

GLOUCESTER COUNTY PUBLIC SCHOOLS

GLOUCESTER, VIRGINIA



**STUDENT CODE OF CONDUCT
MANUAL**

File No. JFC-R

Revised July 2019

Table of Contents

GENERAL PHILOSOPHY	1
STUDENT ORIENTATION - CODE OF CONDUCT	2
STUDENT RIGHTS	3
STUDENT RESPONSIBILITIES	5
PARENTAL RESPONSIBILITIES	6
STUDENT DRESS CODE	7
COMPULSORY ATTENDANCE – STATE LAW	8
ATTENDANCE POLICY- GLOUCESTER COUNTY PUBLIC SCHOOLS	11
STUDENT ABSENCES/EXCUSES/DISMISSALS	14
LAWS REGARDING THE PROSECUTION OF JUVENILES AS ADULTS	16
STUDENT RECORDS	19
SEX OFFENDER REGISTRY INFORMATION	28
ANNUAL NOTIFICATION TO PARENTS – Health Information	29
SCREENING PROCEDURES	32
PUBLIC AWARENESS CAMPAIGN IN SPECIAL EDUCATION	33
MINIMUM STANDARDS FOR PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES/TEAMS	35
CONCUSSION POLICY INFORMATION	36
VIOLATIONS OF THE CODE OF CONDUCT	38
DISCIPLINARY OFFENSES	40
CELL PHONES	41
TOBACCO PRODUCTS, NICOTINE CONTAINING ITEMS, PARAPHERNALIA	46
CORRECTIVE ACTIONS/DISCIPLINARY CONSEQUENCES	48
DISPOSITIONS/RIGHTS OF APPEAL	50
STUDENT SEARCHES	54
BEHAVIOR ON SCHOOL BUSES	55
APPENDIX A	57
APPENDIX B	60
APPENDIX C	65

FORM A ACKNOWLEDGMENT OF RECEIPT OF STUDENT CODE OF CONDUCT

FORM B REFUSAL OF RELEASE FORM

FORM C STUDENT COMPUTER USE RULES FORM

RECENT CHANGES TO THE 2019-2020 STUDENT CODE OF CONDUCT INCLUDE:

- **CELL PHONE OFFENSE CODE**
- **DRESS CODE**
- **MINIMUM STANDARDS FOR PARTICIPATION PROCEDURES**
- **STUDENT ABSENCES/EXCUSES/DISMISSALS**
- **TOBACCO/TOBACCO PARAPHERNALIA OFFENSE CODE**

PLEASE REFER TO THE TABLE OF CONTENTS FOR LOCATION AND MORE DETAILED INFORMATION OF THESE ITEMS.

Foreword



Walter R. Clemons, Ph.D., Division Superintendent
Gloucester County Public Schools
The Thomas Calhoun Walker Education Center
6099 T. C. Walker Road
Gloucester, VA 23061
804-693-1425 or 0298 (O)
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July 1, 2019

Dear Parents/Guardians & Students:

I would like to welcome you to the 2019-2020 school year. Gloucester County Public Schools will be committed to providing educational environments that are safe and orderly and conducive to learning. Therefore, appropriate rules and regulations must be understood and followed to help us accomplish these goals.

It is the responsibility of the Gloucester County School Board to adopt policies and regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of all students. The superintendent shall issue Standards of Student Conduct and a list of possible corrective actions for violations of the Standards of Student Conduct. The school principal has the responsibility and authority to exercise reasonable judgment in enforcing the Standards of Student Conduct.

All students have the right to expect educational environments that are free from disruption and allow them to reach their fullest potential. Therefore, students are expected to attend school regularly, be diligent in their studies and conduct themselves appropriately so that the rights and privileges of others are not violated. In addition, all parents/guardians are expected to assume responsibility for student behavior and assist the schools in enforcing the Standards of Student Conduct and compulsory school attendance.

Finally, please take the time to thoroughly read the Standards of Student Conduct and return the parent/guardian/student signature pages in this book. You may also access the Standards of Student Conduct on the school division's website at <http://gets.gc.k12.va.us>. In closing, thank you for your time and please feel free to contact your building principal, the Executive Director of Operations, or me if you have any questions or concerns. Have a great 2019-2020 school year!

Sincerely,

A handwritten signature in black ink that reads "Walter R. Clemons".

Walter R. Clemons, Ph.D.
Division Superintendent

Dear Parents and Guardians,

As the Executive Director of Operations it is my goal for students and families to be familiar with school procedures that promote a positive learning environment. We are providing each student a copy of the Student Code of Conduct to inform all families of their rights and responsibilities as well as the procedures for dealing with violations.

The Student Code of Conduct is designed to promote safe schools with positive learning experiences. This document outlines the division's expectations regarding student conduct as well as other pertinent information to assist families in ensuring the overall success of their students. All rules and expectations apply when students are present on school property and at all school sponsored activities. Information is also provided on consequences that school administration, the School Board, and the Office of Student Services may render due to infractions of the Code of Conduct.

Maintaining a safe, caring, and effective learning environment for our students is a priority of the school division. Building a partnership with students and families is a necessity in promoting an effective learning environment. We are requesting that you read and discuss the Code of Conduct with your student. Reinforcing policies and expectations, ensuring students are in school every day, and respecting the rights of others are all essential components in achieving academic excellence.

I hope that every student and family will be fully aware of the division's expectations for students and will work with our schools so students can experience success in the areas of academics, behavior, and attendance. Your support of teachers and administrators is appreciated. With your partnership and involvement, we will have a successful school year.

Should you have questions about the information that is provided in the Student Code of Conduct please do not hesitate to contact the Office of Student Services.

Sincerely,

Bryan L. Hartley
Executive Director of Operations

WHO DO YOU CALL WHEN YOU NEED ASSISTANCE?

Gloucester County Public Schools prides itself on providing all of our students a quality education. We are also mindful that we are here to serve our parents and community members. There are times throughout the school year when you may need to contact one of our staff members regarding an issue or concern that needs to be addressed.

The following procedures are provided below to assist you in resolving or answering your questions/concerns:

1. First contact the person closest to the problem. An **example**: You have a question about something that happened in your child's classroom, the first person to contact is the teacher.



2. If the incident in question is not resolved at that level, then discuss the issue with the supervisor of that individual, in most cases the next person to discuss your concern with is the person who supervises that individual, for instance, the assistant principal or department head.



3. If at this point, you still feel your concerns have not been addressed appropriately, we ask that you contact the **School Principal** if you have **only** spoken with the assistant principal. Most issues can be resolved at this level. Please give our school principals an opportunity to address your concerns.



If your concerns cannot be addressed at the principal level, we encourage you to contact the appropriate department listed below that can best address your questions and/or concerns:

If your concern is regarding **grades and/or curriculum issues**, then you would contact the Department of Instructional Services (804-693-6240) after speaking with the school principal:

- i. Assistant Superintendent for Instruction

If your concern is regarding a **discipline matter**, then you would contact the Department of Student Services (804-693-7856) after speaking with the school principal:

- i. Executive Director of Operations

If your concern is regarding **athletics, extra-curricular activities, or clubs**, then you would contact the Activities and Athletic Director (804-693-3866) after speaking with the school principal:

- i. Executive Director of Operations

If your concern is regarding **Special Education Services or an IEP**, then you would contact the Department of Special Education (804-693-7880) after speaking with the school principal:

- i. Coordinator of Special Education
- ii. Director of Special Education
- iii. Assistant Superintendent for Instruction

If your concern is regarding a **504 issue**, then you would contact the Executive Director of Operations (804-693-7856) after speaking with the school principal:

- i. Assistant Superintendent for Instruction

If your concern is regarding a **school personnel issue**, then you would contact the Department of Human Resources (804-693-5300) after speaking with the school principal:

- i. Executive Director of Human Resources & Compliance
- ii. Superintendent

If your concern is regarding a **technology issue**, then you would contact the Department of Technology (804-693-1707) after speaking with the school principal:

- i. Director of Technology
- ii. Assistant Superintendent of Instruction

If your concern is regarding a matter **involving the school nurse**, then you would contact the School Nurse Coordinator (804-693-0468) after speaking with the school principal:

- i. Executive Director of Operations

If your concern is regarding a **transportation issue**, then you would contact the Department of Transportation (804-693-2127) after speaking with the school principal:

- i. Director of Transportation
- ii. Executive Director of Operations

If your concern is regarding a **food services issue**, then you would contact Food Services (804-693-3585) after speaking with the school principal:

- i. Director of Food Services
- ii. Executive Director of Operations

If your concern is regarding a **budget/finance issue**, then you would contact the Department of Budget and Finance (804-693-7811):

- i. Chief Financial Officer
- ii. Superintendent

General Philosophy

Public education must be conducted in an atmosphere conducive to learning, free of disruption and threat to person or property, and supportive of individual rights. To this end, the School Board has set forth standards governing student conduct and attendance, which are outlined in this handbook. These are periodically updated/revised and published. Each student of Gloucester County Public Schools will be given a copy of this document for his/her own personal use and reference.

The Gloucester County Public School System recognizes the right of every student to an education without disruption and a corresponding responsibility not to deny this right to any other student. The school system encourages acceptable behavior by working with students in an atmosphere of respect and understanding centered around freedom, firmness, and consistency to build pride and confidence in the students and the school.

It is important that all students attending Gloucester County Schools recognize that the schools are built and operated for their benefit, and that the schools serve to provide students with appropriate and useful educational opportunities. An integral part of this concept is that students share the responsibility for the maintenance of a sound, enjoyable educational climate within the schools.

Every student has the right to an opportunity to learn in an environment, which is safe, clean, peaceful, and well organized. Each student must also recognize that he/she has the responsibility to ensure that his/her actions do not deprive others of the same opportunity.

Policy manuals are located in the principal's office and library of each school, as well as the Administrative Offices.

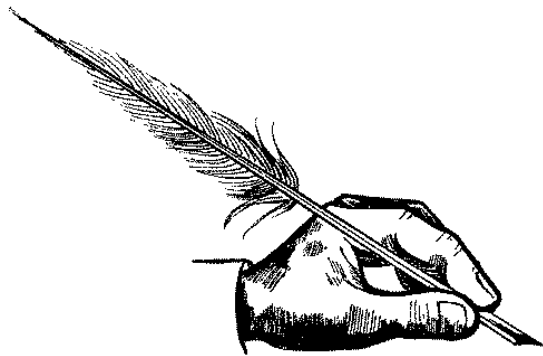


Student Orientation - Code of Conduct

Since it is in the best interest of the students of Gloucester County Public Schools to be fully aware of the regulations governing their behavior, an orientation of the *Student Code of Conduct* will be given by the principal or his/her designee at the beginning of each school year.

Additionally, each student will receive a published copy of this *Student Code of Conduct* for his/her own personal use and reference. This manual includes a page, which must be signed by both parent or guardian and the student, noting that they acknowledge receipt of and agree to read and discuss the manual with their student(s). This form appears on Page 70 and should be signed and returned to the school.

Please be advised that policy and procedures may be updated during the course of a school year. A current copy of the *Student Code of Conduct* is maintained on our website.



No student can be prevented from participation in any program solely because of his/her race, color, national origin, gender, age, religion, disability, or sexual orientation. A procedure for resolving complaints alleging discrimination on the basis of race, color, national origin, gender, age, religion, or disability may be found in the manual for Policies and Regulations of the Gloucester County Public Schools. The school division has updated Section 504 policy and procedures on our website. If you have any questions, please contact the school division's 504 Coordinator. The Section 504, Local Homeless Liaison and Title IX Coordinator for the Gloucester County Public Schools is:

Mr. Bryan Hartley, Coordinator
Section 504, Title IX and Local Homeless Liaison
Gloucester County Public Schools
6099 T. C. Walker Road
Gloucester, VA 23061
(804) 693-7856

Student Rights

The following statements summarize students' rights. They help explain the relationship between students and adults in the school setting. They also show relationships between and among students. In exercising their rights, students shall not disrupt the educational process or force upon, endanger, or deny others of their rights.

EQUAL EDUCATIONAL OPPORTUNITY

The schools must provide all students the opportunity to acquire an education. This means free admission to the schools and the right to attend school until graduation from high school or a student reaches his/her twentieth birthday on or before August first of the school year. The identified disabled student may attend school until age 22. Students have the right to equal educational opportunity without interference from other students and from trespassers on public school property. No student can be prevented from participating in any program solely because of his/her race, national origin, gender, ethnicity, religion, disability, or marital or parental status. A procedure for resolving complaints alleging discrimination may be found in Gloucester County Public Schools policy JB (see Appendix A). The Section 504 and Title IX Coordinator for the Gloucester County Public Schools is:

Mr. Bryan Hartley
Executive Director of Operations
Section 504, Local Homeless Liaison and Title IX
Gloucester County Public Schools
6099 T. C. Walker Road
Gloucester, VA 23061
(804) 693-7856

LEARNING ENVIRONMENT

All students have the right to a safe and orderly classroom environment that will ensure the opportunity for optimum learning. This includes the right to an environment free from sexual harassment and harassment based on race, national origin, disability, religion, or sexual orientation as outlined in Gloucester County Public Schools policy JFHA (see Appendix B).

RESTRAINT AND SECLUSION/CORPORAL PUNISHMENT

There may be situations when there is a need to manage aggressive and violent student behaviors in emergency situations. Therefore, the use of restraint and seclusion of Gloucester County Public Schools students shall only be utilized in an emergency situation by school personnel trained and certified by a State-approved crisis intervention training program per GCPS policy #JM.

Corporal punishment is prohibited. No teacher, principal or other person employed by a school board or employed in a school operated by the Commonwealth shall subject a student to corporal punishment. This prohibition 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.

STUDENT RECORDS

The Gloucester School Board shall maintain accurate and complete individual, permanent, and cumulative records for every student enrolled in the public schools. These records shall include cumulative and confidential information and shall be the student's official school record. Such records, identified as education records in Title 20, §1232(g) of the United States Code and in Chapter 14 of Title 22.1 of the *Code of Virginia, 1950*, as amended, shall be maintained in compliance with all federal and state law.

The superintendent and/or his designee(s) shall be 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 shall also provide 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 the Gloucester Public Schools written policy and procedure on the management of the education records and their location.

FREE EXPRESSION

Students are entitled to express their opinions both verbally and in writing. This right does not entitle them to misinform, slander, and/or display pornography as interpreted by the principal. No form of expression will interfere with the rights of others to express themselves or cause a disruption to the conduct of school and classroom activities.

FREEDOM OF ASSEMBLY

Students, with the approval of the principal, have the right to hold meetings at a time, place, and in a manner which does not disrupt or disturb classroom instruction.

DUE PROCESS

The student has the right to procedural due process in the case of a suspension or expulsion. Procedural due process will include a notice of the charge(s), a right to an impartial hearing, and the right to appeal any decision to a higher authority.



Student Responsibilities

A responsibility is an obligation one has in order to retain the privileges associated with a right to certain freedoms.

DISPLAY RESPECT FOR OTHERS

Students are expected to display concern and respect for school board members, school administrators, teachers, fellow students, school support staff, and Gloucester County citizens and guests at all times.

PROTECT THE RIGHTS OF OTHERS TO STUDY AND LEARN

Parents or guardians send their children to school to obtain an education. An individual student may decide not to take advantage of that opportunity; however, no one has the right to interfere with the education of others. The School Board recognizes that electronic surveillance systems may be used as a tool in monitoring activity on school property and in school vehicles to protect the health, welfare, and safety of students and staff.

ATTEND SCHOOL DAILY UNLESS ILL OR LEGALLY EXCUSED

In Virginia, a student is required by law to attend school until the age of 18. Schools cannot promote or certify students for graduation who do not attend class.

BE ON TIME FOR ALL CLASSES

Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit. Future employers are not going to take time to teach it.

OBEY ALL SCHOOL RULES

Rules are created to provide the process for a school to educate students. Schools cannot achieve this goal if they are required to expend valuable instructional time maintaining order. Students must obey the rules of the schools.

BE AWARE OF THE RULES REGARDING POSSESSION OF CELL PHONES/ELECTRONIC DEVICES/CAMERAS

Students may possess cell phones or portable communication devices. Devices may not be visible and should not interfere with the instructional program or school activity. Devices must remain off during the school day or school related activity (this includes the school bus) unless authorized by an appropriate school staff member for an instructional purpose or if it is otherwise deemed necessary. GCPS will not be responsible for any lost, confiscated or damaged devices as students assume all responsibility by bringing devices on school property.

VOLUNTEER INFORMATION AND COOPERATE WITH THE SCHOOL STAFF IN DISCIPLINARY CASES

Every community depends upon the willingness of citizens to play a part in upholding the rules by which everyone has agreed to live. Students are expected to provide accurate and truthful information.

COMPLETE ALL IN-CLASS AND HOMEWORK ASSIGNMENTS AND MEET DEADLINES

The responsibility for learning is to be shared with the student, the parent or guardian, and the teacher. Effective education occurs when the teacher directs the work of the student. Everything that must be learned cannot be accomplished during the school day; therefore, some homework should be expected each day.

RESPECT PUBLIC PROPERTY AND CAREFULLY USE AND RETURN ALL MATERIALS AND EQUIPMENT

Schools represent a gift of the community to its young people. It is wrong to abuse that gift. Such abuse forces the community to spend additional money in order to provide the same opportunities for those students who will use the schools after you. Students are required to respect public property.

COME TO CLASS WITH THE NECESSARY BOOKS AND MATERIALS

A teacher should not have to delay starting class because a student has come unprepared to begin work. This is interfering with the rights of others to learn and study. Obtaining an education requires more than being in class, just as keeping a job requires more than showing up for work. Students are expected to come to school with the proper books and materials.

SEE THAT SCHOOL CORRESPONDENCE TO PARENTS REACHES HOME

Education requires a partnership between the parent or guardian, the student, and the school. For a partnership to work, everyone must know what is happening, good and bad.

Parental Rights and Responsibilities

- 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.
- A school board shall provide opportunities for parental and community involvement in every school in the school district. **As outlined in GCPS Civility Policy #GBCC (see Appendix C) the School Board supports all partners in the educational process. The primary objective of the policy is to promote mutual respect, civility and orderly conduct among district employees, parents and the public. This policy conveys the need to maintain, to the greatest extent possible, safe and harassment-free environments for teachers, students, administrators, staff, parents and other members of the community.**
- Parents of students in grades six through twelve are afforded an opportunity to monitor their child's academics and attendance. Information for middle school students can be accessed through the Home Access Center; high school can be accessed through Pinnacle Internet Viewer. Please contact the guidance department of your child's school to obtain access to these programs.
- **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.**
- The school principal may request the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or his 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, and to discuss improvement of the child's behavior and educational process.
- The school principal will 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.
- 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.
- 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 amended to Section 22.1-4.3 of the Code of Virginia, unless a court order has been issued to the contrary, and a copy of said order is provided to the school, the non-custodial parent of a student enrolled in a public school must be included, upon the request of such non-custodial parent, as an emergency contact for events occurring during school activities.
- **Attendance Waiver**
The Review Panel may consider a request for a waiver of the attendance regulation for extenuating circumstances beyond the parent's and/or student's control. Extenuating circumstances include, but are not limited to, personal illness, death in the immediate family, required court appearances, official college visits and bona fide religious observances. When considering whether to grant a waiver, the student's entire history (attendance, academic, and discipline) will be considered. Parents are responsible for completing the necessary documentation within guidelines outlined on page 12 of the Student Code of Conduct.

Student Dress Code

It is not intended that clothing restrictions be placed on individuals which will infringe upon their personal rights; however, it is felt that certain restrictions must be enacted to prevent situations which may be indecent, unsafe, disturbing, or disruptive to the educational setting of the school. The school administration reserves the right to define appropriate and inappropriate dress; the administration's decision is final.

All students will be properly dressed while attending school and school sanctioned events. Dress should be appropriate for the age group involved and should not be a cause for disruptive influence on the educational program. Dress for field trips will be decided by the school administration.

Disciplinary Consequences

- **Students that present potential dress code violations will be addressed in a manner that maintains student privacy (and dignity).**
- **Administrators (or designated staff) are the appropriate staff to address potential dress code violations**
- **While addressing potential dress code violations designated staff will not:**
 - **Measure straps or length of attire**
 - **Ask students to bend, kneel or engage in any other demonstration to determine appropriateness of attire fit**
 - **Address student attire in the presence of others**
- **School dress code enforcement should not create unnecessary barriers to school attendance. If it is determined that there is a dress code violation the student will:**
 - **Be required to change into their own alternative clothing, if available, to be dressed more to code for the remainder of the day.**
 - **Be provided with temporary school clothing to be dressed more to code for the remainder of the day.**
 - **If the procedures outlined above are not possible, the student's parent or guardian may be contacted to bring appropriate alternative clothing so that the student may be dressed more to the code for the remainder of the day.**
 - **If all measures have been exhausted, the school may place the student in an alternative location for the remainder of the school day.**

The following clothing items are considered unacceptable and strictly prohibited from use within the Gloucester County Public Schools. Students in **all grades** will be **prohibited** from wearing the following:

- **Headwear** – The wearing of hats, hoods, sweatbands or any headpieces or head coverings such as bandanas, skullcaps, handkerchiefs, headbands or any scarf or cloth worn about the head and covers the majority of the head will not be permitted inside the school building **unless it is for religious/cultural reasons**; this includes curlers, picks, combs, or rakes in the hair. Headbands worn to specifically hold hair back are permitted.
- **Shirts and blouses** – Transparent shirts or blouses, backless shirts, halter-tops, tube tops, open sided tops or cut off tee shirts and other tops that expose the chest, cleavage, back, midriff, naval or waistline are prohibited. Mesh-type shirts or jerseys that expose the chest or midriff also are inappropriate. Clothing with string or spaghetti straps is not permitted.
- **Bottoms** - Dresses, skirts, mini-skirts, shorts, culottes, skorts, and split skirts that do not reach mid-thigh are prohibited. Hips, midriff, buttocks, lower back, upper thigh and navel will remain covered with clothing whether standing, sitting or bending. Tights or leotards worn as outer garments are not permitted. Sleepwear or lounge pants will not be permitted.

- **Miscellaneous** - Military or inappropriate insignia on clothing (due to Federal Law) is not permitted. Fringed garments may not be worn in vocational areas.
- **Footwear** – Appropriate footwear must be worn at all times; students are not permitted to wear bedroom slippers in school.
- **Undergarments** – All undergarments must remain fully covered by appropriate clothing.

- **Accessories** - Dog collars, chains, safety pins, or fishhooks worn as jewelry, accessories, or ornamentation are prohibited. Displays of bandanas or accessories which identify a student with or can be perceived as gang affiliation are not permitted. Chains may not be worn as part of a student's daily attire. Any decorative or excessive jewelry or accessory that may be considered dangerous or impact students' safety, such as studded or pointed rings, bracelets, necklaces, belt buckles or other adornments are not permitted on school property. Clothing that contains or displays nudity, provocative or vulgar messages or suggestions, sexual innuendo, drugs, drug paraphernalia, alcohol, tobacco, or any alcohol/tobacco products, advertisements or logos will not be permitted. Sunglasses are not to be worn inside the school building.

Compulsory Attendance – State Law (Code of Virginia §22.1-254)

This section deals with compulsory attendance required; excuses and waivers; alternative education program attendance; and exemptions.

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 of 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 pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten 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

- (1) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and
- (2) 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.

The requirements of this section shall not apply to

- (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing a general educational development (GED) certificate but is not enrolled in an individual student alternative education plan pursuant to subsection E, and
- (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a GED certificate, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

B. A school board shall excuse from attendance at school:

- (1) Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and
- (2) On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil'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.

C. Each local school board shall develop policies for excusing students who are absent by reason of observance of a religious holiday. Such policies shall ensure that a student shall not be 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, for any which he missed by reason of such absence, if the absence is verified in a manner acceptable to the school board.

D. A 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 pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or
- (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.

E. Local school boards may allow the requirements of subsection A to be met under the following conditions:

For a student who is at least 16 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.

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 in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article. Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

F. A school board may, in accordance with the procedures set forth in Article 3 (§ 22.1-276.01 et seq.) of Chapter 14 of this title and upon a finding that a school-age child has been:

- (1) 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;
- (2) 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 § 16.1-260;
- (3) suspended pursuant to § 22.1-277.05; or
- (4) expelled from school attendance pursuant to § 22.1-277.06 or § 22.1-277.07 or subsection B of § 22.1-277,

require the child to attend an alternative education program as provided in § 22.1-209.1:2 or § 22.1-277.2:1.

G. Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the local school board of the school division in which the program is offered 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.

The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with:

- (1) a crime that resulted in or could have resulted in injury to others,
- (2) a violation of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2, or
- (3) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students, as provided in §§ 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, and 22.1-277.2. As used in this subsection, the term "charged" means that a petition or warrant has been filed or is pending against a pupil.

H. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

I. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
3. 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;
4. 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; and
5. Children excused pursuant to subsections B and D.

Further, 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 appropriate 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.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

(Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251; 2006, c. 335; 2010, c. 605.)

School Attendance Policy

Regular attendance in school is the responsibility of students and their parent(s) or guardian(s). Learning experiences that take place in the school environment are essential to the educational process. The regular contact of students with one another in the classroom and other teacher-supervised activities is vital in reaching educational goals. Regular classroom attendance is an important factor in academic achievement because it develops good habits for advanced study and/or employment and is a significant factor as to whether a student will be promoted.

Principals must establish adequate procedures for student accounting, for determining the nature of absences, and for making reports as required by local and state authorities. Principals will comply with all school laws in student accounting including the State Compulsory Attendance Law. Students receiving homebound instruction are considered present for attendance accounting. The principal or designee will distribute copies of the attendance policy and procedures to all students and devise a procedure for explaining the attendance policy and procedures to all students.

Attendance Policy Guidelines

Number of Allowable Absences

The **2019-2020** school calendar has 176 days of instruction. The Virginia Department of Education's public school accountability reporting system defines "chronic absenteeism" as students who miss 10 percent or more of the school year. Therefore, it is imperative for students to attend school daily. Middle and high school students who miss more than fifty (50) percent of a class will be counted as absent in that class. The following attendance requirements apply in order for students to earn passing credit or grade-level advancement:

High School: In order to remain eligible for course credit, **students are limited to eight (8) unexcused absences per semester class or for a class that meets every other day during the school year and sixteen (16) unexcused absences for a class that meets every day during the school year.** Students exceeding the number of unexcused absences per class will forfeit credit for the course regardless of their course grade, but may earn credit through one of the following recovery options:

- a) Repeat the course successfully in summer school, or
- b) Repeat the course successfully in a subsequent school term.

Middle School: In order to remain eligible for course credit and/or be promoted to the next grade level, **students are limited to eight (8) unexcused absences per semester class or for a class that meets every other day during the school year and sixteen (16) unexcused absences for a class that meets every day during the school year.** Students exceeding the number of unexcused absences per class will forfeit credit for the course regardless of their course grade, but may earn credit through one of the following recovery options:

- a) Repeat the course successfully in summer school, or
- b) Repeat the course successfully in a subsequent school term.

Elementary School: **Students are limited to sixteen (16) unexcused absences per school year. Students exceeding sixteen (16) unexcused absences per school year will not be promoted to the next grade level unless they meet one of the following recovery options:**

- a) Attend summer remediation and demonstrate successful skills, or
- b) Repeat the grade level successfully in a subsequent school term.

Absence Verification:

A student's absence is considered unverified when the school has no documentation of the student's absence from the parent/guardian.

The parent is required to verify any absence (within three (3) school days) upon the student's return to school. Absence verification by parent notes will be limited to four (4) absences per semester class or for a class that meets every other day during the school year; a class that meets every day during the school year is limited to eight (8) absences. Extended absences due to illness may require medical documentation. All documentation will be retained until the end of the school year. If documentation of an absence is not received within the three-day timeframe, the absence will be considered unexcused. **Unexcused absences will not be considered for an attendance waiver.**

Extenuating Circumstances

The following extenuating circumstances provide the only acceptable reasons for a student's absence from school. However, should a student exceed the allowable number of absences, documentation within the required timeframe of these absences must still be provided for consideration of an attendance waiver.

- Illness – When a student is unable to attend school due to an illness, a note written by the parent or a physician documenting the illness must be presented within three (3) days of the student's return to school.
- Medical – Students with a medically certified condition that may impact school attendance may request relief of policy requirements through the waiver process provided appropriate documentation indicating the absences were directly related to the existing medical condition is presented within three (3) days of the student's return to school.
- Family Death – When a student is absent because of death in the family, the parent must notify the school and provide documentation for the absence within three (3) days of the student's return to school.
- Court or Agency– When a student is absent because of an appointment with the court, social services, or other state agencies, official documentation from the court or agency must be presented to the school.
- Religious Observances – Absences as a result of religious holidays should be prearranged by the parent, the parent is responsible for notifying the student's school of the religious holidays to be observed.
- Suspensions/Exclusions – When a student is absent due to a suspension or exclusion, the parent will ensure the student returns to school on the student's date of return as specified by the school administration.

K-12 Attendance Waiver

The Review Panel, which shall consist of a school administrator, a school counselor and a school teacher, may consider a request for a waiver of the attendance regulation for extenuating circumstances beyond the parent's and/or student's control. However, only verified absences will be considered for an attendance waiver; consideration will not be given to classes that a student has academically failed. Each waiver request will be considered on an individual basis, taking into consideration documentation provided and extenuating circumstances. The Review Panel may request that the parent or adult student provide documentation from a medical professional when absences due to illness are excessive and/or a pattern appears to exist. Approvals of attendance waivers by the review panel must be unanimous.

- A parent/eligible student may submit an attendance waiver no earlier than fifteen school days before the end of the course.

The Review Panel shall act on the waiver within ten (10) administrative days after receiving it. The parent/guardian shall be notified of the decision in writing within five (5) days after the Review Panel's decision

has been made. In cases where an attendance waiver has been denied, no grade higher than a 59 can be awarded.

- **Appeal of Waiver Decision:** The parent may appeal the decision of the Review Panel by submitting a written request to the Executive Director of Operations within three (3) days of receipt of the decision from the Review Panel. The decision of the Executive Director of Operations is **final**.

The school shall have available in the main office and/or school counselor's office the Gloucester County Public Schools *Attendance Waiver Request Form*.

Tardiness and Early Dismissals

It is important for students to be in school for the entirety of the school day. Medical appointments should be arranged before or after school whenever possible. However, when this is not possible, a doctor's note is required upon the student's return to school. A written note from the parent/guardian must accompany all non-medical related tardies and/or early dismissals.

Tardies or early dismissals for reasons other than personal illness, required court/agency appearances, or emergency reasons, as determined by a building principal or designee, **may be considered unexcused and may** be counted toward an absence.

- Middle/High School – Three (3) **unexcused** tardies/early dismissals to the same class **may** be counted as one full day **unexcused** absence.
- Elementary School – Three (3) unexcused tardies/early dismissals **may** be counted as one full day of absence from school when excessive tardies/early dismissals occur.

Makeup Work

Students who are absent from school may make up and receive credit for all missed assignments. Makeup work is encouraged so that students will profit from future instruction. In the middle and high school, it is the student's responsibility to ask the teacher for the makeup work. Parents of elementary school students are responsible for requesting makeup work for the student. Upon the student's return to school, he/she will be given makeup work. Due dates for makeup work will be assigned at the discretion of the classroom teacher. The student may receive a reduced grade or no credit for the assignment if the work is not submitted by the assigned due date. If a parent fails to verify an absence, the teacher has the discretion to adjust the grades of any makeup work.

Please note: A parent or eligible student may request work prior to a pre-scheduled/pre-determined absence, e.g. family vacation. Such requests will be reviewed and may be accommodated. If requests are not accommodated, upon the student's return to school, he/she may be given makeup work by the teacher with a specified date of completion. As a reminder, absences due to a family vacation will be recorded as unexcused.

NOTE: According to Section 22.1-264.1 of the *Code of Virginia* any parent or guardian can be charged with a **Class 4 misdemeanor** for knowingly making a false statement concerning the residency of a child in a particular school division or school attendance zone if the purpose is to avoid tuition or to enroll the student in a school outside the attendance zone in which the student resides.

PERFECT ATTENDANCE: *Graduating seniors who have demonstrated perfect K-12 attendance with Gloucester County Public Schools shall be recognized at the District level. Perfect attendance shall be determined by daily attendance, which is defined as being present for at least 75% of the day.*

Please note: Gloucester High School attendance records are based on class absences.

Any school may recognize students for perfect attendance for a given time frame as deemed appropriate.

STUDENT ABSENCES/EXCUSES/DISMISSALS (School Board Policy - File No. JED)

I. Student Attendance Policy

Student attendance is a cooperative effort and the School Board shall involve 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 shall be responsible for such child's regular and punctual attendance at school as required under provisions of the law.

A reasonable effort shall be made to contact a parent/guardian of each absent student every day, and to obtain an explanation for the student's absence, where there is no indication that the student's parent is aware of and supports the absence. A log will be kept of call attempts.

Students who are absent must bring a valid note stating the reason for absence upon returning to school. Unexcused absences shall be handled according to regulations issued by the superintendent.

The superintendent's regulations will include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will 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 he missed by reason of such absence, if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless otherwise excused. Secondary students shall be scheduled for a full school day unless they are enrolled in a cooperative work-study program. All other exceptions to a full day schedule must be approved on an individual basis by the superintendent or designee.

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 attendance law.

II. Compulsory Attendance Procedures

A. Upon Fifth Absences Without Parental Awareness and Support

If (1) a student fails to report to school for a total of five schedule school days for the school year, and (2) there is no indication that the 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 the 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 or his designee or the attendance officer, the pupil, and the pupil's parent shall jointly develop a documentation of the reasons for the pupil's nonattendance.

B. 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, either the school principal or his 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.

C. 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 designee shall notify the attendance officer or superintendent or his 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 § 16.1-228

or (ii) instituting proceedings against the parent pursuant to § 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.

D. 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 shall be monitored and reported as required by state law and regulations. At the end of each school year, each public school principal shall report to the superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to Part II (B) above. The superintendent shall compile this information and provide it annually to the superintendent of public instruction.

V. Dismissal Precautions

Principals shall 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 shall be released only on request and authorization of parent or guardian. The superintendent shall provide 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 shall be maintained in each school.

NOTE: When both parents have been awarded joint physical custody and the school has received notice of the joint custody order, required notices of absences will be sent to both parents.

LAWS REGARDING THE PROSECUTION OF JUVENILES AS ADULTS

The following information has been developed by the Office of the Attorney General regarding the prosecution of juveniles as adults:

Section 22.1-279.4 of the *Code of Virginia* states:

School boards shall 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. Methods of providing such information may include, but not be limited to, public announcements in the schools, written notification to parents, publication in the student conduct manual, and inclusion in those materials distributed to parents pursuant to § 22.1-279.3.

The following information in question and answer format provides the notice required by this section of the *Code*.

Who is a juvenile? Section 16.1-228 of the *Code of Virginia* defines a juvenile as “a person less than 18 years of age.” Section 16.1-269.1 of the *Code* permits juveniles, 14 years of age or older at the time of an alleged offense, to be prosecuted as adults for specific crimes under certain circumstances. This process is called a transfer to the appropriate circuit court for trial as an adult.

How is the age of the juvenile calculated? Section 16.1-241 of the *Code of Virginia* provides that for the purpose of transferring a juvenile to circuit court for trial as an adult, the child must have been age 14 or older at the time of the offense.

Under what circumstances does the law permit the transfer of juveniles for trial as adults?

The *Code of Virginia* permits the transfer of juveniles for trial as adults under three specific circumstances. Following is a description of each circumstance and the procedure that is followed in order to determine whether the student is transferred to circuit court.

Circumstance #1

A transfer can occur when a juvenile, who is age 14 or older at the time of the offense, is charged with a crime which would be a felony if committed by an adult (§ 16.1-269.1 A. of the *Code of Virginia*). Offenses are either felonies or misdemeanors. Those offenses that are punishable by confinement in a state correctional facility or death are felonies; all other offenses are misdemeanors. Felonies are classified for the purposes of punishment and sentencing into six classes. The authorized punishments for conviction of a felony are as follows:

- Class 1 felony – death if the person convicted was 18 years of age or older at the time of the offense and is not determined to be mentally retarded and a fine of not more than \$100,000. If the person was under 18 years of age at the time of the offense or is determined to be mentally retarded, the punishment shall be imprisonment for life or imprisonment for life and a fine of not more than \$100,000.
- Class 2 felony – imprisonment for life or for any term not less than twenty years or imprisonment for life or for any term not less than twenty years and a fine of not more than \$100,000.
- Class 3 felony – a term of imprisonment of not less than five years nor more than twenty years or a term of imprisonment of not less than five years nor more than twenty years and a fine of not more than \$100,000.
- Class 4 felony – a term of imprisonment of not less than two years nor more than ten years or a term of imprisonment of not less than two years nor more than ten years and a fine of not more than \$100,000.
- Class 5 felony – a term of imprisonment of not less than one year nor more than ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than

twelve months and a fine of not more than \$2,500, either or both.

- Class 6 felony – a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both. (§§ 18.2-9 and 18.2-10 of the *Code of Virginia*)

In this circumstance, the Commonwealth's Attorney's office makes a formal request to the judge of the juvenile court for the juvenile to be transferred to the circuit court. The juvenile court holds a transfer hearing and may retain jurisdiction or transfer the juvenile to the appropriate circuit court for criminal proceedings. Any transfer to the circuit court is subject to the following conditions:

- (1) notice;
- (2) probable cause to believe that the juvenile committed the alleged delinquent act or a lesser included delinquent act;
- (3) the juvenile is competent to stand trial; and,
- (4) the juvenile is not a proper person to remain within the jurisdiction of the juvenile court.

The decision regarding whether the juvenile is not a proper person to remain within the jurisdiction of the juvenile court is based upon, but not limited to, the following factors:

- The juvenile's age
- The seriousness and number of alleged offenses
- Whether the juvenile can be retained in the juvenile justice system long enough for effective treatment and rehabilitation
- The appropriateness and availability of the services and dispositional alternatives in both the criminal justice and juvenile justice systems needed by the juvenile
- The record and previous history of the juvenile in the jurisdiction where the alleged crime occurred or in other jurisdictions
- Whether the juvenile has escaped from a juvenile correctional entity in the past
- The extent, if any, of the juvenile's degree of mental retardation or mental illness
- The juvenile's school record and education
- The juvenile's mental and emotional maturity
- The juvenile's physical condition and maturity

Circumstance #2

A transfer can occur when a juvenile 14 years of age or older is charged with an offense which would be a felony if committed by an adult. (§ 16.1-269.1 C of the *Code of Virginia*)

In this circumstance, transfer is requested at the discretion of the Commonwealth's Attorney. If the Commonwealth's Attorney wishes to transfer the juvenile for trial as an adult, the juvenile court holds a preliminary hearing to determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is transferred for prosecution as an adult. (§16.1-269.1 C of the *Code of Virginia*)

Circumstance #3

A transfer occurs when a juvenile 14 years of age or older at the time of the alleged offense is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding. (§ 16.1-269.1 B of the *Code of Virginia*)

Transfer under this circumstance is automatic. Whenever a juvenile 14 years of age or older is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding, he or she must be tried as an adult. The juvenile court holds a preliminary hearing to determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is

transferred for prosecution as an adult. (§ 16.1-269.1 B of the *Code of Virginia*)

If a juvenile is transferred for prosecution as an adult on one offense, what happens if he or she has also been charged with other offenses? If any one charge is transferred, all other charges of delinquency arising out of the same act will be transferred. (§ 16.1-269.6 of the *Code of Virginia*)

Does the transfer impact subsequent alleged criminal offenses? Yes. Once a juvenile is convicted of a crime as an adult in circuit court, all subsequent alleged criminal offenses of whatever nature, will be treated as adult offenses and no transfer hearing will be required. (§ 16.1-269.6 of the *Code of Virginia*)

What happens when an adult is sentenced for a crime he or she committed as a juvenile? When the juvenile court sentences an adult who has committed, before attaining the age of 18, an offense which would be a crime if committed by an adult, the court may impose a penalty up to a maximum of 12 months in jail and/or a fine up to \$2,500. (§ 16.1-284 of the *Code of Virginia*)

What can happen if a juvenile is tried as an adult? There are significant differences between a juvenile being tried as a juvenile and a juvenile being tried in the circuit court as an adult. In the juvenile system, a juvenile is given added protections because of his or her youth.

- First, records pertaining to the charge and adjudication of delinquency are confidential and may not be available to the public unless the crime was a felony.
- Second, if the adjudication is for a misdemeanor, the juvenile court record is expunged when the juvenile reaches the age of majority and is considered an adult.
- Third, a juvenile who is adjudicated delinquent remains in the juvenile system where a judge has discretion in the determination of the punishment or consequences to be imposed. In the juvenile system, the emphasis is on treatment and education.

In contrast, if a juvenile is prosecuted as an adult the issues and information related to the charge and the conviction of a crime are part of the public record. Because the information becomes an adult criminal record, it is not expunged when the juvenile reaches the age of 18. Additionally, the judge does not have the same discretion in sentencing. The judge in circuit court must impose at least the mandatory minimum sentence that is prescribed in sentencing guidelines. The circuit court does have the discretionary power to commit the juvenile to the juvenile system even if prosecuted as an adult.

Student Records

Generally

The Gloucester County School Board shall maintain 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) shall be responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, and 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 shall also provide 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, Gloucester 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, 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, address, telephone listing, or electronic mail address. 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 Gloucester 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 Gloucester 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 Gloucester 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 Gloucester County 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 therefore. 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/her and by any others to whom he/she 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.

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 was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition or report was filed or the Director of the Department which sent the report and may forward the notice of petition 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 shall annually notify 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 educational records and the procedure for exercising this right;
- the right to request amendment of the student's educational 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 students 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 shall 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

Gloucester 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.

Military parents with valid military identification may request a copy of their child's records when withdrawing a student for the purpose of relocation. A statement of intent to enroll the student in another educational setting must accompany the request for copies. Transcripts and/or other records delivered to parents will be marked unofficial.

Fees for Copies of Records

The fee for copies will be 20¢ per page. The actual cost of copying time and postage will be charged. Gloucester County Public Schools shall not charge for search and retrieval of the records. Gloucester County Public Schools shall 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

Gloucester County Public Schools shall provide a list of the types and locations of education records collected, maintained, or used by the school division, when requested by parents.

Disclosure of Education Records

Gloucester County Public Schools shall disclose education records or personally identifiable information contained therein only with the written consent of the parent or eligible student subject to the following exceptions. The school division may disclose education record information without consent:

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 records.

A 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. If records or information are released under this provision, the student's parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.
 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. 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 Gloucester 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 B1 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.

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

Gloucester County Public Schools will provide, on request made by military recruiters or an institution of higher education, access to secondary school students' names. However, addresses, and telephone listings will not be provided without prior written parental consent.

Record of Disclosure

Gloucester County Public Schools shall maintain 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

Gloucester County Public Schools shall notify parents and eligible students at the beginning of each school year what information, if any, the 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.

Gloucester County Public Schools directory information may include the name, gender, date and place of birth of students, the student's major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees or awards received by students and photographs.

Gloucester County Public Schools may designate and release information designated as directory information provided public notice of the categories of information to be disclosed has been given and a reasonable period of time after notice has been allowed for parents and eligible student to object to disclosure. After notice for disclosure, if Gloucester County Public Schools does not receive a request for non-disclosure from a parent or eligible student within fifteen (15) administrative days, Gloucester County Public Schools may disclose directory information. Gloucester County Public Schools is not required to maintain a record of the disclosure of 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 Gloucester County 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. Gloucester 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, Gloucester 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. Gloucester 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 Gloucester 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 Gloucester 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.

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 that the student not earn high school credit for the course. The School Board specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Confidentiality of HIV and Drug and Alcohol Treatment Records

Gloucester 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.

NOTICE FOR DESTRUCTION OF NON-PERMANENT RECORDS

Gloucester County Public Schools destroys non-permanent records (not scholastic records) of all students including special needs students in accordance with the Code of Virginia and the guidelines provided by the State Board of Education and the Library of Virginia. These records must be retained five years after the student graduates, completes a Board of Education program, transfers, or withdraws from Gloucester County Public Schools. In some instances Virginia Alternate and Alternative Assessment collections are destroyed after one year. Should the information be needed for social security benefits or other purposes, the student (or parent, if the former student is less than 18 years of age) may obtain a copy of his/her records by calling no later than 5 years after the student has withdrawn or graduated from Gloucester County Public Schools.

SEX OFFENDER REGISTRY INFORMATION

Gloucester County Public Schools take every precaution regarding our students' safety, including being informed of updates to the Sex Offender Registry, which is maintained by the Virginia State Police. In our effort to keep parents informed, please know that this registry can be accessed at the Virginia State Police's web site: <http://sex-offender.vsp.virginia.gov/sor/index.htm>.

FOREIGN EXCHANGE STUDENTS

Foreign Exchange students who are classified as Seniors who meet the requirements to earn a diploma as prescribed by the Commonwealth of Virginia will be able to participate in senior activities and commencement.

Foreign Exchange students who are classified as Seniors who **do not meet** the requirements to earn a diploma as prescribed by the Commonwealth of Virginia will be able to participate in senior activities but not commencement.

ANNUAL NOTIFICATON TO PARENTS

Scoliosis Information

The Virginia General Assembly requires schools to conduct annual scoliosis screenings or provide educational material to parents of students in grades five through ten. In accordance with House Bill # 1834, Gloucester County Public Schools is providing the following educational material to parents.

What is scoliosis?

A normal spine, when viewed from behind, appears straight. However, a spine affected by scoliosis has a sideways curve, making it appear like an “S” or a “C”. Scoliosis is a type of spinal deformity that should not be confused with poor posture. Scoliosis can occur at any age, but the most common type occurs in teens and preteens as they go through their growth spurt.

Scoliosis occurs in 2-3 percent of adolescents by the end of their growth period. Mild curves generally do not cause problems. However, 3-5 out of every 1,000 adolescents have curves large enough to warrant treatment. Progressive, untreated scoliosis can lead to limited motion, back pain, deformity, and in extreme cases impaired function of the heart and lungs. Early detection and treatment may prevent scoliosis from progressing.

A simple check for scoliosis is part of a routine physical exam. However, it would not normally be detected at routine visits for illnesses such as colds and sore throats. Parents/guardians are strongly encouraged to have their child evaluated by their primary care provider for scoliosis as part of a regular checkup.

What are the signs of scoliosis?

- One shoulder may be higher than the other.
- One scapula (shoulder blade) may be higher or more prominent than the other.
- With arms hanging loosely by the side, there may be more space between the arm and the body on one side.
- One hip may appear higher or more prominent than the other.
- The head is not centered over the pelvis.
- When the patient is examined from the rear and asked to bend forward until the spine is horizontal, one side of the back appears higher than the other.



What causes scoliosis?

In most cases (80 to 85%), the cause of scoliosis is unknown, a condition called idiopathic scoliosis. Scoliosis is more common in females than males. It commonly affects adolescents as they complete their last major growth spurt between ages 10 and 18. Idiopathic scoliosis frequently runs in families and may be due to genetic or heredity influences.

How is scoliosis diagnosed?

Scoliosis is suspected on physical exam when any of the above signs are noted. If a significant curve is suspected, an x-ray is done to measure the actual angle of the curve in the spine. The Scoliosis Research Society defines scoliosis as a curvature of the spine measuring 10 degrees or greater on x-ray. The physician will look for signs in the medical and

family history as well as the physical examination that suggest an underlying cause for scoliosis. If this is suspected, other tests may be done.

Treatment of scoliosis

The goal of treatment is to stop the progression of the curve and avoid long-term problems. Treatment depends on the degree of the curve and the amount of growth the child is expected to have.

- Observation and repeated examinations are done for smaller curves, to determine if the spine is continuing to curve. Curve progression normally slows down or stops after a child reaches puberty. However, it is important to follow up every 4-6 months or as instructed, to be sure no further treatment is necessary.
- Bracing may be used when the curve measures between 25 to 40 degrees on an x-ray, but skeletal growth remains. The type of brace and the amount of time spent in the brace will depend on the adolescent's condition. Modern braces often can be hidden under clothing.
- Surgery may be recommended when the curve measures 50 degrees or more on an x-ray and bracing is not successful in slowing down the progression of the curve.

According to the Scoliosis Research Society, there is no evidence to show that other methods for treating scoliosis (i.e. manipulation, electrical stimulation, and corrective exercise) prevent the progression of the disease.

Long-term outlook for an adolescent with scoliosis:

The management of scoliosis is individualized for each adolescent depending on age, amount of curvature, and amount of time remaining for skeletal growth. Scoliosis will require frequent examinations by the adolescent's doctor to monitor the curve as the child grows and develops. Early detection and follow-up is very important to prevent the serious consequences that can occur from untreated scoliosis.

If you have any concern that your child may have scoliosis, or if your child has not had a routine physical exam in the past year, we urge you to make an appointment with your child's primary care physician.

Where Can You Get More Information?

- National Institute of Arthritis and Musculoskeletal and Skin Diseases (NIAMS), http://www.niams.nih.gov/Health_Info/Scoliosis/default.asp
- National Scoliosis Foundation, 800-673-6922, <http://www.scoliosis.org/>
- The Scoliosis Association, Inc, 800-800-0669, <http://www.scoliosis-assoc.org/>

ANNUAL NOTIFICATION TO PARENTS

Eating Disorder Information

What Are Eating Disorders?

Eating disorders are real, complex, and devastating conditions that can have serious consequences for health, productivity, and relationships. They are not a fad, phase or lifestyle choice. They are potentially life-threatening conditions affecting every aspect of the person's functioning, including school performance, brain development, emotional, social, and physical well-being.

Eating disorders can be diagnosed based on weight changes, but also based on behaviors, attitudes and mindset. Be alert for any of these signs in your child.

Eating disorders affect both males and females of all ages.

Key things to look for around food:

- Eating a lot of food that seems out of control (large amounts of food may disappear, you find a lot of empty wrappers and containers hidden)
- Develops food rules—may eat only a particular food or food group, cuts food into very small pieces, or spreads food out on the plate
- Talks a lot about, or focuses often, on weight, food, calories, fat grams, and dieting
- Often says that they are not hungry
- Skips meals or takes small portions of food at regular meals
- Cooks meals or treats for others but won't eat them
- Avoids mealtimes or situations involving food
- Goes to the bathroom after meals often
- Uses a lot of mouthwash, mints, and/or gum
- Starts cutting out foods that he or she used to enjoy

Key things to look for around activity:

- Exercises all the time, more than what is healthy or recommended – despite weather, fatigue, illness, or injury
- Stops doing their regular activities, spends more time alone (can be spending more time exercising)

Physical Risk Factors:

- Feels cold all the time or complains of being tired all the time. Likely to become more irritable and/or nervous.
- Any vomiting after eating (or see signs in the bathroom of vomiting – smell, clogged shower drain)
- Any use of laxatives or diuretics (or you find empty packages)

Other Risk Factors:

- Believes that they are too big or too fat (regardless of reality)
- Asks often to be reassured about how they look
- Stops hanging out with their friends
- Not able to talk about how they are feeling
- Reports others are newly judgmental or “not connecting”

Weight is NOT the only indicator of an eating disorder, as people of all sizes may be suffering

How to Communicate with Your Child

- Understand that eating disorder sufferers often deny that there is a problem.
- Educate yourself on eating disorders
- Ask what you can do to help
- Listen openly and reflectively
- Be patient and nonjudgmental
- Talk with your child in a kind way when you are calm and not angry, frustrated, or upset
- Let him/her know you only want the best for him/her
- Remind your child that he/she has people who care and support him/her
- Be flexible and open with your support
- Be honest
- Show care, concern, and understanding
- Ask how he/she is feeling
- Try to be a good role model- don't engage in 'fat talk' about yourself
- Understand that your child is not looking for attention or pity
- Seek professional help on behalf of your child if you have

If Your Child Shows Signs of a Possible Eating Disorder

Seek assistance from a medical professional as soon as possible; because they are so complex, **eating disorders should be assessed by someone who specializes in the treatment of eating disorders.** The earlier a person with an eating disorder seeks treatment, the greater the likelihood of physical and emotional recovery.

SCREENING PROCEDURES

The State Regulations Governing Special Education Programs for Children with Disabilities in Virginia, as adopted by the Virginia Board of Education, require that Gloucester County Public Schools establish and maintain screening procedures to assure the identification of children with suspected disabilities residing within its jurisdiction and requiring special education. We are required to provide the parents with a written notice of scheduled screenings and, if the child fails the screening, the results of the failed screening. The results of the screenings will be available with each student's scholastic record and all provisions associated with confidentiality will be maintained. The screening process for all children enrolled in Gloucester County Public Schools, including transfer students, is as follows:

- Speech, voice, language, and fine and gross motor will be screened within 60 administrative days of school entry for all kindergarten students, including those who transfer into the division.
- Hearing and vision screenings will be conducted within 60 administrative days of school entry for all children in grades kindergarten, 3, 7, and 10, including those who transfer into the division.
- Educational information on scoliosis is provided to parents for all children in grades 5-10 within 60 administrative days of school entry. (See "Annual Notification to Parents – Scoliosis Information" in the Gloucester County Public Schools *Student Code of Conduct Manual*).
- The local school division may recognize screenings reported as part of the child's pre-school physical examination required under the *Code of Virginia* if the screenings were completed within 60 business days prior to the start of school.
- Specific measures or instruments will be employed which use:
 - Observational and performance techniques; and
 - Techniques which guarantee nondiscrimination
- Children who fail any of the above screenings may be rescreened if the original results are not considered valid.
- Children shall be referred to the special education administrator or designee no more than three business days after screening or rescreening if results suggest that a referral for evaluation for special education and related services is indicated. The referral shall include the screening results.
- Applicable screenings (as indicated above) for students in kindergarten, third, and fifth through tenth grades and who are home-schooled, migrant, homeless, or attend private schools, are available at no cost by contacting the GCPS Special Education Department.

If parents have any questions, please contact the Office of Special Education at 693-7880.

Public Awareness Campaign In Special Education

A federal law enacted in 1975 requires that all school divisions provide a free and appropriate public education to disabled students. The reauthorization of the Individuals with Disabilities Education Act in 1994 prompted the need to revise Virginia's special education regulations. Special education services are provided in Gloucester County Public Schools. GCPS is seeking information on any child or youth who may not be receiving appropriate services.

A disabled student is a child between the ages of 2 and 21, inclusive, who needs special education and related services because of certain educational disabilities.

A child with a disability is a child who has been properly tested under state law and has been found to have one of the following disabilities:

Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance. A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in this definition are satisfied.

Deafness - A hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects the child's educational performance.

Deaf-blindness – Simultaneous hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Developmental Delay – A disability affecting a child ages two by September 30 through six, inclusive:

1. Who is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development, or (ii) who has an established physical or mental condition that has a high probability of resulting in developmental delay;
2. The delay(s) is not primarily a result of cultural factors, environmental or economic disadvantage, or limited English proficiency; and
3. The presence of one or more documented characteristics of the delay has an adverse affect on educational performance and makes it necessary for the student to have specially designed instruction to access and make progress in the general educational activities for this age group.

Emotional Disability - A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems. Emotional disability includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disability as defined in this section.

Hearing Impairment - An impairment in hearing in one or both ears, with or without amplification, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness in this section.

Intellectual Disability - The definition formerly known as "mental retardation" and means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

Multiple Disabilities - Simultaneous impairments (such as intellectual disability with blindness, intellectual disability with orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic impairment – A severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

Other health impairment - Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia and Tourette syndrome that adversely affects a child's educational performance.

Specific learning disability - A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of intellectual disabilities; of emotional disabilities; of environmental, cultural, or economic disadvantage. (§ 22.1-213 of the Code of Virginia; 34 CFR 300.8(c)(10))

Dyslexia is distinguished from other learning disabilities due to its weakness occurring at the phonological level. Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

Speech or language impairment - A communication disorder, such as stuttering, impaired articulation, expressive or receptive language impairment, or voice impairment that adversely affects a child's educational performance. (34 CFR 300.8(c)(11))

Traumatic brain injury - An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

Visual impairment including blindness - An impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

Signs of a potential educational disability may be exhibited in a delay of speech and language, vision, hearing, and/or fine and gross motor skills. Early intervention provides the best chance a child has for correcting or learning to cope with a disability.

Gloucester County Public Schools also offers related services, such as occupational and physical therapy, counseling, special transportation, etc. Children ages 2 to 21, inclusive, who are suspected as being disabled and are not receiving services should be referred to the Director of Special Education.

For more information, contact the Office of Special Education at 693-7880.

Minimum Standards for Participation in Extra-Curricular Activities/Teams

The Gloucester County School Board subscribes to the Virginia High School League's (VHSL) control, supervision, and regulations of interscholastic athletics and other VHSL activities. However, the Board imposes higher scholastic standards than VHSL.

Many extra-curricular student activities are district-sponsored and directed activities designed to provide opportunities for students to improve skills through group or individual involvement at school and public events. While it is desirable that students participate in such activities to the extent that they further their educational development, it is of paramount importance that such participation neither jeopardizes students' academic achievement nor exploits their time and talents.

In addition, the Board seeks improvement of student achievement, and the implementation of this policy requires the awareness and commitment of all members of the school community to their respective responsibilities. The school district, the school, the parents, and the students must develop channels of communication and cooperation for the successful implementation of this policy. Therefore, the Board establishes the requirement of a 2.0 academic average for all VHSL activities and any other organized activities that incorporate established eligibility requirements.

Eligibility

Students must first meet VHSL eligibility requirements. Students must also meet local eligibility by one of the following:

- (1) Eligibility is determined by the previous semester grades. Should a student not be eligible as determined by the grades at the end of the spring semester, that student may attempt to improve his/her grades by attending summer school. If, as a result of attending summer school, the student meets the necessary requirements, he/she is considered eligible and may participate in activities in the fall.
- (2) If a student's semester average falls below a 2.0, but the cumulative average is above the 2.0, the student will be allowed to participate.

Those participants who fail to meet one of the eligibility standards will be declared ineligible and will not be allowed to practice or participate in interscholastic athletics and other VHSL activities.

Exemptions

Exemptions are permitted for the following students:

1. Students entering the first semester of the sixth (6th) grade and the first semester of the ninth (9th) grade for the first time will be exempt from the 2.0 grade point average during that semester only.
2. Any transfer student enrolling in Gloucester County's secondary schools for the first time will be exempt from the 2.0 grade point average until the end of that initial semester.
3. A request for an exemption from the grade point average requirement may be made by a student with a Section 504 Plan or a special education student who is not pursuing an advanced studies or general studies diploma but meets all eligibility requirements except the 2.0 grade point average. (The school division does not have the authority to exempt said student from the minimum VHSL requirements.)
4. A student who participates in a winter sports program should remain eligible to the end of the winter sport season.

Waivers

Students may apply for a semester waiver of the 2.0 requirement one time during the middle school period and one time during the high school eligibility **provided they currently have a semester or cumulative GPA of 1.5 to 1.99 GPA. The waiver request form is available in the main office.** The decision **of the principal shall** be final.

STUDENT-ATHLETE CONCUSSIONS DURING EXTRACURRICULAR ACTIVITIES (School Board Policy – File No. JJAC)

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 non-medically supervised practice, game, or athletic competition.

I. Gloucester County Public Schools Concussion Management Team

- a. The Gloucester County Public Schools Concussion Management Team (“CMT”) shall be appointed by the Superintendent of Schools 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, and any such other person the Superintendent determines will assist the CMT in its actions.
- b. The CMT shall provide 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 Athletic Director of each school 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 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’s Athletic Director 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. Required Training 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 provided by the CMT, and sign a statement acknowledging receipt of such information. The concussion policy and guidelines will also be presented at each pre-season parent meeting. 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 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 or the certified athletic trainer 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 a 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 a licensed health care provider.
- 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 a 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 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.

ADOPTED: July 12, 2011
REVISED: July 8, 2014
July 14, 2015
August 9, 2016

Violations of the Student Code of Conduct

It is understood that justice can be best served if all people who are subject to specific rules and regulations are fully aware of the expectations that have been placed upon them, and that those who are charged with the management of the rules and regulations are given sufficient flexibility to consider all factors before rendering a decision. Since there are degrees of severity for established rules and regulations and there may be wide variations in the circumstances surrounding each infraction, fairness is better served by establishing a series of suggested alternatives, rather than mandating specific actions.

In line with this reasoning, various violations of established rules and regulations have been identified and suggested approaches for resolution are presented.

It should be understood that this is not a limiting document; not all possible violations have been identified and not all possible methods of resolution have been listed. As in all situations, all charges will be explained, and all such actions may be appealed through procedural due process. Discipline referrals sent to the principal for action are placed in the student's scholastic record. All records of disciplinary action are maintained throughout a student's educational career.

Violations of the Student Code of Conduct have been listed alphabetically and are coded in accordance with local and Virginia Department of Education guidelines.

Students are subject to corrective action for any misconduct that occurs:

- **In school or on school property; school property is defined as all property owned, leased, rented or otherwise used by a school including but not limited to the following:**
 - 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 services;**
 - c. **All vehicles used by the division for transporting students, staff, visitors or other persons;**
 - d. **Entire school campus including grounds and athletic fields.**
- **On a school vehicle;**
- **While participating in or attending any school sponsored activity or trip;**
- **On the way to and from school, including bus stops; and**
- **Off school property, when the act: (1) results in an adjudication of delinquency pursuant to Virginia Code §16.1-305.1 or a conviction for an offense listed in Virginia Code §16.1-260 or (2) results in a charge that would be a felony if committed by an adult or (3) negatively impacts the school system.**

Unlawful acts, which will lead to law enforcement notification and may lead to suspension from classes, riding the school bus, exclusion from activities, or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including marijuana, synthetic cannabinoids as defined in Va. Code §18.2-248.1:1, and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault/battery;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats; including false threats, against school personnel or school property;
- use or possession of explosives as outlined in GCPS policy #JFCD;

- possession of weapons or firearms as outlined in GCPS policy #JFCD;
- 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.

DISCIPLINARY OFFENSES (listed alphabetically - not by severity)

ALCOHOL – Bringing/Possession/Distributing (AL1) Consequences: Level 7 to Level 8

Mandatory notification to law enforcement

For the purposes of enforcement of this policy, "alcohol" shall be defined as any and all substances which expressly include alcohol in any form, and any other substance, such as "Liquid Paper", cough syrup, any over-the-counter preparations, look-a-likes or other materials when used, distributed, or undoubtedly possessed for the purpose of intoxication by inhalation or ingestion.

If the principal has reasonable suspicion to believe that a student is guilty of possessing, distributing, or selling alcoholic beverages, he/she will immediately contact law enforcement personnel and seek their advice for subsequent action. In addition, he/she has the responsibility of informing the parent or guardian.

AMMUNITION (W1P) Consequences: Level 3 to Level 8

Possessing any type of ammunition, i.e., cartridges, cases, primers, bullets, or propellant powder designed for use in any firearm, on school property or at a school-sponsored event is strictly prohibited.

ARSON (AR1) Consequences: Level 8

"Arson" shall be defined as the intentional setting of a fire.

ASSAULT/BATTERY (WITH FIREARM OR OTHER WEAPON) (BA1, BA3) Consequences: Level 5 to Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Assault and battery is defined as an actual offensive, forceful and violent and intentional touching or striking of a student, staff member or any other individual against his or her will, intentionally causing bodily harm through the use of a firearm or other weapon. Any student who commits battery against a Gloucester County Public Schools employee, including bus drivers, custodians, maintenance employees, etc. is subject to disciplinary action.

NOTE: The principal must report to the local law-enforcement agency the assault, assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. Any student who commits battery against a full-time or part-time teacher, principal, assistant principal, or guidance counselor engaged in the performance of his/her duties may receive a minimum of 15 days in jail, two of which cannot be suspended.

ASSAULT/BATTERY (WITHOUT FIREARM OR OTHER WEAPON) (BA2, BA4)

Consequences: Level 5 to Level 8 Mandatory notification to law enforcement and risk assessment

Assault and battery is defined as an actual offensive, forceful and violent and intentional touching or striking of a student, staff member or any other individual against his or her will, intentionally causing bodily harm without the use of a firearm or other weapon. Any student who commits battery against a Gloucester County Public Schools employee, including bus drivers, custodians, maintenance employees, etc. is subject to disciplinary action.

NOTE: The principal must report to the local law-enforcement agency the assault, assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. Any student who commits battery against a full-time or part-time teacher, principal, assistant principal, or guidance counselor engaged in the performance of his/her duties may receive a minimum of 15 days in jail, two of which cannot be suspended.

ASSAULT/BATTERY (MALICIOUS WOUNDING) (BA5) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Maliciously causing bodily injury to a person (without a weapon) with the intent to maim, disfigure, disable, or kill. Any student who commits battery against a Gloucester County Public Schools employee, including bus drivers, custodians, maintenance employees, etc. is subject to disciplinary action.

NOTE: The principal must report to the local law-enforcement agency the assault, assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. Any student who commits battery against a full-time or part-time teacher, principal, assistant principal, or guidance counselor engaged in the performance of his/her duties may receive a minimum of 15 days in jail, two of which cannot be suspended.

BOMB THREATS (BBI) Consequences: Level 8

Mandatory notification to law enforcement and risk assessment

The intentional or malicious false reporting of a bomb or other explosive device is a misdemeanor and is strictly forbidden. This would include the conveyance of such information in writing, verbally, electronic transmission, or via telephone.

BREAKING AND ENTERING (BR1) Consequences: Level 7 to Level 8

Mandatory notification to law enforcement

Breaking and Entering is defined as the unlawful entry or attempted entry into a GCPS facility/vehicle with the intent to commit a crime.

BULLYING (BU1) Consequences: grade PK-3 Level 3 to Level 6 grade 4-12 Level 4 to Level 8

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.

BULLYING (CYBER) (BU2) Consequences: grade PK-3 Level 3 to Level 6 grade 4-12 Level 4 to Level 8

Mandatory notification to law enforcement

Cyber bullying is defined as using information and communication technologies, such as cell phone text messages and pictures and internet e-mail, social networking web sites, defamatory personal web sites, and defamatory online personal polling web sites to support deliberate, hostile, behavior intended to harm others.

CELL PHONES/PERSONAL ELECTRONIC DEVICES/CAMERAS (C1M, C2M, C3M)

Students may possess cell phones or portable communication devices. Devices may not be visible and should not interfere with the instructional program or school activity. Devices must remain off during the school day or school related activity (this includes the school bus) unless authorized by an appropriate school staff member for an instructional purpose or if it is otherwise deemed necessary. GCPS will not be responsible for any lost, confiscated or damaged devices as students assume all responsibility by bringing devices on school property.

First Offense: The device will be confiscated and returned to the student at the end of the school day. The policy will be explained to the student for any further violations.

Second Offense: The device will be confiscated and will be returned during a parent/guardian conference. The student, parent/guardian and designated school employee will sign a warning letter which acknowledges consequences for any further offenses.

Third Offense: The device will be confiscated and will result in Level 3 or Level 4 disciplinary actions. The device will only be returned to the parent/guardian.

Repeated Violations: The device will be confiscated and will result in Level 3 to Level 5 disciplinary actions and the loss of the privilege to have the device on school property or at a school-sponsored event.

CHEATING/LYING (S2V) Consequences: grade PK-5 Level 1 to Level 5 grade 6-12 Level 3 to Level 5

Students will neither give nor receive assistance (written, orally, or otherwise) on tests, examinations, final evaluations, or class assignments that are to be graded as the work of a single individual. Cheating or lying encompasses any act, verbal or written, where the violation of rules or truthfulness was intentionally done.

CLASS DISRUPTION (D5C) Consequences: Level 1 to Level 6

Physical or verbal actions which distract students or which otherwise interfere with the teaching process shall be considered to be class disruption.

DISRUPTIVE DEMONSTRATION/INSUBORDINATION)(D1C, D2C, D3C, D8C) Consequences: Level 1 to Level 6

Disruptive demonstration includes, but is not limited to, disrespect and insubordination. "Disrespect" shall include statements, actions, gestures or inaction, which show disrespect toward any school employee. "Insubordination" shall be defined as intentional failure to comply with reasonable requests of teachers, administrators, or other responsible school personnel. Insubordinate acts may be by verbal response, defiant action, or inaction. This will also include any interference with staff attempts to discharge any other responsibility or duty (examples: attempts to break up a fight, responding to an emergency, or any other necessary action).

DRESS CODE (S1V)

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Any student who violates the dress code as outlined on page 7 of the Code of Conduct is subject to disciplinary action. A first offense will result in the student being required to change into a suitable garment or cover the offending piece of clothing, whichever is applicable. If this is not possible, the student will be requested to contact his/her parent or guardian in order to obtain suitable clothing. If the parent or guardian cannot be contacted, then the student will remain in detention until the end of the school day. A second offense will result in the student receiving a detention or an in-school or out-of-school suspension, and/or a parent or guardian/administrator

conference. A third offense may result in the student receiving an in-school or out-of-school suspension from one (1) to five (5) days, and a parent or guardian/administrator conference.

DRUGS - MARIJUANA, A CONTROLLED SUBSTANCE, SYNTHETICS, OR IMITATION CONTROLLED SUBSTANCE, ON SCHOOL PROPERTY OR AT SCHOOL-SPONSORED ACTIVITY

(Bringing/Possessing/Distributing) (DR1, DR2, DR4, DR5) Consequences: Level 8

Mandatory expulsion recommendation and notification to law enforcement

In accordance with Section 22.1-277.08, a school board shall expel from school attendance any student whom such school board has determined, in accordance with the procedures set forth in this article, to have brought/possessed/distributed a controlled substance, imitation controlled substance, or marijuana as defined in Section 18.2-247 onto school property or to a school-sponsored activity. For the purposes of enforcement of this policy, "drugs" shall be defined as any and all substances which are classified as "scheduled" or "controlled" substances by the *Code of Virginia, 1950*, as amended, and to expressly include anabolic steroids, prescription medication for which a student has no legitimate prescription, look-a-likes (any substance that appears to be a drug), or other materials (**including drug paraphernalia**) when used, distributed, or undoubtedly possessed for the purpose of intoxication by inhalation or ingestion. A school board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate.

If the principal has reasonable suspicion to believe that a student is guilty of possessing, using, selling, or distributing marijuana or a controlled substance or that the student's behavior, without benefit of any tests, is clearly consistent with being under the influence of any drugs as herein above defined, he/she will immediately contact law enforcement personnel and seek their advice for subsequent action. In addition, he/she has the responsibility of informing the parent or guardian.

DRUGS – MARIJUANA, A CONTROLLED SUBSTANCE, SYNTHETICS OR ALCOHOL ON SCHOOL PROPERTY OR AT SCHOOL-SPONSORED ACTIVITY (Theft/Use/Being Under the Influence) (AL1, DR1, DR2, DR3, DR5) Consequences: Level 7 to Level 8

Mandatory notification to law enforcement

For the purposes of enforcement of this policy, "drugs or alcohol" shall be defined as any and all substances which are classified as "scheduled" or "controlled" substances by the *Code of Virginia, 1950*, as amended, and to expressly include anabolic steroids, prescription medication for which a student has no legitimate prescription, alcohol in any form, and any other substance, such as "Liquid Paper", cough syrup, over-the-counter preparations, look-a-likes, abusable glue, paint, or other materials (**including drug paraphernalia**) when used, distributed, or undoubtedly possessed for the purpose of intoxication by inhalation or ingestion. In addition, any substance which is distributed as though it were a "drug" as herein defined, even if analysis shows that it is not, also will be deemed a "drug" for purposes of this policy, including the intent to purchase and/or distribute drugs as herein defined.

If the principal has reasonable suspicion to believe that a student is guilty of possessing, using, selling alcoholic beverages, or a controlled substance or that the student's behavior, without benefit of any tests, is clearly consistent with being under the influence of any drugs, to expressly include alcohol, as herein above defined, he/she will immediately contact law enforcement personnel and seek their advice for subsequent action. In addition, he/she has the responsibility of informing the parent or guardian.

Students with a diagnosis of asthma may be permitted to possess and self-administer inhaled asthma medications under strict guidelines as outlined in policy.

DRUGS - OVER-THE-COUNTER DRUG (Distributing) (D4G, D5G, D6G) Consequences: Level 3 to Level 8

For the purpose of enforcement of this policy, "over-the-counter drug" shall be defined as any and all non-prescription medications and/or substances i.e., Tylenol, aspirin, decongestants, etc.

DRUGS – INHALANTS (D15, D16) Consequences: Level 4 to Level 8

The unlawful using, cultivating, manufacturing, purchasing, possessing, transporting, or importing any inhalants on school property or at a school-sponsored event is strictly prohibited. It is prohibited for any person to smell or inhale any drugs or any other noxious chemical substances including, but not limited to, fingernail polish or model airplane glue as cited in the *Code of Virginia* §18.2-264.

EXCESSIVE TARDIES/EARLY DISMISSALS (A1T) Consequences: Level 1 to Level 1 to Level 4

Students are expected to be in every class and on time every day. Developing patterns of frequent tardies merit administrative and parental attention. Driving privileges may be revoked at the discretion of the school principal.

EXPLOSIVES (Use/Possession) (WP6, WP7) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

"Use" shall be defined as the setting off of any type of explosive or explosive device anywhere on school property. "Possession" shall be defined as having on one's person, or retaining in one's exclusive possession.

EXTORTION (EX1) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

"Extortion" shall include the unlawful use of threats or physical force/injury for the purpose of gaining money, property, or other benefits from another person. Extortion is a felony.

FALSE FIRE ALARM (BO4) Consequences: Level 5 to Level 8

The intentional pulling of a fire alarm is strictly prohibited.

FIGHTING (FA2) Consequences: Level 4 to Level 8

"Fighting" shall be defined as engaging in a (physical) confrontation, accompanied by blows. Any person encouraging others to fight may also be charged with this offense.

FORGERY (S2V) Consequences: Level 4 to Level 7

Writing or using the signature or initials of another person for the expressed purpose of misleading the reader is forbidden.

GAMBLING (G1B) Consequences: grade PK-5 Level 1 to Level 5 grade 6-12 Level 3 to Level 5

"Gambling" is defined as the participation in games of chance for the purpose of exchanging items of value. Card games or other games where score is kept for the purpose of a later monetary or material exchange are also considered to be gambling.

GANGS (GA1) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

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, or creation of an atmosphere of fear and intimidation (see policy number JFCF and *Code of Virginia* § 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2), 22.1-276.01). Gang related activities will not be tolerated. This includes, but is not limited to, recruiting, intimidating, wearing of clothing that symbolizes association, rituals associated with, or activities by an identified group of students.

HARASSMENT (HR1) Consequences: Level 4 to Level 8

Mandatory risk assessment

A student, either individually or as a part of a group, shall not harass others. Prohibited conduct includes, but is not limited to, physical intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited behavior includes verbal, written, electronic transmission, or physical deeds consisting of comments regarding the race, gender, religion, physical abilities or characteristics or associates of the targeted person.

HAZING (H1Z) Consequences: Level 7 to Level 8

Mandatory risk assessment

Students shall not recklessly or intentionally endanger the health or safety of a student(s) or inflict bodily harm on a student(s) 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(s) so endangered or injured participated voluntarily in the relevant activity. Hazing is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of \$2,500, or both, in addition to any disciplinary consequences which may be imposed by the school.

HOMICIDE (HO1, HO2, HO3, HO4) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement

Homicide is defined as any death of a student or GCPS employee as a result of a student's use of a firearm or weapon.

HORSEPLAY (S3V) Consequences: Level 1 to Level 6

Excessive horseplay is defined as including, but not limited to shoving, pushing, kicking, jumping at, pretending to hit or slap, bumping into someone purposefully that may cause injury.

INAPPROPRIATE BEHAVIOR (S3V) Consequences: Level 1 to Level 6

Any minor infraction/behavior including but not limited to instigating a fight, pushing a student, possessing inappropriate personal property, public displays of affection, etc. shall be deemed inappropriate conduct.

KIDNAPPING (K11) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian is considered kidnapping. This includes hostage taking.

LEAVING SCHOOL GROUNDS (A1T) Consequences: Level 3 to Level 6

Gloucester County Public Schools does not have an open campus policy. Unless special permission is granted, students are expected to remain on school grounds from the time they arrive until their last scheduled class is completed. Students are not authorized to leave school grounds for lunch. Driving privileges may be revoked at the discretion of the school principal.

LOITERING (TR1) Consequences: Level 3 to Level 6

"Loitering" is defined as the intentional delay in arriving at designated or assigned locations.

OBSCENE BEHAVIOR (D4C, D6C) Consequences: PK-5 Level 1 to Level 5 grade 6-12 Level 3 to Level 7

"Obscene behavior" shall include statements, literature, or actions which are obscene in nature. This would include the intentional, direct use of drawing and/or displaying of pictures, indecent exposure, the writing of certain words or statements on the board, desks, or notes, and the wearing of clothing or patches which are sexually suggestive or disruptive to the educational process.

PLAGIARISM (S2V) Consequences: Level 2 to Level 5

Plagiarism is the "wrongful appropriation" and "purloining and publication" of another author's "language, thoughts, ideas, or expressions," and the representation of them as one's own original work.

PROFANITY (D6C) Consequences: Level 2 to Level 6

Profanity shall include statements or actions which are obscene in nature. This would include the intentional, direct use of obscenities, and/or threats in an abusive, derogatory manner. If any student uses profanity or uses any violent abusive language to another individual he/she could be guilty of a class 3 misdemeanor.

RECKLESS VEHICLE USE (S3V) Consequences: Level 5 to Level 8

A student must not operate any motorized or self-propelled vehicle on school property in a manner that is a threat to the health or safety of others. Driving privileges may be revoked at the discretion of the school principal.

REPORTS OF CONVICTION OR ADJUDICATION OF DELINQUENCY PURSUANT TO

SECTION 16.1-305.1 (S3V) Consequences: Level 7 to Level 8

Any student for whom the superintendent has received a report pursuant to Virginia Code § 16.1-305.1 of an adjudication of delinquency or conviction for an offense listed in subsection G of Virginia Code § 16.1-260 may be suspended or expelled. Violations under this section include a firearm offense, homicide, felonious assault and bodily wounding; criminal sexual assault; manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana; arson and related crimes; burglary and related offenses; and robbery. This will apply only when the school division is notified of the disposition in writing by the court.

RIOT (INCITING) (RT1) Consequences: Level 5 to Level 8

Mandatory risk assessment

Rioting is defined as the unlawful use of force or violence by three or more individuals that seriously jeopardizes the safety, peace, or order of any individual on school property.

ROBBERY (RO1) Consequences: Level 7 to Level 8

Mandatory risk assessment

Robbery is defined as the taking, or attempting to take, anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence or by putting the victim in fear.

SALE OF GOODS (S3V) Consequences: PK-5 Level 1 to Level 4 grade 6-12 Level 1 to Level 5

The selling or distributing of unauthorized goods or materials on school property for profit is prohibited.

SEXUAL OFFENSE (BATTERY) (SB1, SB2) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Sexual battery against a staff member or student involves an offensive or intentional threat, intimidation or ruse or physical helplessness of sexual abuse. Sexual battery is a Class I misdemeanor.

SEXUAL OFFENSE (OFFENSIVE TOUCHING) (SX1, SX2) Consequences: Level 5 to Level 8

Mandatory risk assessment

Offensive touching is defined as improper physical contact against a student, staff member or any other individual that is offensive, undesirable, and/or unwanted as determined by the victim.

SEXUAL OFFENSE (FORCIBLE ASSAULT) (SX3, SX4) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Sexual forcible assault is defined as sexual penetration (e.g., oral, anal, or vaginal) against a student, staff member or any other individual without consent. This includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

SEXUAL OFFENSE (ATTEMPTED FORCIBLE ASSAULT) (SX5, SX6) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Attempted sexual forcible assault is defined as attempted sexual penetration (e.g., oral, anal, or vaginal) against a student, staff member or any other individual without consent. This includes statutory rape that is defined as sexual penetration with or without the consent of a minor.

SEXUAL OFFENSE (WITHOUT FORCE) (SX7) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Lewd behavior, indecent exposure that includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat.

SEXUAL OFFENSE (AGGRAVATED/BATTERY) (SX8) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

Aggravated sexual battery in this category is defined as the abuse of an individual less than thirteen years of age or accomplishing the act against the will of the victim by force, threat, intimidation, or through the use of the victim's mental incapacity or physical helplessness.

SEXUAL HARASSMENT (SX0) Consequences: Level 5 to Level 8

Mandatory risk assessment

"Sexual harassment" is defined as unwelcomed sexual advances. It can occur in many different forms and shall include but not be limited to: statements, actions (ogling, leering), pictures which are sexually suggestive, unwanted remarks (written, verbal, electronically transmitted), or unwanted touching (violating space, patting, rubbing, pinching, caressing, kissing). Incidents of sexual harassment could involve outside agencies such as social services or the Sheriff's Department.

SLANDER/LIBEL (HR1) Consequences: Level 3 to Level 8

"Slander/libel" is defined as the attempt to degrade others, either through a verbal or written act and can be considered harassment.

STALKING (ST1) Consequences: Level 7 to Level 8

Mandatory notification to law enforcement and risk assessment

It is strictly prohibited for a student to engage in conduct directed at another person with the intent to place that person in reasonable fear of death, criminal sexual assault, or bodily injury. First and second offenses are misdemeanors; third offense is a felony.

STUN GUN (WS1) Consequences: Level 7 to Level 8

Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge the exceeds the equivalency of five milliamp 60 hertz shock and used for the purpose of temporarily incapacitating a person.

TASER GUN (WT1) Consequences: Level 7 to Level 8

Possessing or bringing any mechanism that is designed to emit an electronic, magnetic or other charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person is strictly prohibited.

TECHNOLOGY VIOLATIONS (T1C, T2C, T3C, T4C) Consequences: grade PK-5 Level 1 to Level 6 grade 6-12 Level 3 to Level 8

The unauthorized use of technology and information gained through its use without permission is prohibited, as specified in School Board policy, File No. IIBEA-R Acceptable Computer System Use.

THEFT (TH1, TH2) Consequences: Level 5 to Level 8

For the purposes of enforcement of this policy, "theft" shall be defined as the taking of and/or stealing or converting to personal use property that belongs to the public school system or to others.

THREATENING BEHAVIOR/ACTIONS TOWARD SCHOOL EMPLOYEES (TI1) Consequences: Level 7 to Level 8

Mandatory notification to law enforcement and risk assessment

Any verbal, written, or electronic transmission that threatens to kill or do bodily harm to any school employee i.e., striking, attacking, pushing, or harming any school employee (or threatening these actions) is prohibited.

THREATENING (TI2) Consequences: Level 5 to Level 8

Mandatory risk assessment

"Threatening" is defined as implying the endangerment of the safety or welfare of others through the use of verbal, physical, written or electronic transmission methods.

TOBACCO PRODUCTS/NICOTINE CONTAINING ITEMS (TB1) Consequences listed below

Possession of tobacco products to include cigarettes, smokeless tobacco, and vaping devices (including Juul pods) is strictly prohibited on school property or at school-sponsored events. Use is defined as lighting, chewing, inhaling or smoking any tobacco product. Smoking is defined as carrying or holding 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. Items will be confiscated and not returned. Consequences are as follows:

Possession:

- First offense – 1 day suspended out of school; no notification to law enforcement
- Second offense – 2 days suspended out of school; notification to law enforcement
- Third offense – 3 days suspended out of school; notification to law enforcement
- Fourth offense – 4 days suspended out of school; notification to law enforcement
- Fifth offense – 5 days suspended out of school; notification to law enforcement

Use:

- First offense – 2 days suspended out of school; no notification to law enforcement
- Second offense – 3 days suspended out of school; notification to law enforcement
- Third offense – 4 days suspended out of school; notification to law enforcement
- Fourth offense – 5 days suspended out of school; notification to law enforcement
- Fifth offense – Recommendation for Long Term Suspension; notification to law enforcement

TOBACCO PARAPHERNALIA (T4B) Consequences listed below

Possession of tobacco paraphernalia, which includes but is not limited to, lighters, matches, papers, etc. on school property or at school-sponsored events is strictly prohibited. Items will be confiscated and not returned. Consequences are as follows:

Possession:

- First offense – 1 day of in-school suspension
- Second offense – 2 days of in-school suspension
- Third offense – 3 days of in-school suspension
- Fourth offense – 4 days of in-school suspension
- Fifth offense – 5 days of in-school suspension

TRADING CARDS (S1V) Consequences: Level 1 to Level 3

Bringing to school any type of trading card (i.e., baseball, football, hockey, pokemon, ugo, etc.) is strictly prohibited.

TRESPASSING (TR1) Consequences: grade PK-5 Level 1 to Level 5 grade 6-12 Level 3 to Level 7

It is unlawful for any individual, whether or not a student, to enter or remain on any school property without authorization and with no lawful purpose. This includes students who have been suspended or expelled.

TRUANCY/ATTENDANCE (A1T) Consequences: Level 1 to Level 4

Truancy may be charged when a student fails to attend school on a day on which there is no acceptable, justifiable reason for not being in attendance. In most cases, the parent or guardian is not aware of the absence. More frequently, skipping refers to the intentional missing of an assigned class or activity while in attendance for the school day. Chronic absenteeism or skipping may result in required interventions and may have academic consequences due to missed instructional time.

UNAUTHORIZED AREA (S3V) Consequences: Level 1 to Level 4

Students are not to be in vehicles or in the student parking areas from the time they report to school until such time as they are preparing to leave at the end of their school day. Because of multiple lunch schedules and traffic control concerns, certain hallways or other interior and exterior areas may be declared "off limits" during certain times of the school day. Students are not to be in any area other than those for which they have been granted permission.

VANDALISM (VA1) Consequences: Level 1 to Level 8

Damaging or destroying school property is prohibited. The Code of Virginia §§8.01-43 allows school boards to initiate action to recover from parents up to \$2,500 for damages for the willful or malicious destruction of school property by their child. Damaging or destroying the property of students or employees (including pranks) is also strictly prohibited. This includes graffiti.

VERBAL/PHYSICAL ALTERCATION (F1T) Consequences: Level 4 to Level 6

A confrontation, tussle, or verbal/physical aggression between two or more students that does not result in physical injury.

WEAPON - FIREARM OR WEAPON ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY (WP1, WP2, WP4, WP5, WP6, WP7, WP8, WP9) Consequences: Level 8

Mandatory expulsion recommendation, notification to law enforcement and risk assessment

A firearm is (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. Having on one's person, or retaining in one's possession anywhere on school property, any type of firearm or weapon is absolutely forbidden. Using instruments such as knives of any type, guns, clubs, brass knuckles, razor blades, box cutters, fireworks, firecrackers, stink bombs, or similar items in such a manner that threatens or inflicts bodily injury to another person, or another person's property, is also forbidden. A student who is determined to have brought/possessed/used a firearm or a weapon on school property or to a school-sponsored activity shall be expelled in accordance with Section 22.1-277.07 of the *Code of Virginia, 1950*, as amended. The School Board may determine, based on the facts of the particular case that special circumstances exist and another disciplinary action or term of expulsion is appropriate. This is in compliance with Federal Improving America's Schools Act of 1994 (Part F -- "Gun-Free Schools Act of 1994").

WEAPON - LOOK-A-LIKE FIREARM OR WEAPON (Use/Possession) (W3P) Consequences: Level 5 to Level 8

Possession or distribution of "look-a-like" firearms or weapons is strictly prohibited.

WEAPONS, CHEMICAL (W2P) Consequences: Level 5 to Level 8

Mandatory risk assessment

Possessing or bringing to school or a school-sponsored event any chemical substance to be used as a weapon on school property is strictly prohibited. This includes, but is not limited to mace, tear gas or pepper spray.

WEAPONS, PNEUMATIC (WP0) Consequences: Level 5 to Level 8

Mandatory notification to law enforcement and risk assessment

A pneumatic weapon means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. A pneumatic weapon 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. Possessing or bringing any pneumatic weapon onto school property is strictly prohibited.

WEAPONS, OTHER (W8P, W9P) Consequences: Level 5 to Level 8

Mandatory risk assessment

The possession of a knife with a blade less than three inches, razor blades, box cutters, fireworks, firecrackers, or bringing stink bombs to school or a school event is strictly prohibited.

All letter and numerical codes shown above are used by school administrators for State and local reporting purposes.

LEVEL DEFINITIONS

Level 1 – Reminder/Verbal Warning/Reprimand

Level 2 – Teacher Corrective Interventions

Level 3 – Referral to Administrator/Administrative Action/Conference

Level 4 – In-School Suspension (1-3 days) or Short-Term Suspension (1-10 school days) or Saturday School

Level 5 – Out-of-School Suspension (1-5 school days)

Level 6 – Out-of-School Suspension (6-10 school days)

Level 7 – Long-Term Out-of-School Suspension (11-45 school days)

Level 8 – Expulsion (365 calendar days or more)

Long term suspensions could extend beyond 45 school days if the offense involves firearms, drugs, serious bodily injury, or aggravating circumstances.

PK-3 students may not be suspended for more than three school days or expelled from school unless the offense involves physical harm or credible threat of physical harm to others or aggravating circumstances exist.

Graduating seniors who have had no disciplinary infractions for the duration of their academic career with Gloucester County Public Schools shall be recognized at the District level.

CORRECTIVE ACTIONS/DISCIPLINARY CONSEQUENCES

All violations of rules must be followed by consequences. Disruptive behavior means a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment. It should be understood that the following offenses do not include all possible infractions of school rules or consequences. Because all forms of misconduct may not be listed does not mean that they will be permitted.

School officials are authorized to utilize any and all of the disciplinary actions permitted by the Code of Virginia. Appropriate procedures will be followed for all students. The Code of Virginia and Federal Law permit and/or require certain disciplinary actions to be taken, including suspensions and expulsions. **The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. Each offense shall be considered fully in determining reasonable corrective actions:**

- Counseling
- Admonition
- Reprimand
- Loss of privileges, including access to the school division's computer system
- Parental conferences
- Modification of student classroom assignment or schedule
- Student behavior contract
- Referral to student assistance services
- Removal from class
- Initiation of child study process
- Referral to in-school intervention, mediation, or community service programs
- Tasks or restrictions assigned by the principal or his designee
- Detention after school or before school
- Suspension from school-sponsored activities or events, prior to, during, or after the regular school day
- Referral to an alternative education program
- Notification of legal authority where appropriate
- In-school suspension

- Short-term out-of-school suspension (ten days or less)
- Recommend a long-term out-of-school suspension
- Recommend expulsion
- Mandatory expulsion for bringing a firearm onto school property or to a school-sponsored activity or use or possession of a controlled substance, imitation controlled substance or marijuana, as defined in Chapter 34 of Title 54.1 and § 18.2-247 of the *Code of Virginia* or synthetic cannabinoids, on school property or at a school-sponsored activity
- Evaluation for alcohol or drug abuse (at the parent's expense)
- Participation in a drug, alcohol or violence intervention, prevention or treatment program (at the parent's expense)
- Require individual counseling (at the parent's expense)
- Other consequences at the discretion of the school administrator

School level administrators may consult with the Executive Director of Operations and/or the Superintendent on disciplinary cases.

NOTES:

Repeated violations of offenses suggest a need for strong parent or guardian/administrator communication and coordination. Possible outside assistance may be beneficial.

Extreme or repeated incidents of misconduct may result in the exclusion of the student from school activities.

Five (5) out-of-school suspensions for any reason may be justification for a recommendation by the principal to the Superintendent or his/her designee for long-term suspension or expulsion if it is determined that the student's continued attendance in the regular program will be disruptive to the learning environment, or dangerous to the student or others.

Seniors under disciplinary consequences due to violations of the Student Code of Conduct will not be permitted to participate in graduation activities.

Students participating in athletic activities also may be subject to corrective action as outlined in the school athletic policy.

Video surveillance may occur on any school property or on any transportation vehicles in accordance with School Board Policy JHFA. The use of video recordings from surveillance equipment shall be subject to the other policies and regulations of the division, including policies concerning the confidentiality of student and personnel records.

Items (hats, electronics, etc.) that are taken from students by a teacher or administrator are subject to be disposed of if not picked up in 90 days by a parent/guardian.

Self-Defense: Students are subject to disciplinary action for misconduct. Cases for which self-defense is claimed must meet the following criteria: (1) the claimant must not have provoked or behaved in a manner to cause the incident; (2) the claimant must have had reasonable fear of danger of harm; and (3) the claimant used no more force than needed for protection from the threatened harm. Such incidents should be reported immediately to school officials. When claims of self-defense have been established, the administrator shall: (1) allow the student to present his version of what occurred and (2) review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interaction among the students involved. Findings from the review of circumstances and other relevant information should be considered in determining appropriate corrective disciplinary action. Claims of self-defense do not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity. Weapons are prohibited on school property and at school-sponsored events.

DISPOSITIONS/RIGHTS OF APPEAL

DISPOSITIONS

- **Student Conference**
The first line of discipline is with the classroom teacher. Formal and informal conferences are held between the student and the teacher. If problems become more serious, the principal will hold a conference with the student in an attempt to improve behavior. Many times the student's counselor also will be included in the conference.
- **Parent or Guardian Contact**
The most appropriate person in dealing with student discipline problems is the parent or guardian. Teachers, counselors, and administrators will contact the parent or guardian by telephone or by letter in an effort to keep the parents or guardians informed of student conduct. An effort will be made to notify the parent or guardian by telephone prior to a suspension.
- **School Conference with Parent or Guardian**
Parents or guardians are encouraged to set up an appointment with any teacher, counselor, or administrator to discuss their student's progress or problems. In a time of suspension, a parent or guardian is requested to accompany their student upon return to school after the time of suspension has been completed.
- **Confiscation**
Any student's property which causes a disruption to the learning environment will be temporarily removed from that student's possession and may be kept until a parent comes to pick up the property.
- **Restitution**
The replacement of or payment for property stolen, damaged, or destroyed by a student will be required as provided in the *Code of Virginia*.
- **Detention**
For valid and sound reasons, and on an individual basis, students may be detained after school for a reasonable length of time. Students who are detained must be supervised by a teacher or an administrator. The student's parents or guardians must be notified in advance of the detention and must provide transportation from school at the designated time unless the activity bus is available.
- **Court Referral**
In case of a drug offense, assault, or other violation of the *Code of Virginia*, a petition may be filed against the student through juvenile intake. The plaintiff may be either the school or the victim.
- **Short-term Suspension - In School/Out of School Suspension**
The principal or his/her designee has the authority, for sufficient cause, to suspend a student for not more than ten (10) school days and will report the facts in writing to the Superintendent or his/her designee and the parent or guardian of the student suspended. PK-3 students may not be suspended for more than three school days or expelled from school unless the offense involves physical harm or credible threat of physical harm to others or aggravating circumstances exist. A parent or guardian must accompany his/her student upon return to school after the time of suspension has been completed.
- **Exclusion**
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.
- **Long-Term Suspension**
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 46 school days. Long term suspensions could extend beyond 45 school days if the offense involves firearms, drugs, serious bodily injury, or aggravating circumstances.

- **Expulsion**
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 days after the date of the expulsion. PK-3 students may not be suspended for more than three school days or expelled from school unless the offense involves physical harm or credible threat of physical harm to others or aggravating circumstances exist.
- **Emergency Suspension**
Any student whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be summarily removed from school immediately and the notice, explanation of facts, and opportunity to present his or her version required under Suspensions of Ten or Less Days will be given as soon as practical thereafter. A reasonable effort to contact the parents immediately will be required.
- **Placement in an alternative education program**
A student who has been long-term suspended, excluded, or expelled from the regular school program may be recommended for placement in an alternative education program by the superintendent or his/her designee. The alternative education program shall include but shall not be limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate. A reasonable effort to contact the parents immediately will be required.

PLACEMENT/SUSPENSION/EXPULSION PROCEDURES

PRIOR TO SUSPENSION:

- √ The student will be apprised of the nature and facts of the alleged misconduct.
- √ The student will be given the opportunity to explain the circumstances of the alleged misconduct from his/her perspective.
- √ The student will be informed of the conditions of the suspension, such as required parental conference prior to return, prohibition from coming on school property, and/or scheduled school activities, etc.
- √ The principal or his/her designee will make an effort to notify immediately the parent or guardian by telephone.
- √ The principal will execute a letter of suspension that sets forth the facts of the case. Copies of the letter of suspension will be given to the student, if possible, and mailed to the parent or guardian.
- √ In general, students are not to be suspended without prior notice unless an emergency exists as determined by the principal or his/her designee.
- √ The right of appeal will be stated on the suspension letter. The procedures for appeals will also be set forth in the *Student Code of Conduct*.

- **Short-term Suspension Appeals (suspensions ten days or less)**
If a student and parent or guardian appeal a student's suspension that was assigned by an assistant principal, the school principal must be notified in writing within seven (7) calendar days of the date that the student is notified that he/she is being suspended. The letter of appeal must include the student's account of the incident as well as reasons for believing the suspension is unjustified. The principal will review the suspension giving the parent, guardian, and/or student an opportunity to be heard. The principal will render a decision regarding the appeal and will notify the student, parent, or guardian in writing within seven (7) calendar days of the date of the appeal.

If the principal's decision is appealed, a written letter of appeal must be received by the Superintendent's designee, the Executive Director of Operations, within seven (7) calendar days of the principal's decision or the decision of the principal becomes final. The Executive Director of Operations will review the suspension, giving

the parent or guardian and student an opportunity to be heard. The Executive Director of Operations will render a decision regarding the appeal and will notify the student, parent, or guardian in writing within seven (7) calendar days of the date of the appeal. The decision of the Executive Director of Operations will be final.

If a student and parent or guardian appeal a student's suspension that was assigned by the school principal, the Executive Director of Operations must be notified in writing within seven (7) calendar days of the date that the student is notified that he/she is being suspended. The letter of appeal must include the student's account of the incident as well as reasons for believing the suspension is unjustified. The Executive Director of Operations will review the suspension giving the parent, guardian, and/or student an opportunity to be heard. The Executive Director of Operations will render a decision regarding the appeal and will notify the student, parent, or guardian in writing within seven (7) calendar days of the date of the appeal. The decision of the Executive Director of Operations will be final.

- **Placement in an alternative education program**

I. The Superintendent or his/her designee(s) may, for sufficient cause, require students to attend an alternative education program provided:

- √ The student and his parent(s) or guardian (s) are provided written notice of the proposed action and the reason(s) for the action.
- √ The student and the parent or guardians are informed in writing that they have a right to a hearing. This notification will include the date, time, and place of the hearing.
- √ In any case in which a student has been placed in an alternative education program by the Superintendent or his/her designee(s) after a hearing, the student and his/her parent(s) or guardian(s) may appeal the decision to the School Board Disciplinary Committee. Such appeal must be in writing and must be filed with the Superintendent within seven (7) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The Disciplinary Committee will consider the appeal within thirty (30) calendar days of the appeal.

II. The Superintendent or his/her designee(s) may require any student to attend an alternative education program if the student has been:

- A. 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. The term "charged" means that a petition or warrant has been filed or is pending against a pupil.
- B. found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol or drugs, or 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 Va. Code 16.1-260.G;
- C. found to have committed a serious offense or repeated offenses in violation of school board policies;
- D. suspended pursuant to Va. Code § 22.1-277.05; or
- E. 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 such an alternative education program.

- **Long-Term Suspension (Suspension in Excess of Ten Days)**

The principal can recommend a long-term suspension for a student provided the recommendation is made on the Recommendation for Long-Term Suspension form.

The Superintendent or his/her designee(s) may, for sufficient cause, suspend students from school for more than ten (10) school days provided:

- √ The student and his parent(s) or guardian(s) are provided written notice of the proposed action and the reason(s) for the action.
- √ The student and the parent or guardians are informed in writing that they have a right to a hearing. This notification will include the date, time, and place of the hearing.
- √ In any case in which a student has been suspended by the Superintendent or his/her designee(s) after a hearing, the student and his/her parent(s) or guardian(s) may appeal the decision to the School Board. Such appeal must be in writing and must be filed with the Superintendent within seven (7) calendar days of the

suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board will consider the appeal within thirty (30) calendar days of the appeal.

- **Expulsion**

Expulsion is the permanent removal of all educational services to a student. Student expulsion is only by action of the School Board.

The principal can recommend expulsion of a student provided the recommendation is made on the Recommendation for Expulsion form. Recommendations for expulsion for actions other than those specified in Section 22.1-222.07 (Gun Free Schools Act) and Section 22.1-277.08 (Certain Drug Offenses) shall be based on consideration of the following factors:

1. The nature and seriousness of the conduct;
2. The degree of danger to the school community;
3. The student's disciplinary history, including the seriousness and number of previous infractions;
4. The appropriateness and availability of an alternative education placement or program;
5. The student's age and grade level;
6. The results of any mental health, substance abuse, or special education assessments;
7. The student's attendance and academic records; and,
8. Such matters as he/she deems appropriate.

The Superintendent or his/her designee(s) will present the student matter to the School Board Disciplinary Committee. The superintendent or his/her designee will provide the student and his/her parent(s) with a copy of the *Student Code of Conduct* and will notify the student and his/her parent(s) or guardian in writing of the following:

- √ Written notice of the proposed action and the reason(s) for this action, as well as, the date and time of the meeting.
- √ The right to inspect the student's school records.
- √ Written notice of the School Board Disciplinary Committee's decision and applicable appeal rights.

- **School Board Disciplinary Committee**

The procedure for the School Board Disciplinary Committee hearing will be as follows:

The Disciplinary Committee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing will be private unless otherwise specified by the Disciplinary Committee.

The Disciplinary Committee may ask for opening statements from the principal or his/her representative and the student or his/her parent(s) or guardian (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.

The parties then will present their evidence. Because the principal has the ultimate burden of proof, he/she shall present 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 relevant material or evidence and shall afford the parties the right of cross-examination; provided, however, that the Disciplinary Committee may take testimony of student witnesses outside the presence of the student, his/her parent(s) and their representative if the Disciplinary Committee determines at 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 shall be the judge of the relevance and materiality of the evidence.

Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, will be marked and made part of the record.

The Disciplinary Committee may, by majority vote, uphold, reject, or alter the recommendation.

The Disciplinary Committee shall transmit its decision, including the reasons therefore, to the student, his/her parent(s), the principal, and superintendent. If the School Board Disciplinary Committee's decision is not unanimous, the pupil or his/her parent may appeal the committee's decision to the full School Board. The School Board shall decide such appeal within 30 days.

- **Trespassing**

An excluded, suspended or expelled student will not be allowed to come onto School Board property (including school buses) during the period of exclusion, suspension or expulsion or attend any school-sponsored activity. Students who violate this may be charged with trespassing.

STUDENT SEARCHES (School Board Policy File No. JFG)

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 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.

Student desks and lockers are the property of the school, and may be used for the storage of permitted student belongings only. School officials retain locker combinations and reserve the right to search desks and lockers as well as to open lockers at any time for repairs. A general search of lockers or desks may be conducted to repossess school property or to locate illegal materials. School officials in accordance with a pre-determined search formula may conduct a random, systemic, non-selective search of student classrooms, desks, lockers or automobiles. Students are responsible for the content of their assigned locker at all times. The student's individual right to privacy and freedom from unreasonable search and seizure is balanced by the school's responsibility to protect the health, safety, and welfare of all persons within the school community. Should illegal materials be found during a search, law enforcement officials should be notified.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored function. All searches will be conducted with a witness present.

Behavior on School Buses

While students are on the bus, they are in the driver's care and must obey the driver. The driver has the authority and is encouraged to assign seats to all students. Once a student boards the bus, he/she may not exit without written permission of the parent or guardian and approval of the principal until he/she reaches home or school. No special stops will be made between regular stops.

Students will not be allowed to ride another bus without written permission of the parent or guardian and approval of the principal. Approval will be denied if a bus has reached its safe maximum load of registered students. Emergency situations will be approved only with the concurrence of the Transportation Office. No student has the right to keep another student from sitting in any vacant seat nor may any student reserve seats for someone else.

Violations of the Student Code of Conduct include misbehavior on school buses. Students who misbehave on the bus will be disciplined according to the disciplinary consequences as outlined in the Student Code of Conduct.

DISCIPLINARY ACTIONS FOR BUS OFFENSES

- A warning may be issued by the driver, and the student may be given an assigned front seat.
- Repeated acts will be referred to the school principal or his/her designee and the Director of Transportation; possible consequences include, but are not limited to:
 - (1) Conference between the bus driver, student, parent or guardian, school principal or his/her Designee, and/or Director of Transportation
 - (2) Suspension from the bus and/or school from one (1) to ten (10) school days can be imposed
 - (3) Recommendation for long-term suspension or expulsion

NOTE: The driver has the authority to revoke a student's riding privilege for one a.m. run for violations that affect the safety and welfare of others on the bus. The driver will make every reasonable effort to notify the student, parent, school principal, and the Director of Transportation.

BUS OFFENSES INCLUDE:

- Making excessive noise **(B1)**
- Not sharing seats **(B2)**
- Calling names **(B3)**
- Failing to take a seat properly **(B4)**
- Failing to exit the bus in a prompt, orderly fashion **(B5)**
- Failing to board the bus properly **(B6)**
- Consuming drinks or food items **(B7)**
- Selling food or other items while on board **(B8)**

- Moving while the bus is in motion **(B9)**
- Opening of emergency exit door without driver permission **(B10)**
- Other violations **(B11)**
- Throwing objects (in, at, or out of the bus) **(BM1)**
- Fighting **(BM2)**
- Using profane or obscene language (see NOTES) **(BM3)**
- Smoking **(BM4)**
- Possessing dangerous objects such as knives, fireworks, or any object that could cause physical harm **(BM5)**
- Bringing forbidden objects on the bus (see NOTES) **(BM6)**
- Extending any part of the body out of the window of the bus **(BM7)**
- Showing disrespect or defying orders of the bus driver **(BM8)**
- Destroying property **(BM9)**
- Repeating minor offenses **(BMM)**
- Committing illegal acts **(BMI)**

NOTES: Students who are off the bus, but use abusive language or actions that could be interpreted as intended for those who are still in the vicinity of school property, will be treated as if they were on school property.

Forbidden objects include but are not limited to: balloons, glass containers, live animals/insects, flowers, aerosol deodorants/perfumes, skateboards or any other object which may adversely affect the safe operation of the school bus.

ACTIVITY BUSES

Activity buses are available to the middle and high school students to enable them to take full advantage of all after school activities. These buses **do not** serve all roads and are not intended to provide door-to-door service. The activity buses serve designated stops on the major roads of the county, which will allow parents to meet their children. Parents whose children expect to ride the activity buses should contact the school to determine the exact drop-off location and times of the activity bus route. Students are reminded that the same code of conduct applies to activity buses.

EQUAL EDUCATIONAL OPPORTUNITIES/NON-DISCRIMINATION**I. Policy Statement**

Equal educational opportunities shall be available for all students, without regard to race, national origin, gender, ethnicity, religion, disability or marital or parental status. Educational programs shall be designed to meet the varying needs of all students.

No student, on the basis of gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege, advantage or 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 students;
- not exclude qualified disabled students, 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/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-E, to make complaints of discrimination. However, oral 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 calendar 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 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 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 calendar 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 superintendent's designee determines that prohibited discrimination occurred, the Gloucester 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 calendar 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.

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 Gloucester County School Board has designated the Executive Director of Human Resources and Compliance [804-693-7889] as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer [Assistant Superintendent of Administrative Services, 804-693-5304].

The Compliance Officer shall:

- receive reports or complaints of discrimination;
- 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;
- insure 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 Code of Conduct Manual and employee information packets; 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 make false charges of discrimination shall be subject to disciplinary action.

ADOPTED: November 11, 1986

REVISED: July 1, 1991
April 12, 2005
February 9, 2016
April 12, 2016

LEGAL REFERENCES:

20 U.S.C. sections 1681-1688.
29 U.S.C. sections 794.
42 U.S.C. sections 2000d-2000d-7.
34 CFR part 106.

HARASSMENT AND RETALIATION**I. Policy Statement**

The 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 Gloucester 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 include school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The School Division shall: (1) promptly investigate 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; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions**A. Harassment Based on Sex**

Harassment based on sex consists of unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which includes 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;
- 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 sexual harassment if it meets the immediately preceding definition includes:

- 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, Religion

Harassment based on race, national origin, disability, religion or sexual orientation 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, religion or sexual orientation 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, religion or sexual orientation 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, religion or sexual orientation.
- hostile acts which are based on another's race, national origin, disability, religion or sexual orientation.
- written or graphic material which is posted or circulated with the intent to intimidate or threaten individuals based on their race, national origin, disability, religion.

III. Complaint Procedure

A. Formal Procedure

1. File Report

Any student or school personnel who believes he or she has been the victim of sexual harassment based on 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 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 have noticed 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-E/JFHA-E, to make complaints of harassment. 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 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 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 investigator 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 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 designee determines that it is more likely than not that prohibited harassment occurred, the Gloucester 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 designee determines that prohibited harassment occurred, the Superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal

If the Superintendent or 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 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 Gloucester County School Board has designated the Executive Director of Human Resources and Compliance [804 693-7889], as the Compliance Officer responsible for identifying, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Assistant Superintendent of Administrative Services [804-693-5304] who shall serve as the Alternate Compliance Officer.

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 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 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.

IV. 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.

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 harassment 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 harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information 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 Code of Conduct Manual and employee information packets; 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 shall be notified annually of the names and contact information of the compliance officers.

VII. 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.

ADOPTED: April 12, 2005

REVISED: August 9, 2011
September 10, 2013
February 9, 2016

LEGAL REFERENCES: 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.

5/2012 VSBA

Gloucester County School Board

CIVILITY POLICY**Statement and Purpose:**

The School Board's primary objective with this policy is to promote mutual respect, civility and orderly conduct among district employees, parents and the public. The School Board supports all partners in the educational process in maintaining a safe and nurturing environment that models respectful problem solving and reduces the potential for serious or widespread disruptions within the school district. It is not the intent of the School Board to deprive any person of his or her right to freedom of expression. This policy conveys the need to maintain, to the greatest extent possible, safe and harassment-free environments for teachers, students, administrators, staff, parents and other members of the community.

In the interest of presenting teachers and other employees as positive role models, the school board encourages positive communication and discourages volatile, hostile or aggressive communications or actions. Gloucester County Public Schools believes that a safe, civil environment is essential to high student and staff achievement, to the free exchange of ideas central to a quality educational process, and to the development of youth as thoughtful participants in our democracy. Conversely, uncivil conduct, like other forms of disruptive behavior, interferes with a student's ability to learn and a school's ability to educate its students.

Gloucester County Public Schools encourages administrators, faculty, staff, students, volunteers, parents, and other community members to participate in maintaining a clear expectation of civil conduct and problem-solving throughout the school district. The School Board is committed to supporting this expectation and refuses to condone uncivil conduct on school grounds or at school-sponsored activities, whether by staff, students, parents, volunteers, or other visitors.

The School Board desires to;

- promote a work and learning environment that is safe, productive and nurturing for all staff and students, and to encourage the free flow of ideas without fear or intimidation,
- provide a work and learning environment that discourages the influence of fear, anger, frustration, alienation, and rudeness, and
- provide all students with appropriate role models for respectful problem-solving.

Expectations:

The School Board, staff, parents, and visitors will treat each other with courtesy and respect. Disruptive behavior includes, but is not necessarily limited to, behavior which interferes with or threatens to interfere with the operations of a school environment.

The School Board believes;

- there should be respect for the obligations and time constraints of all individuals,
- school district employees should treat members of the public and their peers with civility, courtesy and respect,
- parents and the public should treat staff and students, while on school property and/or participating in school-related activities, with civility, courtesy, and respect,
- behavior should not interfere with or threaten the operation of a school, classroom or any employees' workspace, both inside and outside of the facility,
- the use of loud and/or offensive/and demeaning language, swearing, cursing or display of temper is not appropriate,
- there should not be verbal, physical, or written threats to do bodily or physical harm to a teacher, school administrator, school employee or student, regardless of whether or not the behavior constitutes or may constitute a criminal violation, and
- there should not be damage or destruction of school or school board property.

Process for Addressing Concerns and Issues:

Individuals who feel they have been subjected to uncivil (i.e., threatening and inappropriate) conduct are encouraged to resolve the concern/issue with the person or persons directly involved. Through a process of cooperative agreement, the affected individuals may be able to reach a mutually effective resolution.

Either party may cite this policy and notify the other person that they are ending the conversation or the interaction and remove themselves from the situation (i.e., ending a phone call, walking out of the room, or requesting the other individual leave the room). If the issue/situation is not addressed in a satisfactory manner, either party may notify the appropriate principal/supervisor or designee. The principal/supervisor or designee will assist the individuals in reaching a resolution.

In all cases, individuals who perceive that they have been treated in an uncivil manner will be urged to resolve their concerns through simple, direct or assisted communication with the person(s) at the source of the concern. When this is not possible or appropriate, any person who needs help in identifying and/or using appropriate problem-solving procedures may seek assistance from the school principal, principal designee, or work site administrator. Individuals are encouraged to work out issues of concern in a timely manner. No retaliation will be tolerated against individuals for working in good faith under this policy and its related procedures to resolve concerns.

ADOPTED: May 10, 2011

CROSS REFERENCES:

GBA	Sexual Harassment/Harassment Based On Race, National, Origin, Disability, Religion and Sexual Orientation
GBA-E	Report of Harassment
KGB	Public Conduct on School Property
KK	School Visitors
KL	Public Complaints

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including access to the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, personal computers, tablets, cellular phones, smart telephones, the internet and other internal or external networks.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, including electronic mail, instant or text messages, tweets, or other files deleted from a user's account, may be monitored, read, and/or archived by school officials.

The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include:

- (1) a prohibition against use by Division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to:
 - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - (c) material that 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;
- (3) provisions establishing that the technology protection measure is enforced during any use of the Division's computers;
- (4) provisions establishing that all usage of the computer system may be monitored;
- (5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities;
- (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and;
- (8) a component of Internet safety for students that is integrated in the Division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The Division's computer system is not a public forum.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The school board will review, amend if necessary, and approve this policy every two years.

ADOPTED: November 1, 1996

REVISED: July 13, 1999
October 9, 2001
March 13, 2007
July 14, 2009
July 13, 2010
July 9, 2013

LEGAL REFERENCES: 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, & 22.1-78.

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 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, workbooks, and instructional materials 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. Appropriate fees will be charged only for textbooks and instructional materials that are used solely by the students.

The following fees are charged:

I. User Fees

A. Elementary Schools

Summer Enrichment Camp	100.00
IPOP Tuition / Per Semester	400.00

B. Middle Schools

Hall Locker	2.00
Gym Locker	2.00
Band	15.00
Instrument Rental (Band)	30.00
Guitar Class (Mat. & Inst. Rental)	10.00
Summer Enrichment Camp (Rising 5-7)	100.00

C. High School

Physical Education Equipment Fee	5.00
Parking for Students Who Drive (Juniors & Seniors only)	50.00
Driver's Education – Behind the Wheel	85.00
Choral Activity and Concert Attire	15.00
Band & Marching Band	
General Bank – All Students (annual fee)	15.00
General Percussion – All Students (annual fee)	10.00
General Instrumental Rental (annual, as required)	30.00
Marching Band Uniform Rental (annual fee)	30.00
Performance "Show" Shirt (annual)	25.00
Shoe Fee (one-time, or as needed)	30.00
Band Sweatshirt (one-time, or as needed)	25.00
Uniform Fee (Color Guard)	100.00
Dual Enrollment Fee Per Credit Hour	15.00
Summer School (per course)	100.00
Virtual Virginia Summer School (per course)	375.00

II. Supplies, Services and Materials Fees

A. Elementary Schools

Subscriptions	4.50 - 8.50
Kindergarten Supplies	10.00
Writing Materials – 1 st grade	2.00
Student Agenda	3.50
Student Communication Folder	1.25
Technology Fee	10.00

B. Middle Schools	
Student Agenda	5.00
Band and Choir Uniforms	15.00-20.00
Technology Fee	10.00
C. High School	
Strengthening and Conditioning Class	15.00
NJROTC	25.00
Cosmetology – Tools, Smock & Mannequins	180.00
Technology Fee	10.00
Driver Education Class Workbook	3.00
III. Club Fees	
A. Elementary Schools	
B. Middle Schools	
Art Club	5.00
Builder's Club	5.00
Drama Club (Page)	15.00
FBLA	6.00
FCCLA	12.00
NJHS	10.00
Technology Student Association	10.00
Robotic Team	10.00
Future Problem Solvers	40.00
C. High School	
Beta Club (New Members)	25.00
Beta Club (Returning Members)	15.00
Chrome	5.00
Drama Club (ITS)	35.00
DuBois Honor Society (New)	20.00
DuBois Honor Society (Returning)	10.00
Ecology Club	5.00
FBLA	10.00
FCCLA	12.00
FFA	12.00
Forensics	3.00
French Club	5.00
French Honor Society	10.00
Health Occupations Students of America (HOSA)	15.00
Junior State of America	5.00
Key Club (New)	25.00
Key Club (Returning)	15.00
Latin Club (Includes State and National Dues)	10.00
Latin Honor Society	10.00
National Art Honor Society	10.00
National Business Honor Society	15.00
National Honor Society (Sophomores & Juniors only)	15.00
National Honor Society (Seniors Only – Includes stole)	35.00
Robotic Team	10.00
Skills USA	15.00
Spanish Club (Dues and Shirt)	20.00
Spring Musical (Costumes and Scripts)	20.00
STEM (All Members)	20.00
Technical Theater Class (Make-Up Kit)	70.00
TRI-M Music Honor Society	20.00

D. All Grades:

Field Trips will be charged commensurate with actual costs.

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. An application for reduction or waiver of fees may be obtained from the respective school's office.

This policy will be provided to parents annually and posted on the division's website.

The consequences for nonpayment of fees may 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.

ADOPTED:

July 1, 1991

REVISED:

May 15, 2007
 August 12, 2008
 May 14, 2013
 June 11, 2013
 October 8, 2013
 April 15, 2014
 April 14, 2015 (effective 7-1-2015)
 May 10, 2016 (effective 7-1-2016)
 May 9, 2017 (effective 7-1-2017)
 June 13, 2017 (effective 7-1-2017)
 June 12, 2018 (effective 7-1-2018)
 June 11, 2019 (effective 7-1-2019)

LEGAL REFERENCES:

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 REFERENCES:

ECAB Vandalism
 IIA Instructional Materials

ACKNOWLEDGMENT OF RECEIPT
OF
GLOUCESTER COUNTY PUBLIC SCHOOLS
STUDENT CODE OF CONDUCT

Parents or guardians and students are asked to read and discuss the Student Code of Conduct manual for the Gloucester County Public Schools, sign below, and then return this form to their school.

STUDENT'S NAME: _____
Last First Middle Initial Student's ID #

GRADE LEVEL: _____ SCHOOL ATTENDING: _____

We acknowledge receipt of and agree to read and discuss with our student the *Student Code of Conduct* for the Gloucester County Public Schools. We understand that the *Student Code of Conduct* **includes information regarding the minimum standards for participation in extra-curricular activities, as well as the expectations and procedures regarding cell phones.** We understand that the signing of this statement does not waive, but expressly reserves, our rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia and that we have the right to express disagreement with the school division's policies or decisions.

Parent(s)/Guardian(s) Signature

Student's Signature

Date

Mother's e-mail address and/or phone

Father's e-mail address and/or phone

DISCLAIMER

By signing and returning this form 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.

FORM B

GLOUCESTER COUNTY PUBLIC SCHOOLS
6099 T. C. Walker Road
Gloucester, VA 23061
Telephone: 804-693-7856

MEDIA RELEASE FORM

Media releases by the schools to the press, radio, television, and website are encouraged as a means of informing the public of programs, activities, and accomplishments.

Without parent or guardian permission, the district will not release any personally identifiable information that includes the name of your child or the school where he/she attends, grade level, or the date and place of a particular event. Parental permission is required to interview/photograph/film students under age eighteen (18). Crowd shots that are not meant to individually identify students and photographs in the school yearbooks will be exempt from the parental permission requirement.

STUDENT'S NAME: _____
Last First Middle Initial Student's ID #

GRADE LEVEL: _____ SCHOOL ATTENDING: _____

Please check the choice that is most appropriate for you and your child, and then sign the form at the bottom.

Permission **IS** granted for a photo/image of my child and other personal identifiers such as name, age, grade, school, and class to be included on the district or school's website, on video and televised broadcasts, or in media generated by the school district. (No address/email address will be included).

Student's Signature (if 18 or older) Date Parent's Signature (if student is under 18) Date

Permission **IS NOT** granted for a photo/image of my child to be published on the school or district's website, televised broadcasts, or in media generated by the school district.

Student's Signature (if 18 or older) Date Parent's Signature (if student is under 18) Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT
(TO BE COMPLETED BY ALL STUDENTS)

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.

Student Name (please print): _____

As a condition of access to Gloucester County Public Schools' computers, I agree to the following:

1. I will be responsible for the computer I am working on and will report any incidents of vandalism or theft to the teacher. These might include writing on the computer, unplugging or changing of hardware components, removing or loosening keyboard keys, removal of mouse balls or the mouse itself, and/or other destructive acts.
2. I will respect the privacy of information in other people's files, and will not copy, destroy, or use it.
3. I will not share my login or password with others, and I will not seek to obtain those of others. I will work only in my own file area and will not communicate anonymously or in another person's name.
4. I will not try to hack the system, nor load onto the computer any hacking programs, nor will I attempt any unauthorized access to the system. I will not attempt to delete, alter, or reposition any electronic documents unless authorized to do so. I will not test our network for security breaches because it is unauthorized and forbidden.
5. I will neither exploit any security gaps I detect nor will I pass the information to anyone else, but I will report them to the teacher immediately. I will not help others to break the rules.
6. I will not send offensive material to others, download it off the Internet, or knowingly access it.
7. I understand that I do not have a right of privacy in my Internet account. I also understand that Gloucester County Public Schools has the right to monitor my use of the computer system and the Internet and will remove obscene, abusive, harassing, or inappropriate communication without notice.
8. I understand that the completion of online forms that request personal information (such as name, address, etc.) on the Internet is strictly prohibited without the permission of a teacher or lab supervisor. I will not respond to any free offers or order items on the Internet.
9. I understand that I may not use programs or educational games on the computer unless instructed to do so by my teacher. I may not bring any student or commercially prepared software to school.
10. I will not print unnecessarily or waste resources. Teachers will have the right to impose limitations on storage, printing, and access time, and I will not attempt to circumvent these limitations. I will also follow proper shutdown procedures.
11. I will not attempt to install unauthorized software on the system or onto any computer, nor will I attempt to make a copy of copyrighted software. I will use only that software provided by the teachers.
12. I will not enter the operating system or control panels, unless it is part of my course material.

13. I am responsible for remembering my network login name and password, for keeping myself informed about computer use and classroom/computer lab rules, and for abiding by them. Being unable to logon to the network is not an acceptable reason for failing to complete my assignments. Ignorance of the rules will be no excuse for disobeying computer use rules either verbal or written.
14. I realize that my computer work must meet the same standards as public written communication including those regulating vandalism, nuisance, harassment, and respect for intellectual privacy and property.
15. I will not incorporate information obtained from network resources into my documents without proper credit to the originator (e.g. bibliographic, citation, footnotes, etc.).
16. I will do my best to avoid infecting the school computers with viruses by using anti-virus software to check my diskettes at home or elsewhere, and if this is not available, by having my disks checked by someone in the computer department before using them on the school system.
17. Refreshments are not allowed in the computer areas. Computer labs are only available for students working on assignments. Friends must wait for me elsewhere. All other school and classroom rules also apply.

I understand that if I violate this agreement, I may immediately lose my access privileges to all Gloucester County Public Schools' computers. I can appeal such a decision through the school principal. The use of the school computers is a privilege, not a right!

Penalties for violation of this agreement may include a warning letter (which will be inserted into my permanent school records along with a letter sent to the principal and parent/guardian), the denial of network access, the denial of non-class usage of all computers, and if not in a computer class, total denial of access for the semester or the entire school year, if warranted. Violation of the terms of this consent form may result in disciplinary action as outlined in the Student Code of Conduct.

Before the school computers may be used, student and parents must sign this document. A signature means that both understand the rules and that the consequences of rule violation is accepted by both. If over 18 or not living at home, the student must have this agreement signed by the librarian in lieu of the parental signature.

_____	_____	_____
Printed Student Name	Student Signature	Date

I grant permission for my student to use the computer system in accordance with the Gloucester County school division's policies and regulations and for the School Division to issue an account for my student.

_____	_____	_____
Printed Parent/Guardian Name	Parent/Guardian Signature	Date

** This document must be completed each school year as part of acceptance of the Student Code of Conduct.

PLEASE RETURN THIS FORM TO THE SCHOOL

GLOUCESTER COUNTY PUBLIC SCHOOLS

Administrative Offices
and Information
693-5300



Abingdon Elementary School	642-9885
Achilles Elementary School	642-9140
Bethel Elementary School	693-2360
Botetourt Elementary School	693-2151
Petsworth Elementary School	693-6161
Page Middle School	693-2540
Peasley Middle School	693-1499
Gloucester High School	693-2526