning

- (1) political affiliations or beliefs of the student or the student's parent,
- (2) mental or psychological problems of the student or the student's family,
- (3) sex behavior or attitudes,
- (4) illegal, anti-social, self-incriminating, or demeaning behavior,
- (5) critical appraisals of other individuals with whom respondents have close family relationships,
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
- (7) religious practices, affiliations, or beliefs of the student or student's parent, or
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

#### C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § [32.1-73.8](#), other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

#### D. Additional Protections

A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with Policy KBA Requests for Information.

In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection.

#### II. Physical Examinations and Screenings

If the Scott County School Division administers any physical examinations or screenings other than

- those required by Virginia law, and
- surveys administered to a student in accordance with the Individuals with Disabilities Education Act, policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

#### III. Commercial Use of Information

Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment;
- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;
- tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

#### IV. Notification

##### Notification of Policies

The Board shall provide notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and

- not necessary to protect the immediate health and safety of the student, or of other students.

#### Notification of Specific Events

The Board will directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student, or of other students.

#### V. Definitions

**Instructional material:** the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

**Invasive physical examination:** the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

**Parent:** the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

**Personal information:** the term "personal information" means individually identifiable information including

- a student or parent's first and last name;
- a home or other physical address (including street name and the name of the city or town);
- a telephone number; or
- a Social Security identification number.

**Survey:** the term "survey" includes an evaluation.

**Legal Refs.:** 20 U.S.C. § 1232h.  
Code of Virginia, 1950, as amended, § 22.1-79.3.

**Cross Refs.:** JHDA Human Research  
KBA Requests for Information  
KF Distribution of Information/Materials

## COMMUNITY USE OF SCHOOL FACILITIES

The School Board may permit use of school property by members of the community when such use will not impair the efficiency of the school. The superintendent shall develop guidelines and applications for use of school property. Requests for the use of any school facilities shall be made to the superintendent or superintendent's designee. The superintendent shall report actions taken under this policy to the School Board at the end of each month.

If the School Board permits the use of its facilities by members of the community or the distribution of literature on school property or at school functions, it will permit such use or such distribution by the Boy Scouts of America, the Girl Scouts of the United States of America, and other youth groups designated as patriotic societies by federal law, to the same extent and in the same manner as all other persons or groups.

Legal Refs.: 20 U.S.C. § 7905  
Code of Virginia, 1950, as amended, §§ 22.1-79.3, 22.1-130.1, 22.1-131, 22.1-132.  
Acts 2016, c. 647.

Cross Refs.: IGDA Student Organizations  
KF Distribution of Information/Materials

## COMMUNITY USE OF SCHOOL FACILITIES

This regulation aims toward establishing the procedures and determining the condition for the best possible utilization of the physical facilities belonging to the citizens of the community. To achieve this end, the use of school facilities for school and student-related activities as well as by outside organizations and groups shall be encouraged when these activities will not interfere with the educational program in the schools or impair the efficiency of the school.

Proper protection, safety and care of school property shall be primary considerations in the use of school facilities. The superintendent or designee reserves the right to deny usage or terminate an existing usage contract for good cause. Failure to pay promptly all rental charges or damages may be considered sufficient grounds for refusal to grant further use of school property to an applicant.

### I. Application, Approval, and Cancellation

The School Board recognizes the highest priority for use of school buildings to be for instructional programs and student activities approved by the principal. School-related groups, such as Parent-Teacher Associations, and any special tutoring activities of the secondary school, are a second priority. The next priority is use of facilities by others, including youth groups, employee organizations, cultural and civic groups, churches, government agencies, and private organizations.

Applications must be sponsored by reputable and established clubs, societies, or organizations that reasonably can be held responsible for the payment of charges, compensation for damages to property and for use of the property in conformity with regulations on the application. All organized sporting teams must complete an application for use of school fields.

Nonprofit organizations may be required to submit proof of their status.

In no case shall school property be leased to individuals.

The superintendent or designee is authorized to approve and sign application agreements that meet the requirements of the Board and these regulations. The superintendent may appoint the school principal designee for this purpose. The completed and signed form shall be a binding agreement between the applicant and the School Board. The school division reserves the right to deny usage of a facility if the application is received less than (5) days prior to the start of the event. No rental application shall be considered more than three (3) months prior to the desired rental date, unless a special exception is made by the superintendent or designee. Field rental may be restricted to four (4) days per week to allow fields to rest and to provide for unorganized community use.

The school division reserves the right to cancel a rental contract up to ten (10) days prior to a scheduled rental for good cause. Use of schools will automatically be canceled when schools close due to inclement weather or emergency conditions. The superintendent or designee reserves the right to cancel field rental/usage because of weather conditions.

### II. Days and Hours of Usage

The use of school facilities shall be restricted to the days and hours listed below:

Days	Times Buildings May Be Used	Times Grounds May Be Used
Weekdays	Close of school day to _____ p.m.	Close of school day to _____ p.m.
Saturdays	_____ to _____	_____ to _____
Sundays	_____ to _____	_____ to _____
Holidays	Closed	Closed

III. Fees

The superintendent shall establish a minimum schedule of fees and may make additional adjustments in the fees. The minimum schedule and additional adjustments shall be based upon the classification of the group or organization, facilities to be used, size of the group, objectives of the organization, approximate cost to the school division, and the purpose for which the facility will be used. FEES AND FEE CLASSIFICATIONS SHALL NOT BE BASED UPON THE PHILOSOPHICAL, RELIGIOUS, OR POLITICAL VIEWS OF THE APPLYING ORGANIZATION. In general, the following fees will apply:

- 1) A full rental fee shall be charged to all paying classifications, in accordance with the school fee schedule. The fee reflects the type of facility requested (cafeteria, auditorium, gymnasium, classroom, athletic field, etc.), the size of the facility requested, and the length of time the facility is used (hourly rates).
- 2) Personnel fees shall be charged to all paying classifications, in accordance with the school fee schedule.

Custodial services are needed to clean an area after use, assist in the school kitchen (cafeteria personnel must be paid if kitchen facilities are used), assist with lighting and audio equipment, supervise large groups (staff supervisor may be assigned at the discretion of the principal), attend to the building during the hours when the building is not in normal use (overtime), unlocking and locking doors, maintaining heating and air conditioning systems, setting up chairs, and for other services.

Rental of facilities by large groups or organizations which require the services of more than one custodian will result in additional personnel fees. Weekend and other custodial services may require an additional overtime compensation fee.

- 3) Special fees may be charged. These include use of stadium, stage, or playground lights, the use of kitchen utilities, and any uses which may require special trash pickups after an event.

All fees must be paid at least four (4) days in advance, and the sponsoring organization whose name appears on the application shall be held responsible for any and all damages to school property and equipment stemming from their use. A late fee of 10% will be assessed when the four-day deadline is not observed. For prolonged contractual agreements, payments may be paid monthly in advance.

The building rental fees collected will be made payable to the school. The school principal or designee shall retain a copy of all approved application forms in school files for three years for examination by school auditors. The principal or designee shall establish a procedure with the central office financial administrator to provide for the remittance of funds at the end of each month and for payment of personnel expenses. A file shall be maintained in the central office recording payments to employees based upon service under this regulation. All such employee payments must be paid from the fees collected herein.

IV. Fund-Raising Activities

Nonprofit groups may sell merchandise in school facilities only to support or benefit local programs. Further, where the purpose of nonprofit groups is to sell merchandise, the application for facilities use

may be approved only if the group owns title to the goods sold and will be the primary beneficiary of the sale, or if third parties sell the goods and the nonprofit group is the primary beneficiary of the revenues.

School organizations and school supportive groups having fund-raising activities are also allowed to authorize the selling of merchandise by third parties. The principal may require special conditions, however, including additional registration fees and/or minimum payments to the sponsoring organization.

V. Protection of School Property

For use of indoor facilities, an employee of the School Board shall be on duty at the school property at times when the school facilities are in use. No equipment or furnishing may be used or moved without the consent of the employee in charge if such usage is not in conformity with the contracted agreement. Documentation of a group's nonprofit status or liability insurance coverage may be required.

The sponsoring organization shall be responsible for crowd control measures, including the employment of police protection when required. Such control shall be arranged in advance when deemed necessary by the superintendent or designee.

The sale or consumption of food and/or beverages will be limited to the cafeteria area only. Use of alcoholic beverages shall be prohibited in all schools at all times. Tobacco use on school property is also prohibited, in accordance with Policy KGC.

VI. Informal Usage of Outdoor School Property

The School Board endorses the concept that the outdoor facilities at the schools serve a park function for the community. It is understood that, in general, these facilities shall be available for free play or unstructured use during daylight hours at no cost to residents, unless such use would conflict with a reserved use as allowed above or with another school need, including maintenance requirements.

MARY JANE SWEET - DIRECTOR - SCOTT COUNTY RECREATION DEPARTMENT: Ms. Sweet appeared before the board to discuss the use of school facilities for athletic leagues. After a question and answer session between Ms. Sweet and board members, the following resolution was presented and passed.

SCOTT

VIRGINIA

At a meeting of the Scott County School Board begun and held at Twin Springs High School on Tuesday, December 4, 1990, at 9:00 a.m.,

PRESENT: James H. Addington  
William J. Franklin, Jr.  
Jeffrey S. Hamilton  
Jack L. Fritz  
Thomas E. Mullins  
E. Dewane Turner

ABSENT: None

On motion by E. Dewane Turner, seconded by William J. Franklin, Jr., all members voting aye, adopted a resolution limiting all athletic leagues, camps, tournaments and clinics using school facilities to those that are under the supervision of the Scott County Recreation Department. The Recreation Department is given a 10-day grace period to certify all coaches working in all such programs. If they are not certified, they will not be allowed to use school facilities for any such programs.

A COPY TESTE: \_\_\_\_\_

Maye H. Wheatley, Clerk



## COMMUNITY USE OF SCHOOL FACILITIES

Use of alcoholic beverages shall be prohibited in any school at any time.

Use of buildings and grounds by school groups for educational purposes after school hours shall be handled by the principal of the school according to policies and regulations of the Board. The Board may cancel permission to use school buildings and grounds when such action is necessary for the best interest of the school division.

Use of buildings and grounds by groups not a part of the school shall be governed by the following and may be canceled on the same basis as stated above with reference to school groups:

1. Church groups, commercial or professional entertainers, and out-of-county groups may be given the use of school buildings and grounds if the program is of a cultural or an educational nature. Permission to use the buildings and grounds by such groups shall be granted with the approval of the principal and the Division Superintendent, unless a special situation arises that requires the action of the Board. Requests shall be presented for action no less than 20 days prior to the date scheduled for the event. The principal or his agent shall be present for such activities.
2. The custodial service from a Board employee is required. Payment for this service shall be based on an overtime hourly rate and shall be collected by the principal and remitted through regular accounting procedures to the administrative office of the Scott County Schools.
  - a. Custodial fees shall not be collected from the following groups for the use of auditorium, gymnasium, classroom, or multipurpose facilities:
    - 1) Scheduled PTA meetings.
    - 2) School-sponsored activities under the direction of the principal.
    - 3) Professional education organizations.
    - 4) Non-school organizations whose purpose is to improve and educate the community in civic growth and welfare.
    - 5) Performances by local talent and nonprofessionals sponsored by civic groups when any net profit is used for school betterment projects.
  - b. A reasonable fee may be collected for the use of the auditorium, the gymnasium, the multipurpose facilities, the classrooms, and the cafeteria as follows:
    - 1) PTA-sponsored admission programs.
    - 2) Nonschool-related discussion programs or banquets.
    - 3) Other admission programs.
3. Rental fees collected, in accordance with a scale set annually by the Board shall be remitted by the principal through regular accounting procedures to the administrative office of the school division.
  - a. Rental fees shall not be collected for use of the auditorium, the gymnasium, the multipurpose facilities, or the classrooms from the following groups:
    - 1) Scheduled PTA meetings.
    - 2) School-sponsored activities under the direction of the principal.
    - 3) Professional educational organizations.
    - 4) Nonschool organizations whose purpose is to improve and educate

the community in civic growth and welfare.

- 5) Performance by local talent and nonprofessionals sponsored by civic groups when any net profit is used for school betterment projects.
- 6) Fire Departments
- 7) Rescue Squads and Life Saving Crews

b. Rental fees shall be collected for use of classrooms, auditoriums, gymnasiums or multipurpose facilities as follows:

Group A = organizations with private interests and no admission charges.

Group B = contracted group performances by professionals charging an admission fee.

Group C = local individuals or nonprofessional groups charging an admission fee.

1. Classrooms:

Group A	\$5/hr (or fraction) per classroom
Group B	\$25/hr (or fraction) per classroom
Group C	\$25/hr (or fraction) per classroom

2. Cafeteria, Gymnasium, or Auditorium

Group A	\$20/hr (or fraction) per room
Group B & C	\$50/hr (or fraction) per room

3. Cafeteria and Kitchen

Group A	\$35/hr (or fraction)
Group B & C	\$75/hr (or fraction)

\* Custodial or Cook Services

\$15/hr (or time and a half/whichever is more).

## **SALES AND SOLICITATIONS IN SCHOOLS**

No one may sell or offer for sale, within the school, on school grounds, or at school-sponsored activities, any product or service except when the sale will benefit the educational program of the schools.

Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	DJG	Vendor Relations
	GCQAB	Tutoring for Pay
	JL	Fund Raising and Solicitation
	KG	Community Use of School Facilities
	KJ	Advertising in the Schools
	KK	Visitors to the Schools

## **PUBLIC CONDUCT ON SCHOOL PROPERTY**

All visitors must register at the school office on arrival.

No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

In accordance with Policy KGC Use of Tobacco and Electronic Cigarettes on School Premises, smoking and the use of electronic cigarettes is not permitted in schools or school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local law\_enforcement authorities.

Any person who willfully and maliciously damages, destroys or defaces any school district building, or damages or removes any school property from a school building, will be required to compensate the school division and may be prosecuted.

Any person who willfully interrupts or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be ejected and/or prosecuted.

Legal Refs.: 20 U.S.C. §§ 6083, 7183.  
Code of Virginia, 1950, as amended, §§ 4.1-309, 18.2-415, 18.2-128, 18.2-138, 22.1-78, 22.1-79.5.

Cross Refs:	ECAB	Vandalism
	GBEC/JFCH	Tobacco-Free School for Staff and Students
	GBECA	Electronic Cigarettes
	KGC	Use of Tobacco and Electronic Cigarettes on School Premises
	KK	School Visitors
	KN	Sex Offender Registry
	KNA	Violent Sex Offenders on School Property

## USE OF TOBACCO AND ELECTRONIC CIGARETTES ON SCHOOL PREMISES

Smoking is prohibited

- in the interior of indoor facilities owned or leased or contracted for and utilized for the provision of regular kindergarten, elementary, or secondary educational or library services to children;
- on every public school bus and all other vehicles used by the division for transporting students, staff, visitors, or other persons; and
- in every indoor facility, or portion of such facility, owned or leased or contracted for and utilized for the provision of regular or routine health care, day care, or early childhood development (Head Start) services.

For purposes of this policy, "smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria or other dining facility in the school.

Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Legal Refs.: 20 U.S.C. §§ 6083, 7183.  
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827, 22.1-78, 22.1-79.5, 22.1-279.6.

Cross Refs.:	JFCH/GBEC	Tobacco-Free School for Staff and Students
	GBECA	Electronic Cigarettes
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property

## **PUBLIC GIFTS TO THE SCHOOLS**

The School Board shall act on offers of gifts to schools or to the school division. The School Board may impose reasonable conditions on donations.

When any real or personal property is given to and accepted by the Board, it shall be vested in the Board unless inconsistent with the terms of the gift, devise or bequest, and shall be managed by the Board, according to the wishes of the donor or testator. The Board shall, in addition to the regular settlement it is required to make of all school funds, settle annually before the commissioner of accounts so far as the management of the property bequeathed or devised is concerned.

In the case of any change in the boundaries of the division, the Board shall make provision for continuing the fulfillment of the purposes of the donor as far as practicable and settlement shall be made as provided for above.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-126.

Cross Ref:	FFA	Naming School Facilities
	KJ	Advertising in the Schools
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## ADVERTISING IN THE SCHOOLS

Individual schools may not endorse or imply endorsement of any product. All requests for endorsement should be directed to the superintendent or superintendent's designee.

School organizations must secure approval from the principal before soliciting advertisements for school publications. If there is need for policy clarification, the principal shall consult with the superintendent.

Commercial establishments whose primary source of revenue is the sale of intoxicants may not advertise in school publications.

Neither the facilities, nor the staff, nor the students of any school may be used in any manner for advertising or otherwise promoting the interests of any commercial or other non-school organization.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	DJG	Vendor Relations
	JP	Student Publications
	KF	Distribution of Information/Materials
	KGA	Sales and Solicitations in Schools
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## SCHOOL VISITORS

### Generally

Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office. Potential visitors, including parents, who are registered sex offenders, should consult Policy KN Sex Offender Registry Notification and Policy KNA Violent Sex Offenders on School Property before arriving at school property or school sponsored activities. The school division expects mutual respect, civility and orderly conduct from all individuals on school property and at school events. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator. Unauthorized persons who fail to leave the school grounds or school activity as requested will be considered trespassers. The School Board authorizes the superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on School Board property or at school division sponsored activities. Law enforcement may be called to enforce this policy.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

### Parents

Parents are encouraged to visit the schools on scheduled days for conferences with teachers, assemblies, PTA meetings, volunteer service and other school programs. Noncustodial parents are not denied, solely on the basis of their noncustodial status, the opportunity to participate in any of the student's school or day care activities in which such participation is supported or encouraged by the policies of the School Board.

### Board Members

Periodically, Board members may visit schools within the division. The purpose of these visits is to maintain contact with building employees and increase understanding of actual educational practices. School Board members follow the same procedures applicable to all other visitors when visiting a school.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-128; 18.2-415, 22.1-4.3, 22.1-79.

Cross Refs.:	DJG	Vendor Relations
	ECA	Inventory and Reporting of Loss or Damage
	IGBC	Parental Involvement
	KGB	Public Conduct on School Property
	KN	Sex Offender Registry Notification
	KNA	Violent Sex Offenders on School Property
	KP	Parental Rights and Responsibilities



## SERVICE ANIMALS IN PUBLIC SCHOOLS

### A. Service Animals

An individual with a disability is permitted to be accompanied by his/her service animal on school property when required by law, subject to the conditions of this policy.

A “service animal” means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (See, however, Section D regarding miniature horses.) The work or tasks performed by a service animal must be directly related to the individual’s disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing as a service animal.

### B. Requirements That Must be Satisfied Before a Service Animal Will be Allowed on School Property

**Request:** A person who wants to be accompanied by his/her service animal must make a prior written request of the school’s principal if the service animal will come into a school. A person who wants to be accompanied by his/her service animal must make a prior written request of the superintendent for all other locations. These requests must be renewed each school year.

**Vaccination:** The service animal must be immunized against diseases common to that type of animal.

**Health:** The service animal must be in good health. The owner or handler of the animal must submit to the school principal each school year documentation from a licensed veterinarian of the following: a current veterinary health certificate; and proof of the service animal’s current vaccinations and immunizations.

**Control:** A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack or vest identifying the dog as a trained service dog, a leash (blaze orange in color) for hearing dogs, a harness for guide dogs, or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.

### C. Service Dogs in Training

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

Use of Harnesses, Vests, etc. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

All requirements of this policy which apply to service animals, such as health certificates, annual written requests, and supervision, care and damages, also apply to dogs in training.

#### D. Miniature Horses

The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division must consider the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

#### E. Extra Charges

The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

#### F. Supervision and Care of Service Animals

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

#### G. Damages to School Property and Injuries

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

#### H. Removal of Service Animals From School Property

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;

2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

I. Denial of Access and Grievance

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division’s Section 504 Coordinator.

Legal Refs.: 28 C.F.R. Part 35  
Code of Virginia, 1950, as amended, § 51.5-44.

Cross Refs.:	DJG	Vendor Relations
	GB	Equal Employment Opportunity/Nondiscrimination
	JB	Equal Educational Opportunities/Nondiscrimination
	JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	KK	School Visitors
	KGB	Public Conduct on School Property
	KN	Sex Offender Registry Notification
	KNA	Violent Sex Offenders on School Property

## **PUBLIC COMPLAINTS**

Complaints involving a particular school are handled within the school through the established channel of responsibility. If the complaint cannot be resolved at the level of the principal, it is referred to the superintendent or superintendent's designee. If the central office staff and complainant cannot reach a satisfactory solution, the matter may, at the School Board's discretion, be heard at a regular board meeting.

Any parent, custodian, or legal guardian of a pupil attending Scott County Public Schools who is aggrieved by an action of the School Board may, within thirty days after such action, petition the local circuit court to review the action of the School Board. The court will sustain the action of the School Board unless the School Board exceeded its authority, acted arbitrarily or capriciously or abused its discretion.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-87, 22.1-253.13:7.

Cross Refs.:	GB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBLA	Third Party Complaints Against Employees
	JB	Equal Educational Opportunities/Nondiscrimination

## **PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES**

The procedure for filing a complaint concerning learning resources is as follows:

1. The complaint should be filed in writing with the principal on the "Request for Reconsideration of Learning Resources" form KLB-E. This form may be obtained from the principal or the central office.
2. A review committee consisting of the principal, the library media specialist, the classroom teacher (if involved), a parent and/or student and the complainant will convene.

The responsibilities of the committee are to:

- a. read, view or listen to the challenged material;
  - b. read several reviews, if available;
  - c. check standard selection aids;
  - d. talk with persons who may be knowledgeable about the material in question and similar material;
  - e. discuss the material;
  - f. make a decision to recommend retaining or withdrawing the material;
  - g. file the recommendation of the committee with the principal and the superintendent or superintendent's designee;
  - h. notify the complainant of its recommendation and the disposition of the challenged material.
3. The complainant may appeal the decision to the superintendent or superintendent's designee and, then, to the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.2.  
8 VAC 20-720-160.

Cross Refs.: IIA Instructional Materials  
IGAH Family Life Education  
INB Teaching About Controversial Issues  
KL Public Complaints  
KQ Commercial, Promotional and Corporate Sponsorships and Partnerships

**SCOTT COUNTY SCHOOL DIVISION REQUEST FOR RECONSIDERATION  
OF LEARNING RESOURCES**

Request By: _____
Representing:    ___ Myself ___ Organization or Group (please identify) _____
Address: _____
Telephone: _____
Title or Description of Item: _____
Author or Editor: _____
Type of Material (book / film / record / speaker / software / other (specify)) _____

1. Did you examine, review, or listen to this learning resource or presentation in its entirety?  
     YES            NO

2. Have you discussed this material with school staff who ordered it or who use it?  
     YES            NO

3. Are you aware of evaluations of this material by professional critics?  
     YES            NO

If no, would you be interested in receiving this information?  
     YES            NO

4. Describe what prompted your concern about the material. Please cite page numbers and/or specific information from the material to support your concerns (attach additional material, if necessary).  
\_\_\_\_\_  
\_\_\_\_\_

5. Does the general purpose for the use of the material, as described by the school staff or in the Scott County School Division's program objectives, seem a suitable one for you?  
     YES            NO

If not, please explain (attach additional material, if necessary)  
\_\_\_\_\_  
\_\_\_\_\_

6. What action[s] would you like to see the school take regarding this material?

Do not assign it to my child       The school should reevaluate the material

Other--Explain \_\_\_\_\_  
\_\_\_\_\_

7. Are there other materials of the same subject and format that you would suggest for consideration in place of this material?     YES     NO

If yes, please identify your suggestions.

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**RETURN COMPLETED FORM TO SCHOOL PRINCIPAL**

## **PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES**

Resolving complaints about the selection and use of learning resources requires a recognition of responsibilities and considerations of the rights of the individual, the student, the community, the principal, the teacher, the media specialist, the school and the School Board.

In reviewing complaints, the following questions should be asked to determine whether the complaint points up inconsistencies with the School Division's initial selection objectives:

1. Are the materials appropriate for instructional use such that they enrich and support the attainment of the educational objectives of the curriculum, taking into consideration the varied interests, abilities, intellectual development and maturity levels of the pupils served and the standards of the community?
2. Do the materials stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards?
3. Do the materials provide a background of information which will enable pupils to make intelligent judgments in their daily lives?
4. Do the materials contribute to the presentation of opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical analysis of all media?
5. Are the materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage?
6. Do the materials promote the goal of providing a comprehensive collection appropriate for the interests and needs of the users, recognizing their right to access a wide range of reading materials?

### Procedures for Review

Most complaints can and should be resolved at the building level. Many concerns are the result of simple misunderstandings or misinformation and can be resolved through informal inquiry and discussions with principals and/or teachers or library media specialists.

When a complaint is received, the school principal will check decisions on questioned and challenged learning resources on file in the office of the Director of Instruction to determine whether the learning resource has been questioned before. If a decision is on file and the challenge is substantially the same, the principal will share that decision with the complainant. If any significant difference is found in the new challenge, or if the learning resource has not been challenged before, the following procedure shall apply.

1. Discussion with School Principal
  - a. The school principal will hold a conference with the complainant. At the discretion of the principal, the teacher or library media specialist or elementary library assistant using the resource will be present at the conference.
  - b. If the complainant is dissatisfied with the results of the conference or if the proposed action in response to the complaint affects the availability of the materials to or use by other students, the principal will inform the complainant of this regulation and provide the complainant with the form "Citizen's Request for Reconsideration of Learning Resources."
  - c. Upon receipt of the appropriate completed form, the principal will forward the form, with a written report of the conference held with the complainant, to the Director of Instruction, the teacher or media specialist/teaching assistant involved and the citizen.



## RELATIONS WITH PARENT ORGANIZATIONS

The Scott County School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state and federal law. The School Board requests that parent-teacher organizations maintain a close relationship with the Board, administration and staff, and that they consider School Board and school policies when planning activities.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-253.13:7.C.4.

Cross Refs.: IGBC Parental Involvement  
KF Distribution of Information/Materials

## **SEX OFFENDER REGISTRY NOTIFICATION**

The Scott County school division recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school or are at school-related activities, each school in the Scott County school division shall request electronic notification of the registration or reregistration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police).

### **Annual Notification**

At the beginning of each school year, the Scott County school division shall notify parents and employees of this policy. The school board will also annually notify the parent of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

### **Dissemination of Sex Offender Registry Information**

Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property including but not limited to:

- school bus drivers
- employees responsible for visitor registration
- employees responsible for bus duty
- security staff
- coaches
- playground supervisors, and
- maintenance personnel.

When registry information is disseminated, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed below. Employees who share registry information with others may be disciplined.

The Scott County school division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not disseminate registry information to parents.

### **Use of Sex Offender Registry Information**

Registry information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.

1. Registered Sex Offender Sighted.

If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Superintendent or his designee shall be notified immediately. The Superintendent or his designee may, in his or her discretion, notify local law-enforcement.

2. School Volunteers and Student Teachers.

Each staff member shall submit to the Principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. The Principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the Principal shall notify the Superintendent, who shall confirm the match. If the match is confirmed, the Superintendent shall inform the individual, in writing, that he or she may not serve as a volunteer or student teacher. The notice shall provide the reason with reference to this policy. The Superintendent shall provide a copy of the notice to the Principal and staff member.

3. Contractors' Employees.

In addition to ensuring that the certification requirements of Policy DJF Purchasing Procedures are met, the Superintendent shall include the following language in all Division contracts that may involve an employee of the contractor having any contact with a student:

The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.

4. School Division Employees.

Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the School Board. The School Board will take the appropriate action to comply with state law which may include termination of employment.

5. Applicants for Employment.

Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the division.

6. Parents of Students and other Visitors.

Persons who have been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may be present at school during school hours or during school related or school sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity only as provided in Policy KNA Violent Sex Offenders on School property.

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When a parent who is a registered sex offender is permitted at school or at school functions he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school

functions, he or she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

7. Precautions to Protect Students.

When the Superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect division students.

8. Requests for Registry Information

Anyone requesting registry information from the school division shall be referred to the State Police.

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-914, 9.1-918, 18.2-370.5, and 19.2-390.1.  
Commonwealth v. Doe, 278 Va. 223 (Va. 2009).

Cross Ref: BBA School Board Powers and Duties  
DJF Purchasing Procedures  
KK School Visitors  
KNA Violent Sex Offenders on School Property  
KNAJ Relations with Law Enforcement Authorities

## **VIOLENT SEX OFFENDERS ON SCHOOL PROPERTY**

No adult who has been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless

- he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote;
- he is a student enrolled at the school; or
- he has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the school boards' terms and conditions and those of the court order.

Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy KN Sex Offender Registry Notification.

Legal Ref: Code of Virginia, 1950, as amended, §§ 9.1-902, 18.2-370.5.  
Commonwealth v. Doe, 278 Va. 223 (2009).

Cross Ref: KK School Visitors  
KN Sex Offender Registry Notification

## **RELATIONS WITH LAW ENFORCEMENT AUTHORITIES**

### Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the principal is contacted immediately. The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or principal's designee is present throughout the interrogation.

### Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

### Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender Registry Notification.

### Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a criminal offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person 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; or
2. 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 of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. 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; or
6. 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.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-293.

Cross Refs.:	JFC	Student Conduct
	JGD/JGE	Student Suspension/Expulsion
	CLA	Reporting Acts of Violence and Substance Abuse
	KN	Sex Offender Registry Information

## **REPORTS OF MISSING CHILDREN**

The Scott County School Division shall receive reports of the disappearance of any child living within the school division from local law enforcement pursuant to Va. Code § 52-31.1.

Upon notification by a local law-enforcement agency of a child's disappearance, the principal of the school in which the child was enrolled at the time of the disappearance shall indicate, by mark, in the child's cumulative record that the child has been reported as missing. Upon notification by law enforcement that the child is located, the principal shall remove the mark from the record.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, without alerting the requestor of such report.

For the purposes of this policy, a "mark" means an electronic or other indicator that (i) is readily apparent on the student's record and (ii) will immediately alert any school personnel that the record is that of a missing child.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-288.1; 52-31.1.



## PARENTAL RIGHTS AND RESPONSIBILITIES

- D. When parents of a student are estranged, separated, or divorced, all personnel will respect the parental rights of both parents. Unless there is a court order to the contrary, both parents have the right to
1. view the child's school records, in accordance with Policy JO Student Records;
  2. receive school progress reports, the school calendar, and notices of major school events;
  3. visit the school in accordance with Policies KK School Visitors, KN Sex Offender Registry Notification, and KNA Violent Sex Offenders on School Property;
  4. participate in parent-teacher conferences; in the case of the noncustodial parent, after a timely request is made;
  5. receive all notifications in accordance with the Individuals with Disabilities Education Act; and
  6. receive notice of the student's extended absence, as defined in and pursuant to Policy JED Student Absences/Excuses/Dismissals, if both parents have joint physical custody.

E. Parent Responsibilities

The custodial parent has the responsibility to

1. keep the school office informed of his address and how he or she may be contacted at all times;
2. provide the current address and phone number of the noncustodial parent at registration unless such address is unknown and the parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent; and
3. provide a copy of any legal document which restricts the educational and/or contact rights of the noncustodial parent.

The noncustodial parent has the responsibility to keep the school office apprised of changes in his or her current phone number and address. Further, the noncustodial parent may make timely requests to participate in parent-teacher conferences. At the request of a noncustodial parent, such parent will be included as an emergency contact for the student's activities unless a court order has been issued to the contrary.

Legal Refs: 20 U.S.C. §1232g.  
34 C.F.R. § 99.4.  
Code of Virginia, 1950, as amended, §§ 22.1-4.3, 22.1-78, 22.1-287.

Cross Refs: JED Student Absences/Excuses/Dismissals  
JO Student Records  
KK School Visitors  
KN Sex Offender Registry Notification  
KNA Violent Sex Offenders on School Property

## **COMMERCIAL, PROMOTIONAL, AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS**

### Generally

The Scott County School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the Board. For that reason, the Scott County School Board may enter into commercial, promotional and corporate sponsorship and partnership arrangements under certain conditions.

### Definitions

An “educational partnership” is a mutually beneficial, co-operative relationship in which partners share values, objectives and/or human or financial resources to enhance learning for students.

An “educational sponsorship” is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services or other benefits in exchange for recognition of its products or entity for a specified period of time.

### Authority to Enter into Agreements

On behalf of the School Board, principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed \$5,000 in value to the school.

On behalf of the School Board, the superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds \$5,000 in value.

The School Board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The School Board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the School Board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

### Requirements

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.
- A statement that the School Board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.
- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will

be entered into between the School Board and the partner or sponsor whose agreement has been terminated for a specified period of time.

- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and, if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the School Board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or School Board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or School Board must approve its identification as a partner or co-sponsor in all publicity materials.
- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or School Board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, School Board employee, School Board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances and School Board policies and regulations and with all preexisting School Board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the School Board will require the partner or sponsor to provide certification that all such persons have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.
- A statement that no partnership or sponsorship shall exploit any student or School Board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or School Board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or School Board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or School Board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the School Board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

## Prohibitions

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or School Board policy;
- promotion of the use of drugs, alcohol, tobacco, electronic cigarettes or firearms;
- promotion of sexual, obscene or pornographic activities; or
- promotion of any image that is not in keeping with the established goals and purposes of the School Board.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-89.4, 22.1-296.1.

Cross Refs.:	DJF	Purchasing Procedures
	DJG	Vendor Relations
	DO	Non-Locally Funded Programs
	IIAA	Textbook Selection, Adoption, and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	IICB/IICC	Community Resource Persons/School Volunteers
	JFCB	Sportsmanship, Ethics and Integrity
	JHCF	Student Wellness
	JL	Fund Raising and Solicitation
	KA	Goals for School-Community Relations
	KH	Public Gifts to the School
	KLB	Public Complaints about Learning Resources

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SECTION L: Education Agency Relations

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## EDUCATION AGENCY RELATIONS GOALS

The Scott County School Board will support the endeavors of other educational institutions whose goals are compatible with those of the division.

To the extent appropriate, the school division will utilize the resources of other educational institutions for the benefit of its students and the development of its staff.

The school division will cooperate with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise utilize division students shall be submitted directly to the superintendent.

The school division will strive to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The school division will cooperate with professional educational organizations whose goals are compatible with those of the division.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	JHDA	Human Research
	KFB	Administration of Surveys and Questionnaires
	LEA	Student Teachers

## **RELATIONS WITH PRIVATE SCHOOLS**

The School Board and superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. The School Board will not enter into agreement with any nonpublic school within the division to provide student transportation to and from such schools.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78; 22.1-176.1

## HOME INSTRUCTION

The Scott County School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if the parent

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
- provides evidence that the parent is able to provide an adequate education for the child.

### DEFINITION

For purposes of this policy, "parent" means any parent, guardian, legal custodian or other person having control or charge of a child.

### NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the superintendent no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

### EVIDENCE OF PROGRESS

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine any nationally normed standardized achievement test or an equivalent score on the ACT, SAT or PSAT test or (ii) an evaluation or assessment which the superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program or home-education correspondence school.

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is



not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

#### IMMUNIZATIONS

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

#### NOTIFICATION TO PARENTS

Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and PreACT examinations are available to students receiving home instruction pursuant to Va. Code § 22.1-254.1. The superintendent establishes a schedule identifying the dates by which students receiving home instruction must register to participate in such examinations. The superintendent notifies students receiving home instruction and their parents of the registration deadlines and the availability of financial assistance to low-income and needy students to take such examinations.

#### DISCLOSURE OF INFORMATION

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.  
Pollard v. Goochland County School Board, No. 3:00CV563 (E.D. Va. Sept. 27, 2001).

Cross Ref.: JO Student Records

## CHARTER SCHOOLS

### Purpose

In order to (1) encourage the development of innovative programs; (2) provide opportunities for innovative instruction and student assessment; (3) provide parents and students more choices; (4) provide innovative scheduling, structure and management; (5) encourage the use of performance-based educational programs; (6) establish high standards for teachers and administrators; and (7) develop models for replication in other public schools, the Scott County School Board receives and considers applications for the establishment of charter schools.

### Definition of Charter School

A charter school is a public, nonreligious or non-home-based alternative school located within the Scott County School Division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs are not permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board gives priority to public charter school applications designed to increase the educational opportunities of at-risk students. At least one half of the public charter schools in the division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the one-half requirement.

Enrollment in a charter school is open to any child who resides within the school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process.

Public charter schools are subject to all federal laws and authorities as set forth in law and the charter contract. Public charter schools are subject to the same civil rights, health and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided by law.

Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the School Board approves such measures.

Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.).

No public charter school shall discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division.

No public charter school shall discriminate against any student on the basis of limited proficiency in English and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.

No public charter school shall engage in any sectarian practices in its educational program, admissions or employment policies or operations.

#### Application Process

Any person, group or organization may submit an application for the formation of a public charter school to the Scott County School Board. A complete application includes the applicant's Virginia Public Charter School Application package submitted to the Board of Education, the result of the Board of Education's review of the application and the Charter School Application Addendum (LC-E [School Division] Charter School Application Addendum). Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Scott County School Board must conform to the Virginia Public Charter School Application. However, such applications are not required to receive Board of Education review and comment prior to action by the School Board.

The Board of Education examines all applications, other than those initiated by the School Board, for feasibility, curriculum, financial soundness and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment is for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

All public charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit LC-E [School Division] Charter School Application Addendum. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

The Scott County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.

#### School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, or the charter agreement is revoked or fails to be renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement is final and not subject to appeal. Following a decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the School Board submits documentation to the Board of Education as to the rationale for the School Board's decision. The Board of Education has no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement but may communicate any Board finding relating to the rationale for the School Board's denial of the public charter school application or revocation of or failure to renew the charter agreement based on the documentation submitted in any school division in which at least half of the schools receive funding pursuant to Title I, Part A.

Nothing in this policy prohibits an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

#### Charter Contract

Within 90 days of approval of a charter application, the School Board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth (i) the academic and operational performance expectations and measures by which the public charter school will be judged and (ii) the administrative relationship between the School Board and public charter school, including each party's rights and duties. The 90-day period may be extended by up to 30 days by mutual agreement of the parties. Such performance expectations and measures shall include applicable federal and state accountability requirements and may be refined or amended by mutual agreement after the public charter school has collected baseline achievement data for its enrolled students.

The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures and metrics that will guide the School Board's evaluations of the public charter school. The performance framework shall include indicators, measures and metrics for:

- student academic proficiency;
- student academic growth;
- achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status;
- attendance;
- recurrent annual enrollment;
- postsecondary education readiness of high school students;
- financial performance and sustainability; and
- the performance and stewardship of the management committee, including compliance with all applicable laws, regulations and terms of the charter contract.

The performance framework shall allow the inclusion of additional rigorous, valid and reliable indicators proposed by the charter school to augment external evaluations of its performance, provided that the School Board approves the quality and rigor of such indicators.

The performance framework shall require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status.

Annual performance targets shall be set by the public charter school and the School Board and shall be designed to help each school meet applicable federal, state and School Board expectations.

The charter contract shall be signed by the chairman of the School Board and the president or chairman of the public charter school's management committee. Within 10 days of executing a charter contract, the School Board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

No public charter school shall commence operations without a charter contract executed in accordance with this policy and approved in an open meeting of the School Board.

#### Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

#### Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

#### Personnel

Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of §§ Va. Code 22.1-296.1, 22.1-296.2 and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to

noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

#### Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

#### Revocation and Renewal of the Charter Contract

The School Board may revoke a charter contract if

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which it was not specifically exempted.

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by May 1<sup>st</sup> of the school year the charter expires.

The application for renewal shall contain

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations
- other information the School Board may require

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

#### Reports

The School Board reports the following to the Board of Education:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract; for any such denial, revocation or failure to renew, the report to the Board of Education contains documentation as to the reason for the denial or revocation
- whether a public charter school is designed to increase the educational opportunities of at-risk students

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

Legal Refs: 20 U.S.C. § 6311(b)(1)(B).  
Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.

Cross Refs: KBA Requests for Information  
KBA-F1 Request for Public Records  
KBA-F2 Record of Inspection and/or Delivery of Copies  
KBA-R Requests for Information  
LC-E [School Division] Charter School Application Addendum

## CHARTER SCHOOL APPLICATION

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. A complete Scott County Charter School Application (“Application”) consists of (i) the Applicant’s *Virginia Public Charter School Application* package submitted to the State Board of Education, (ii) the result of the State Board of Education’s review of the Applicant’s state application, and (iii) the *Scott County Charter School Application Addendum* prepared in accordance with this policy. However, Charter School applications initiated by the Scott County School Division are not required to receive Board of Education review and comment prior to action by the School Board.

Applications must be received by the **May 1<sup>st</sup>** prior to the year in which the charter school desires to open. An original plus **7** copies of the application must be submitted. An application fee of \$500.00 shall be submitted with the application. Applicants must follow the application addendum format provided below.

### **I. Goals and Objectives; Educational Program**

Provide a statement of the goals and objectives of the proposed public charter school. The following components must be addressed:

- A. A description of the performance-based goals. To the extent possible, the application should include the academic performance indicators, measures and metrics that will guide the Scott County School Board’s evaluations of the charter school and should include, at minimum:
  - 1. student academic proficiency;
  - 2. student academic growth;
  - 3. academic gaps in both proficiency and growth between major student subgroups;
  - 4. attendance;
  - 5. recurrent enrollment from year to year; and
  - 6. postsecondary readiness (for high schools).
- B. A description of the measurable educational objectives to be achieved by the public charter school.
- C. A description of the pupil performance standards and curriculum, which must meet or exceed any applicable Virginia Standards of Quality.
- D. A description of how the Virginia Standards of Learning (SOL) and the corresponding SOL Curriculum Framework will be used as the foundation for curricula to be implemented for each grade or course in the public charter school. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia Standards of Learning, address student performance standards related to state and federal assessment standards and include measurable outcomes.
- E. A description of any internal and external assessment to be used to measure pupil progress towards achievement of the school’s pupil performance standards, in addition to the SOL assessments prescribed by Va. Code § 22.1-253.13:3.
- F. A description of the public charter school assessment plan to obtain student performance data, which includes how the data will be used to monitor and improve achievement and how program



- effectiveness will be measured over a specified period of time. Also provide benchmark data on how student achievement will be measured and how these data will be established and documented in the first year of operation and how the data will be measured over each year of the term of the charter. The benchmark data should address targets for student improvement to be met in each year.
- G. The timeline for achievement of pupil performance standards, in accordance with the Virginia SOL.
  - H. An explanation of the corrective actions to be taken in the event that pupil performance at the public charter school falls below the standards outlined in the Virginia Board of Education’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, (8 VAC 20-131-310).
  - I. Information regarding the minimum and maximum enrollment per grade for each year during the term of the charter contract, as well as class size and structure for each grade served by the public charter school.
  - J. Information regarding the proposed calendar and a sample daily schedule, including any plans to open prior to Labor Day.
  - K. A description of plans for identifying and successfully serving students with disabilities, English Learners, academically at-risk students and gifted and talented students which include the extent of the involvement of the School Board in providing such services.
  - L. If applicable, the following components should be addressed:
    1. any plans to utilize virtual learning in the educational program, including identification of the virtual learning source and a description of how virtual learning will be used and an estimate of how many students are expected to participate.
    2. a general description of any alternative accreditation plans, in accordance with the Virginia Board of Education’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-280), that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.
    3. a general description of any alternative accreditation plan for serving students with disabilities, in accordance with the Virginia Board of Education’s *Regulations Governing Special Education Programs For Children With Disabilities in Virginia* (8 VAC 20-131-40) that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.

## **II. Evidence of Support**

Provide evidence that an adequate number of parents, teachers, pupils or any combination thereof, supports the formation of a public charter school. The following components must be addressed:

- Information and materials indicating how parents, the community and other stakeholders were involved in supporting the application for the public charter school.
- Tangible evidence of support for the public charter school from parents, teachers, students and residents, or any combination thereof, including but not limited to information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school.
- A description of how parental involvement will be used to support the education needs of the students, the school’s mission and philosophy and its educational focus.

### **III. Statement of Need**

Describe the need for a public charter school in the school division or relevant part of the school division.

The following components must be addressed:

- A statement of the need for a public charter school that describes the targeted school population to be served and the reasons for locating the school in its proposed location.
- An explanation of why the public charter school is being formed. (Is the school being formed at the requests of parents or community organizations? How was the need determined? What data were examined as part of the needs assessment? Briefly describe the need and include a summary of the quantitative data.)
- An explanation of why a public charter school is an appropriate vehicle to address the identified need.

### **IV. Applicant Information**

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

### **V. Facility**

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. The description should address

- how the facility provides suitable instructional space;
- provisions for library services;
- provisions for the safe administration and storage of student records;
- provisions for the safe administration and storage of student medications;
- the applicant's plan for complying with building and fire codes and the federal Americans with Disabilities Act (ADA);
- information on emergency evacuation plans;
- information regarding site location and preparation;
- the structure of operation and maintenance services; and
- financial arrangements for the facility, including any lease arrangements with the School Board or other entities and whether any debt will be incurred.

If the facility is not property of the school division, then the following must be provided:

- a certificate of occupancy;
- a health inspection certificate;
- an annual fire certificate of inspection;
- proof of compliance with federal, state and local health and safety laws and regulations; and
- a copy of the lease or contract under which the charter school will use the facility.

If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

### **VI. Enrollment Process**

Describe the enrollment process that is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions. The following components must be addressed:

- A description of the lottery process to be used for the establishment of a waiting list for students for whom space is not available.
- A description of a tailored admission policy that meets the specific mission or focus of the public charter school, if applicable.
- A timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process.
- A description of any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable.
- An explanation of how the applicant will ensure that, consistent with the public charter school's mission and purpose, community outreach has been undertaken so that special populations are aware of the formation of the public charter school and that enrollment is open to all students residing in the school division where the public charter school is located or in school divisions participating in a regional charter school.
- A description of how the transfer of student records and other program information to and from the public charter school will be accomplished.
- A description of how students seeking enrollment after the school year begins will be accommodated.

In the case of the conversion of an existing public school, describe how students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process.

#### **VII. Employment Terms and Conditions**

Provide an explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees. At the discretion of the School Board, charter school personnel may be employees of the School Board, or Boards, granting the charter. Any personnel not employed by the School Board shall remain subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4. The following components must be addressed:

- A plan that addresses the qualification of teachers and administrators at the public charter school, including compliance with state law and regulation regarding Virginia Board of Education licensing requirements.
- A plan to provide high-quality professional development programs.
- Provisions for the evaluation of staff at regular intervals and in accordance with state law and regulation.
- Provisions for a human resource policy for the public charter school that is consistent with state and federal law.
- Notification to all school employees of the terms and conditions of employment.

#### **VIII. Transportation**

Describe how the public charter school plans to meet the transportation needs of its pupils. The following components must be addressed:

- A. A description of how the transportation of students will be provided:
  1. by the local school division;
  2. by the public charter school;
  3. by the parent(s); or
  4. through a combination of these options.
- B. If transportation services will be provided by the public charter school, explain whether the school will contract for transportation with the School Board or with another entity or have its own means of

transportation and indicate whether transportation will be provided to all students attending the school.

- C. A description of transportation services for students with disabilities in compliance with Va. Code § 22.1-221 and the Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia* (8 VAC 20-131-40).
- D. A description of transportation services for students in foster care in compliance with federal law.

#### **IX. Residential Charter Schools**

If the application is for a residential charter school for at-risk students, the following components must be addressed:

- A. A description of the residential program to include:
  - 1. the educational program;
  - 2. a facilities description to include grounds, dormitories and staffing;
  - 3. a program for parental education and involvement;
  - 4. a description of after-care initiatives;
  - 5. the funding sources for the residential facility and other services provided;
  - 6. any counseling and other social services to be provided and their coordination with current state and local initiatives; and
  - 7. a description of enrichment activities available to students.
- B. A description of how the facility will be maintained including, but not limited to:
  - 1. janitorial and regular maintenance services and
  - 2. security services to ensure the safety of students and staff.

#### **X. Services to be Provided by the School Board**

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.

#### **XI. Timeline**

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor's Schools, it will take at least 8-12 months to implement the proposal.**

#### **XII. Health and Safety**

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including:

- how and if the management committee will conduct a state criminal record check on all employees;
- how the charter school will conduct fingerprinting and federal criminal record checks, if applicable;
- how the charter school will comply with the requirement to report child abuse; and
- how the charter school will comply with Occupational Safety & Health Act requirements.

### **XIII. Indemnity**

Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.

### **XIV. Renewal**

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

### **XV. Displacement Plans: Pupils and Employees**

- A. Describe the plan for the displacement of pupils, teachers and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers and employees upon termination or revocation of the charter.

The following components must be addressed:

1. Identification of a member of the school's leadership who will serve as a single point of contact for all activities that may need to take place for the school to close, including but not limited to the transfer of students to another school, the management of student records and the settlement of financial obligations.
  2. A notification process to parents/guardians of students attending the school and teachers and administrators of the closure date.
  3. A notification process to parents/guardians of students attending the public charter school of alternative public school placements within a set time period from the date that the closure is announced.
  4. Provisions for ensuring that student records are provided to the parent/guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student's record to the school division to which the student transfers shall be made upon request of that school division.
  5. Notification to the School Board of a list of all students in the school and the names of the schools to which these students will transfer.
  6. A placement plan for school employees that details the assistance to be provided, if any, within a set period of time from the date of closure. For teachers and administrators, the plan of assistance should address finding employment with the school division where the public charter school is located or other public school divisions.
  7. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and/or disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the school records and financial accounts upon closure.
- B. Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire) or unable to be occupied for any reason.

### **XVI. Management and Operation**

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses and relevant experience of the proposed management committee. This section should include:

- a detailed description of the relationship between the management committee and the School Board, including the charter school spokesperson (i.e. who is accountable to the School Board);

- how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act and reporting requirements;
- how the management committee is selected and its relationship to the teachers and administrators;
- a description of the rules and procedures followed to arrive at policy and operational decisions; and
- summaries of the job descriptions of key personnel, including the school leader/principal.

The following components must also be addressed:

A. An explanation of how support services will be funded and delivered. These services include, but are not limited to:

1. food services;
2. school health services;
3. custodial services;
4. extracurricular activities; and
5. security services

B. An explanation of any partnership or contractual relationships (education management organization, food services, school health services, custodial services, security services, etc.) central to the school's operations or mission, including information regarding the relationship of all contractors to the governing board of the public charter school, and information regarding how contractors and the employees of the contractors having direct contract with students will comply with Va. Code § 22.1-296.1.

C. Plans for recruiting and developing school leadership and staff.

#### **XVII. Financial Plan: Evidence of Economical Soundness, Proposed Budget and Annual Audit**

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included. The following components must also be included:

- Proposed start-up and three-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
- Proposed start-up and three-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.
- A proposed funding agreement with the School Board including information regarding anticipated local, state and federal per-pupil-amounts to be received and any information pertaining to the maintenance of facilities. In accordance with Va. Code § 22.1-212.14, the per pupil funding provided to the charter school will be negotiated in the charter agreement and will be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost. To the extent discussions have been held with the school division, please describe the outcome of those discussions. If there have been no discussions to date, please indicate the reason.

#### **XVIII. Legal Liability and Insurance Coverage**

Describe the proposed arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage, including the types of insurance that will be obtained for the public charter school, its property, its employees, the charter school management committee and the School Board and its agents and the levels of insurance sought. Types of insurance include, but are not limited to,

- general liability;
- health;
- property;
- property and casualty (including vehicle coverage);
- officer and employee liability; and
- workers' compensation.

**XIX. Disclosures**

Disclose ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and require that the applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of the charter. The following components must be addressed:

- A description of how the applicant and members of the management committee will disclose any ownership or financial interest.
- Information regarding the frequency by which such disclosures will be made during the term of the charter.
- A description of ownership or financial interest of the applicant and/or members of the management committee in the proposed charter school. This includes any relationships that parties may have with vendors performing services at the school.

**XX. Waivers**

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation. No waiver of state statutes or federal statutes or regulations is permitted.**

**XXI. Discrimination**

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

**XXII. Assurance**

By signing and submitting this application for a public charter school, the applicant expressly assures the School Board that if the application is approved by the School Board, the school leadership of the public charter school will be retained on contract no later than 60 days prior to the opening date of the school.

**XXIII. Signatures**

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

**Name of Authorized Official:**

**Title:**

\_\_\_\_\_

\_\_\_\_\_

**Signature of Authorized Official:**

**Date:**

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Attachment A to Informational Memo No. 152  
**Virginia Board of Education**  
**Procedures for Review of Charter School Applications**

**DIRECTIONS FOR SUBMISSION**

The charter school applicant may submit its proposed charter application to the Board of Education (BOE) for review and comment. The Board of Education's review shall take place prior to the submission to the local school board. Reviews will occur on an ongoing basis. Ten (10) copies of the application must be received at the Department of Education (DOE).

The applications should be addressed to:

Dr. Margaret N. Roberts  
Executive Assistant to the Board of Education  
Virginia Department of Education  
P. O. Box 2120  
Richmond, Virginia 23218-2120

In accordance with the law, the Board of Education will review the applications based on the following criteria: feasibility, curriculum, and financial soundness. For ease of reference, the charter school applicant should highlight and index or cross-reference all areas of the application that refer to the feasibility, curriculum, and financial soundness of the application.

An initial review of the applications will take place by a committee appointed by the Board of Education. The committee shall present comments to the board based on the established criteria. If the criteria have not been met, the committee shall make note of the reason(s).

**REVIEW PROCESS**

The Department of Education will ensure that all documents are complete and distribute the applications to committee members. Applications will be reviewed by the committee, and the committee shall prepare comments for the board based on the application's conformation to the established board criteria. The committee shall be comprised of individuals who represent several areas. They are:

Board of Education member appointed by the board president to serve as committee chair

Individuals from the educational community having background in budget, curriculum, the No Child Left Behind Act of 2001, and special education

A local representative from a school division that already has a charter school (other than the division of the applicant)

The Board of Education will accept the committee's report for review and comment. The report and the board's comment will be sent to the public charter school applicant with a copy to the local school superintendent and board chair.

**CRITERIA FOR VIRGINIA BOARD OF EDUCATION  
REVIEW OF CHARTER SCHOOL APPLICATIONS**

Introduction

The charter school legislation states that a public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The Board of Education's review shall take place prior to the submission to the local board.

Board of Education Responsibility

The Board of Education shall examine applications for feasibility, curriculum, financial soundness, and other objective criteria as the board may establish, consistent with existing state law. The board's review and comment shall be for the purpose of providing technical assistance and verifying that the application addresses established criteria. It shall not include consideration as to whether the application shall be approved by the local school board.

Criteria

In accordance with the law, criteria have been established by the Board of Education and organized into three areas stipulated in the law: feasibility, curriculum, and financial soundness. These areas and the supporting criteria will be reviewed by the Board of Education. If the criteria have not been addressed, the board shall make note of the reason(s).

Qualifying Statements

Several statements will accompany the final report of the Board of Education for each charter school application reviewed. They are:

A statement verifying that the Board of Education's review is conducted outside the context of the division from which the charter school application was submitted and with no additional information or representative from that division. The review is based only on information presented in the application, which may or may not present accurately the local school division's instructional programs, operations, finances, or other information specific to a particular school division.

A qualifying statement verifying that all documents are complete only in the view of the Board of Education for the purposes of its actions in compliance with Section 22.1-212.9 C of the Code of Virginia.

A statement recommending that the local school board of a division receiving such application make an independent judgment as to the completeness of the charter school application for its review for implementation.

**Area 1: Feasibility** (References Sections I, II, III, and IV of the Virginia School Board Association [VSBA] charter school application, revised 5/04)

A. Mission statement (Section I)

The mission of the proposed charter school, including any specific area of concentration, is described. The statement includes the core philosophy or purpose of the school as well as the target student population. The mission is consistent with the Standards of Quality.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

B. Goals and educational objectives that meet or exceed the Standards of Learning (Section II)

The application describes the goals and educational objectives of the proposed charter school and includes broad student achievement goals. The objectives are a concrete and measurable statement of what students should know and be able to do at various levels of education. They identify practices that will improve teaching and enhance learning.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

C. Evidence of support from parents, teachers, pupils, residents of the school division, in support of the formation of the public charter school (Section III)

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

D. Statement of need (Section IV)

The need for the charter school and how that need was determined is described.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

E. Comment on the criteria that were not addressed and the reasons (e.g., insufficient information, missing information, etc.).

**Area 2: Curriculum** (References Sections V, VI of the Virginia School Board Association [VSBA] charter school application, revised 5/04)

A. Public charter school's educational program (Section V)

The application describes the curriculum and the methods of instruction, including teaching materials and any innovative techniques to be used.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

B. Pupil performance standards (Section V)

The application lists the pupil performance standards and how they were established.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

C. Pupil evaluation: assessments, timeline and corrective action (Section VI)

The application describes the plan for evaluating student performance, including any assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the Standards of Learning assessments.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

D. Included in the document is a timeline for the achievement of the stated standards and goals and a procedure for corrective action if student performance fall below the stated standards and goals. (Section VI)

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

E. Comment on the criteria that were not addressed and the reasons (e.g., insufficient information, missing

information, etc.).

**Area 3: Financial Soundness** (References Section VIII of the Virginia School Board Association [VSBA] charter school application, revised 5/04). The review by the Board of Education is not intended to address the funds a local school board will provide the charter school. It is a technical review only, commenting on how the application addresses the criteria.

A. Financial Plan: Evidence of economical soundness, proposed budget and annual audit

A budget is provided. Included in the application are detailed sources of revenue and expenditures for the term of the charter and a description of the manner in which an annual audit of the financial and administrative operation of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants, or donations and a student fee scheduled are included.

Criterion addressed \_\_\_ Criterion not addressed \_\_\_

B. Comment if the criterion was not addressed and the reasons (e.g., insufficient information, missing information, etc.).

## STUDENT TEACHERS

The Scott County School Board cooperates with accredited colleges and universities to provide opportunities for student teaching in accordance with the following guidelines:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.
2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.
3. Teachers who serve as supervising teachers will have at least three years of teaching experience, with at least one of those years having been in the school to which the student teacher is assigned.
4. All teachers who serve as supervising teachers will be recommended by the principal of the school to the superintendent or designee for approval.
5. A class will have no more than one student teacher during the regular school year.
6. No supervising teacher will have a student teacher assigned to him for more than one semester during the regular school year.
7. A principal may reject or terminate any student teacher who has a negative effect on the instruction or welfare of students.
8. Information concerning students may be available to student teachers at the discretion of the supervising teacher and/or principal. Student teachers will respect the confidential nature of information provided.
9. Student teachers will follow all the policies and regulations of the Scott County School Board that apply to teachers.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: JO Student Records  
KN Sex Offender Registry Notification

## **ADVANCED/ALTERNATIVE COURSES FOR CREDIT**

The Scott County School Board has an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

The Scott County School Board may enter into agreements for postsecondary credential, certification or license attainment with community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 of the Code of Virginia that offer a career and technical education curriculum. Such agreements shall specify (i) the options for students to take courses as part of the career and technical education curriculum that lead to an industry-recognized credential, certification or license concurrent with a high school diploma and (ii) the credentials, certifications or licenses available for such courses.

Beginning in the middle school years, students are counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities include access to at least three Advanced Placement courses or three college-level courses for degree credit. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible. Wherever possible, students are encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- Written approval of the high school principal prior to participation in dual enrollment must be obtained.
- The college must accept the student for admission to the course or courses.
- The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.  
8 VAC 20-131-140.

Cross Ref.: IGBI Advanced Placement Classes and Special Programs  
IKF Graduation Requirements

## RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

All Scott County Public Schools shall be accredited according to standards developed by the Board of Education. The School Board will review the accreditation status of each school in the division annually in a public session of a board meeting.

The School Board will recognize individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The School Board may ask the Board of Education for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC 20-131-280 C. A request for a waiver from state regulations that are not (i) mandated by state or federal law or (ii) designed to promote health or safety will be made by the superintendent and chairman of the School Board on behalf of the School Board. The waiver request will describe how release from state regulations is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

The School Board, by the superintendent and chairman of the School Board, may also request that the Board of Education grant waivers of specific requirements in Va. Code § 22.1-253.13:2, permitting the School Board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel division wide to meet the total number required by Va. Code § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of Va. Code § 22.1-253.13:2 are met. In its request, the School Board will demonstrate that the waivers from specific Standards of Quality staffing standards will increase the quality of instruction and improve the achievement of students in the affected school or schools.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-19, 22.1-253.13:3, 22.1-253.13:9.