SCHOOL DIVISION LEGAL STATUS

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

Adopted: September 12, 1996
Revised: April 14, 2004
March 14, 2013
May 10, 2018

Legal Refs: Constitution of Virginia, article VIII, §§ 1, 5, 7.

Code of Virginia, 1950, as amended, §§ 22.1-2, 22.1-28

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

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NONDISCRIMINATION

The Patrick County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, disability, status as a veteran, genetic information or any other characteristic protected by law. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

Adopted: September 12, 1996
Revised: April 14, 2004
July 11, 2013
May 10, 2018
June 25, 2020

Legal Refs.: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7, 2000e-2000e-17, 2000ff-1.

34 C.F.R. 106.9.

Constitution of Virginia, article I, section 11.

Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-295.2.

Cross Refs.:

GB	Equal Employment Opportunity/Nondiscrimination
GBA/JFHA	Prohibition Against Harassment and Retaliation
JB	Equal Educational Opportunities/Nondiscrimination

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EDUCATIONAL PHILOSOPHY

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

Patrick County School Board:

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

Adopted: September 12, 1996
Revised: April 14, 2003
April 14, 2004
July 11, 2013
May 10, 2018

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

Cross Refs.:		
	AC	Nondiscrimination
	GA	Personnel Policies Goals
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	IGBC	Parent and Family Engagement
	JB	Equal Education Opportunities/Nondiscrimination

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SCHOOL DIVISION GOALS AND OBJECTIVES

Generally

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

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

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

Standards of Quality and Objectives

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

The school board reports its compliance with the Standards of Quality to the Board of Education annually. The report of compliance is submitted to the Board of Education by the chairman of the board and the superintendent.

Standards of Quality--Programs and Services

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

Adopted: September 12, 1996
Revised: April 14, 2004
April 4, 2005
March 13, 2014
May 9, 2019

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

COMPREHENSIVE PLAN

The Patrick County School Board adopts a division wide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan is developed with staff and community involvement and includes, or is consistent with, all other division wide plans required by state and federal laws and regulations. The school board reviews the plan biennially and adopts any necessary revisions. Prior to the adoption of the plan or revisions thereto, the school board posts the plan or revisions on the division's Internet website if practicable and makes a hard copy of the plan or revisions available for public inspection and copying and conducts at least one public hearing to solicit public comment on the plan or revisions.

The division wide comprehensive plan includes

(i) the objectives of the school division, including strategies for first improving student achievement, particularly the achievement of educationally at risk students, then maintaining high levels of student achievement;

(ii) an assessment of the extent to which these objectives are being achieved;

(iii) a forecast of enrollment changes;

(iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations;

(v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions;

(vi) a plan for implementing such regional programs and services when appropriate;

(vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the division's career and technical education programs, consistent with or as part of the comprehensive technology plan for Virginia adopted by the Board of Education;

(viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan;

(ix) any corrective action plan required pursuant to Va. Code § 22.1-253.13:3; and

(x) a plan for parent and family involvement to include building successful school and parent partnerships that will be developed with staff and community involvement, including participation by parents.

The school board presents a report to the public by November 1 of each odd-numbered year on the extent to which the objectives of the division wide comprehensive plan have been met during the previous two school years.

Each school prepares a comprehensive, unified, long-range plan, which the school board considers in the development of the division wide comprehensive plan.

Adopted: September 12, 1996
Revised: April 14, 2004
November 10, 2004
August 5, 2005
September 13, 2007
March 13, 2014
May 9, 2019

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

EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

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

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

1. School board members are involved in the development of an evaluation instrument and procedure.

2. The school board evaluation instrument is completed by individual board members and submitted to the school board Chairman, or the Chairman's designee, for compilation.

3. The school board meets, with all members present, to review and discuss the composite results.

4. Each conclusion is supported by objective evidence.

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

Adopted: September 12, 1996
Revised: April 14, 2004
March 13, 2014
May 9, 2019

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

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

SCHOOL BOARD LEGAL STATUS

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

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

The Patrick County School Board governs the school division.

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

Adopted: July 9, 2001
Revised: March 14, 2013

Legal Refs.: Constitution of Virginia, article VIII, § 7.

Code of Virginia, 1950, as amended, §§ 22.1-2, 22.1-28, 22.1-31, 22.1-71.

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

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SCHOOL BOARD POWERS AND DUTIES

The School Board:

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

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registration or reregistration of any sex offender within the school division pursuant to Va. Code § 9.1-914.

Adopted: September 12, 1996
Revised: November 10, 2004
August 10, 2006
August 9, 2007
March 13, 2014
June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70.3, 22.1-78, 22.1-79.

Cross Refs.:

AF	Comprehensive Plan
CBA	Qualifications and Duties for the Superintendent
KN	Sex Offender Registry Notification

BOARD MEMBER AUTHORITY

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

Adopted: September 12, 1996
Revised: March 14, 2013

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

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

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QUALIFICATIONS OF SCHOOL BOARD MEMBERS

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

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

Adopted: September 12, 1996
April 12, 2012

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

Cross Ref.: BBE Unexpired Term Fulfillment

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BOARD MEMBER OATH OF OFFICE

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

Adopted: September 12, 1996
Revised: April 13, 2003
April 14, 2004
June 4, 2015

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

BOARD MEMBER REMOVAL FROM OFFICE

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

Adopted: September 12, 1996
Revised: April 12, 2007

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

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UNEXPIRED TERM FULFILLMENT

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

Adopted: September 12, 1996
Revised: April 14, 2003
March 12, 2015
June 8, 2017

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

CONFLICT OF INTERESTS AND DISCLOSURE OF ECONOMIC INTERESTS

A. Purpose

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

B. Areas of Regulation

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

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

C. Definitions

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

“Affiliated business entity relationship” means a relationship, other than a parent-subsidiary relationship, that exists when

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

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

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

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

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

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

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

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission or pass is used; honorary degrees; any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public; a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.; any gift related to the private profession, occupation or volunteer service of the School Board member or employee or of a member of the School Board member’s or employee’s immediate family; food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service; food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer; unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service; a devise or inheritance; travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.); travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of, or any meal provided for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been

appointed or elected or is a member by virtue of his office or employment; gifts with a value of less than $20; attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered; or gifts from relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, step-sister, the donee's brother's or sister's spouse or the donee's son-in-law or daughter-in-law. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's principal as defined in Va. Code § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, "person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

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

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

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

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

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

- ownership in a business if the ownership interest exceeds three percent of the total equity of the business;
- annual income that exceeds, or may reasonably be anticipated to exceed, $5,000 from ownership in real or personal property or a business;
- salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or

governmental agency that exceeds, or may reasonably be anticipated to exceed $5,000 annually;

- ownership of real or personal property if the interest exceeds $5,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;
- personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or
- an option for ownership of a business or real or personal property if the ownership interest will consist of the first or fourth bullets above.

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

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

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

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

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

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

1. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son,

daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent or of a School Board member except as authorized below. This prohibition does not apply to the employment, promotion, or transfer within the school division, of any person within a relationship described above when such person

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

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

2. Notwithstanding the rules stated in Subsection D.1. above, the School Board may employ or pay, and the superintendent may recommend for employment, any family member of a School Board member provided that
   - the member certifies that he had no involvement with the hiring decision; and
   - the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.

3. Notwithstanding the rules stated above, the School Board may employ or pay any family member of the superintendent provided that

   - the superintendent certifies that he had no involvement with the hiring decision; and
   - the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent had no involvement with the hiring decision.

4. No family member (as listed in section D.1., above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate

to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

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

1. Prohibited Conduct

No member or employee of the Board, shall

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

2. Prohibited Gifts

For purposes of this subsection:

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

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

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

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

- a gift of food and beverages, entertainment or the cost of admission with a value in excess of $100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;
- a gift from a foreign dignitary with a value exceeding $100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;
- certain gifts with a value in excess of $100 from a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board may be a personal friend of such School Board member or employee or the immediate family of the School Board

member or employee. In determining whether a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and

- gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of $100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

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

No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to $100 or less.

3. Awards to Employees for Exceptional Service

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

F. Prohibited Conduct Regarding Contracts

1. No School Board member or employee shall have a personal interest in (i) any

contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board;

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

not participate on behalf of his governmental agency in negotiating or approving the contract

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

G. Prohibited Conduct Regarding Transactions

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

      Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115.F and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not
      (i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or
      (ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
   b. may participate in the transaction if he is a member of a business, profession,

occupation, or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115.H;

c. may participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115.I; or

d. may participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.

2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.

3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the Board shall constitute a quorum for the conduct of business and have authority to act for the Board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.

4. The provisions of this section shall not prevent a Board member or employee from participating in a transaction merely because such a Board member or employee is a defendant in a civil legal proceeding concerning such transaction.

H. Disclosure Requirements

1. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to Va. Code § 2.2-3117 and thereafter file such statement annually on or before February 1. The disclosure forms are filed and maintained as public records for five years in the office of the clerk of the School Board.

2. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of $250. The clerk of the School Board shall notify the attorney for the Commonwealth for the locality of any School Board member’s or employee’s failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.

3. Any Board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the School Board's public records in the division superintendent's office for a period of five (5) years.

4. Any Board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
   - the transaction involved;
   - the nature of the Board member's or employee's personal interest affected by the transaction;
   - that he is a member of a business, profession, occupation or group the members of which are affected by the transaction; and
   - that he is able to participate in the transaction fairly, objectively, and in the public interest.

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

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

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

member or employee shall prepare and file the required declaration by the end of the next business day.

I. Release of Disclosure Forms

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

J. Deadlines and Coverage Periods for Disclosure Forms

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

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

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

K. Training Requirements for Elected School Board Members

Each elected school board member completes the training session provided by the Council within two months after assuming office and thereafter at least once during each consecutive period of two calendar years while holding office.

The clerk of the School Board maintains records indicating school board members subject to the training requirement and the dates of their completion of training sessions. Such records are maintained as public records for five years in the clerk's office.

L. Advisory Opinions

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

Adopted: July 9, 2001
Revised: April 14, 2003
February 11, 2004
August 10, 2006
August 9, 2007
June 23, 2008
June 24, 2010
July 12, 2012
July 11, 2013
November 13, 2014
March 12, 2015
June 4, 2015
April 14, 2016
June 23, 2016
April 13, 2017
June 8, 2017
July 12, 2018
August 8, 2019
June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118.2, 2.2-3119, 2.2-3121, 2.2-3124, 2.2-3132 and 30-356.

Cross Ref.:

CBCA	Disclosure Statement Required of Superintendent
GAH	School Employee Conflict of Interests
GCCB	Employment of Family Members

SCHOOL BOARD ORGANIZATIONAL MEETING

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

At that meeting the Board will

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

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

In addition, the Board

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

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

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

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

Adopted: September 12, 1996
Revised: March 14, 2013

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

Cross Ref.: BCB School Board Officials

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SCHOOL BOARD OFFICERS

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

School Board Chairman

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

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

Vice-Chairman

The vice-chairman, if present, shall preside in the absence of the chairman, and is empowered to act in all matters in case of the absence or inability of the chairman to act or as provided by resolution of the School Board. If neither the chairman nor vice-chairman is present, a majority of Board members present, if they constitute a quorum, shall elect one from among themselves to chair the meeting.

Adopted: September 12, 1996
Revised: March 14, 2013

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

Cross Ref.: BCA School Board Organizational Meeting

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SCHOOL BOARD CLERK

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

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

Adopted: September 12, 1996
Revised: June 4, 2015

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

SCHOOL BOARD COMMITTEES

There shall be no standing committees of the Patrick County School Board.

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

Adopted: September 12, 1996
Revised: April 14, 2003
March 14, 2013

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

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

ADVISORY COMMITTEES TO THE SCHOOL BOARD

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

In addition, the School Board establishes the following advisory bodies:

School Health Advisory Board
Parent Advisory Committee
Title I Advisory Committee
Gifted Committee
School Health Advisory Board
Career-Technical Advisory Committee/Builders Association
Employee Insurance Committee
Parks & Recreation Committee
Special Education Advisory Committee
Building Committee
Liaison Committee
Budget Committee
Transportation Committee
Two Way Communication Advisory Committee

Adopted: September 12, 1996
Revised: April 14, 2003
April 7, 2005
July 12, 2012
July 11, 2013
March 10, 2020

Legal Refs.: 20 U.S.C. § 5964, 6318.

Code of Virginia, 1950, as amended, §§ 22.1-16, 22.1-18.1, 22.1-86, 22.1-214, 22.1-227, 22.1-275.1.

8 VAC 20-40-60.

8 VAC 20-81-230.

8 VAC 20-120-50.

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

SCHOOL ATTORNEY

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

Adopted: September 12, 1996
Revised: June 4, 2015

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

REGULAR SCHOOL BOARD MEETINGS

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

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

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

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

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

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

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

Adopted: September 12, 1996
Revised: April 14, 2013
March 12, 2015
June 8, 2017
September 13, 2018

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3708.2, 2.2-3710, 22.1-72 and 22.1-74.

Cross Refs.:

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

SPECIAL SCHOOL BOARD MEETINGS

The School Board holds special and continued meetings when necessary. Special meetings are held when called by the chairman or when requested by two or more members.[1] Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member.

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

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

Adopted: September 12,1996
Revised: April 14, 2003
April 12, 2012
June 8, 2017

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

Cross Refs.:

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

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CLOSED MEETINGS

A Closed meetings may be held by the School Board or any committee[1] thereof only in accordance with Virginia law, for purposes including the following:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the School Board. The School Board may not, however, discuss the compensation of Board members in closed session.[2]

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student in the Patrick County school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the presiding officer of the School Board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the School Board would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in

open meeting would adversely affect the negotiating or litigating posture of the School Board. For purposes of this subsection, “probable litigation” means litigation which has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.

9. Discussion or consideration of honorary degrees or special awards.

10. Discussion or consideration of tests or examinations or other information used, administered or prepared by a public body and subject to the exclusion in subdivision 4 of Va. Code § 2.2-3705.1.

11. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

12. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of Va. Code § 2.2-3705.5.

13. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

14. Discussion or consideration of information subject to the exclusion in subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such information.

15. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

B No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

C. The School Board or any committee thereof may permit nonmembers to attend a closed meeting of the Board or committee if such persons are deemed necessary or if their presence will reasonably aid the Board or committee in its consideration of a topic which is a subject of the meeting.

D. School Board members may attend closed meetings held by any committee or subcommittee of the Board, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise the Board. School Board members shall in all cases be permitted to observe the closed meeting of the committee, subcommittee or entity. In addition to the requirements of Va. Code § 2.2-3707, the minutes of the committee or other entity shall include the identity of the School Board members who attended the closed meeting.

Adopted: July 9, 2001
Revised: April 14, 2003
November 10, 2004
August 4, 2005
August 9, 2007
March 14, 2013
June 4, 2015
June 23, 2016
June 8, 2017

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

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

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CALLING AND CERTIFICATION OF CLOSED MEETINGS

A. No closed meetings shall be held by the School Board or any committee[1] thereof unless the School Board or committee has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting and (iii) makes specific reference to cites the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act or other provision of law. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.

B. The School Board, or committee thereof, in holding a closed meeting, shall restrict its discussion during the closed meeting only to those purposes specifically exempted under the Virginia Freedom of Information Act and identified in the motion required in subsection A, above.

C. At the conclusion of any closed meeting, the School Board or committee thereof shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting. Any member of the Board or committee who believes that there was a departure from the requirements of subdivisions (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the meeting.

D. Failure of the certification required by subsection C, above, to receive the affirmative vote of a majority of the members present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce the Virginia Freedom of Information Act.

E. Except as specifically authorized by law, in no event may the School Board or committee thereof take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707

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Adopted: September 12, 1996
Revised: April 9, 2001
March 14, 2013
June 8, 2017

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

Cross Refs.:

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

ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

Except as provided hereafter, or as otherwise permitted by law, the School Board does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other electronic communication means where the members are not physically assembled. This policy is applied strictly and uniformly, without exception, to the entire membership of the School Board and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

For purposes of this policy, “electronic communication” means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

I. Quorum Physically Assembled

A. The School Board may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if 1) on or before the day of a meeting, a member of the School Board notifies the chair that such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance or that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and 2) the School Board approves the member’s participation by a majority vote of the members present at the primary or central meeting location.

Participation by a School Board member by electronic communication means due to a personal matter is limited each calendar year to two meetings.

B. If participation by a School Board member through electronic communication means is approved pursuant to subsection A above, the School Board records in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved due to a temporary or permanent disability or other medical condition, the School Board also includes in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a personal matter, the School Board also includes in its minutes the specific nature of the personal matter cited by the member.

If a School Board member's participation from a remote location due to a personal matter is disapproved, such disapproval is recorded in the minutes with specificity.

C. A School Board member may participate in a meeting by electronic means pursuant to subsections A and B above only when:

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

II. Quorum Not Physically Assembled

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

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

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

- gives public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board; and
- makes arrangements for public access to the meeting.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held are stated in the minutes of the meeting.

Adopted: August 9, 2017
Revised: June 23, 2008
July 11, 2013
March 13, 2014
June 5, 2014
November 12, 2015
June 8, 2017
September 13, 2018
June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3701, 2.2-3707, 2.2-3708.2, 2.2-3710.

Acts 2020, c. 1283.

Cross Ref.: BDDG Minutes

NOTIFICATION OF SCHOOL BOARD MEETINGS

Regular Meetings

The School Board and any committees[1] thereof shall give notice of the date, time, and location of their regular meetings by posting such notice on its website, placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board and any committees thereof shall publish notice of their meetings by electronic means whenever feasible. At least one copy of the proposed agenda and all agenda packets and other nonexempt materials furnished to members of the School Board and any committees thereof shall be made available for public inspection at the same time the documents are furnished to members of the School Board or committee.

Special Meetings

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

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

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

Direct Notification

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

Adopted: September 12, 1996
Revised: April 9, 2001
April 14, 2003
March 12, 2009
March 14, 2013
June 8, 2017

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

Cross Refs.:

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

AGENDA PREPARATION AND DISSEMINATION

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

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

Adopted: September 12, 1996
Revised: April 12, 2007
March 13, 2014
June 8, 2017

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

Cross Ref.:

BDA	Regular School Board Meetings
BDB	Special School Board Meetings
BDDA	Notification of School Board Meetings

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AGENDA FORMAT

The normal order of business at regular School Board meetings shall be:

I. Call to Order and Roll Call

II. Recognitions, Announcements

III. Unfinished Business
- A. Approval of minutes
- B. Acknowledge receipts
- C. Approval of monthly bills

IV. New Business
- A. Administration
- B. Instruction
- C. Transportation
- D. Maintenance
- E. Students
- F. Personnel

V. Executive Session

VI. Adjournment

Public Notice: The School Board reserves the right to change the agenda depending on the needs of the Patrick County School Division and the time constraints of the meeting.

(PCSB)

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QUORUM

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

Adopted: September 12, 1996
Revised: June 4, 2015

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

RULES OF ORDER

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

Adopted: September 12, 1996\
Revised: June 4, 2015

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

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VOTING METHOD

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

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

Adopted: September 12, 1996
Revised: April 14, 2003
August 10, 2006
March 13, 2014
November 13, 2014
August 8, 2019

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

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

MINUTES

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

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

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

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

Minutes are in writing and include, but are not limited to

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

Adopted: September 12, 1996
Revised: April 9, 2001
April 14, 2003
July 10, 2008
July 8, 2017
May 9, 2019

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

Cross Refs.:

BDC	Closed Meetings
BDD	Electronic Participation in Meetings from Remote Locations
KBA	Requests for Public Records
KBA-R	Requests for Public Records

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PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Members of the community are invited and encouraged to attend meetings of the Patrick County School Board to observe its deliberations. Any member of the community may address the Board on matters related to the Patrick County Public Schools at meetings of the School Board as provided in this policy.

Public comment will be placed on the agenda for meetings of the School Board at the discretion of the Superintendent and the School Board Chairman in accordance with policy BDDC.

Persons wishing to address the School Board must submit a Request to Speak Form to the School Board Clerk before the meeting. Request to Speak Forms may be obtained by contacting the School Board Clerk prior to the meeting. Additional Request to Speak forms will be made available at the meeting location prior to the start of the meeting.

Each individual speaker shall limit his comments to three minutes. A speaker representing a group shall limit his comments to five minutes. The representative shall identify the group at the beginning of his presentation. A group may have no more than one spokesperson. The total allotted time for public comments at any School Board meeting is thirty minutes.

The chairman is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented. Upon recognition by the chairman, the speaker shall address himself to the School Board Chairman. The public comment period is reserved for the public to provide input. The School Board does not respond to comments, answer questions, or otherwise engage in discussion during the public comment period.

Adopted: March 29, 2018

BOARD POLICY MANUAL

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

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

Adopted: September 12, 1996
Revised: November 10, 2004
August 9, 2007
July 11, 2013

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

Cross Ref.: BFC Policy Adoption
CH Policy Implementation

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POLICY ADOPTION

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

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

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

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

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

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

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

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

Adopted: September 12, 1996
Revised: May 8, 2008
September 10, 2009
July 11, 2013

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

Cross Refs.:

BF	Board Policy Manual
BFE/CHD	Administration in Policy Absence
CH	Policy Implementation

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ADMINISTRATION IN POLICY ABSENCE

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

Adopted: September 12, 1996
Revised: June 4, 2015

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

BOARD-STAFF COMMUNICATIONS

The Patrick County School Board supports and encourages two-way communication between the board and employees. The superintendent is the official representative of the school board in its relations and communications with its employees.

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the school board and/or the superintendent or superintendent's designee.

The school board desires to develop and maintain the best possible working relationship with the employees of the school division. The school board welcomes the viewpoints of employees, and allows time at its meetings for employees to be heard.

The school board does not discriminate against any employee because of membership in an employee organization, or participation in any lawful activities of the organization.

Adopted: September 12, 1996
Revised: November 10, 2004
April 10, 2008
June 23, 2008
March 13, 2014
May 9, 2019

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

SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES

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

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

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

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

1. Participation in school board conferences, workshops and conventions conducted by the Virginia and the National School Boards Association.

2. Division-sponsored training sessions for School Board members.

3. Subscriptions to publications addressed to the concerns of school board members.

Adopted: September 12, 1996
Revised: November 10, 2004
August 4, 2005
April 10, 2008
July 11, 2013

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

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SCHOOL BOARD MEMBER COMPENSATION AND BENEFITS

Each member of the Patrick County School Board receives an annual salary as provided by law.

Actual expenses incident to performance of official duties by a school board member may be reimbursed on presentation of an expense voucher with receipts attached. Compensation is paid for mileage incurred for attendance at meetings of the school board and in conducting other official business of the school board.

School board members may participate in the division's group insurance plan providing the school board member pays the full premium.

Adopted: September 12, 1996
Revised: April 10, 2008
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-1414.1 et seq., 22.1-32, 22.1-55, 22.1-78, 22.1-85.

Cross Ref.: BHE School Board Member Liability Insurance

SCHOOL BOARD MEMBER LIABILITY INSURANCE

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

Adopted: September 12, 1996
Revised: April 10, 2008
May 9, 2019

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

Cross Refs.: BHD Board Member Compensation and Benefits
EI Insurance Management

ADMINISTRATION GOALS

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

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

1. Decision-making.

2. Communication.

3. Planning, organizing, implementing, and evaluating educational programs.

4. Developing and maintaining close working relationships and channels of communication within the school system and community.

Adopted: October 14, 1996
Revised: April 12, 2012

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

Cross Refs.:

CBA	Qualifications and Duties of the Superintendent
CBG	Evaluation of the Superintendent

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QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

QUALIFICATIONS

The superintendent meets or exceeds the requirements set by the Board of Education.

The superintendent annually participates in high-quality professional development activities at the local, state, or national levels, on topics including the Standards of Quality, Board of Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

MAJOR DUTIES

As chief executive officer of the school board, the superintendent

- attends school board meetings,
- implements school board policies and ensures that they are posted on the division's website,
- reports to the school board about the status of programs, personnel and operations of the school division,
- recommends actions to the school board,
- facilitates communication between the school board and school personnel,
- assists the chairman in developing agenda of meetings of the school board, and
- develops regulations as directed by the school board.

As the educational leader of the school division, the superintendent

- supervises the principals and assistant superintendents,
- oversees planning and evaluation of curriculum and instruction,
- develops for approval by the school board procedures for adopting textbooks and other instructional materials,
- visits schools on a regular basis, and
- maintains a current knowledge of developments in curriculum and instruction.

The superintendent enforces school laws and regulations, including by

- observing directions and regulations prescribed by the Superintendent of Public Instruction or Board of Education,
- reporting information to the Superintendent of Public Instruction as required,
- promptly distributing all reports, forms, laws and regulations received from the Superintendent of Public Instruction,
- enforcing school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education, and
- developing and maintaining procedures, guidelines and regulations to implement school board policy. If board action is required by law or the board

has specifically asked that certain types of regulations be given prior board approval, these procedures, regulations and guidelines are presented to the school board for approval and, when approved, placed in the school board policy manual. The administrative procedures, guidelines and regulations are communicated to the staff and made available for their information.

The superintendent oversees staff personnel management, including by

- organizing recruitment of personnel,
- reassigning personnel in accordance with school board policy,
- administering personnel policies and programs,
- upon request of the School Board, surveying the school division at least annually to identify critical shortages of teachers and administrative personnel by subject matter and school bus drivers and reporting such critical shortages to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System;
- supervising evaluation of personnel, and
- providing for maintenance of up-to-date job descriptions for all personnel.

The superintendent oversees facility management, including by

- preparing long- and short-range plans for facilities and sites,
- providing for the maintenance of school property and safety of personnel and property,
- inspecting, or providing for the inspection of, school property on a regular basis,
- overseeing the utilization of school property,
- monitoring any construction, renovation and demolition of school facilities,
- representing the school division before local or state agencies which control building requirements or provide financing for buildings, and
- closing public school buildings which appear to be unfit for occupancy.

The superintendent oversees financial management by

- preparing the budget for school board approval,
- ensuring that expenditures are within the limits approved by the school board,
- reporting to the school board on the financial condition of the division,
- establishing procedures for procurement of equipment and supplies, and
- ensuring that an accurate record of all receipts and disbursements of school funds is kept.

The superintendent directs community relations activities, including by

- articulating educational programs and needs to the community,
- responding to concerns expressed in the community,
- maintaining contact with the news media,
- participating in community affairs, and
- involving the community in planning and problem solving for the school division.

The superintendent oversees pupil personnel services by

- monitoring pupil personnel services,
- providing for an adequate pupil record system,
- implementing policies and programs relating to behavior and discipline of pupils,
- maintaining programs for the health and safety of pupils, and
- facilitating communication between the school division and community agencies.

Adopted: October 14, 1996
Revised: June 23, 2011
March 12, 2015
May 9, 2019
June 25, 2020

Legal Ref.: Constitution of Virginia, article VIII, § 5.

Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-70.3. 22.1-79, 22.1-136; 22.1-253.13:5, 22.1-253.13:7.

8 VAC 20-23-50.

8 VAC 20-23-630.

8 VAC 20-390-10.

8 VAC 20-390-40.

8 VAC 20-390-50.

8 VAC 20-390-60.

8 VAC 20-390-70.

8 VAC 20-390-80.

8 VAC 20-390-90.

8 VAC 20-390-100.

8 VAC 20-390-110.

Cross Refs.: BBA School Board Powers and Duties

APPOINTMENT AND TERM OF THE SUPERINTENDENT

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

Except as provided below, if the School Board fails to appoint a division superintendent within 180 days of a vacancy, the Virginia Board of Education will appoint a superintendent for the division.

If the School Board has not appointed a superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its timely efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. On request, the School Board will be granted up to an additional 180 days within which to appoint a superintendent.

If the School Board does not appoint a superintendent within 180 days of a vacancy, or request additional time within which to make the appointment, it will immediately notify the Virginia Board of Education, in writing, of its failure to make an appointment. If there has been no extension, within 30 days of the 180th day after the vacancy occurs, the School Board will submit, in writing, its preferred candidate(s), not to exceed three, for the position. The Virginia Board of Education may consider these candidates and other eligible individuals. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division superintendent.

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

Adopted: October 14, 1996
Revised: August 10, 2006
March 12, 2015
July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-60, 22.1-61.

Procedures for Appointment of a School Division Superintendent by the Virginia Board of Education (adopted by the Virginia Board of Education March 22, 2006) (available at http://www.pen.k12.va.us/VDOE/VA_Board/Meetings/2006/mar22min.pdf)

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

CBG Evaluations of the Superintendent

DISCLOSURE STATEMENT REQUIRED OF SUPERINTENDENT

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

Adopted: April 14, 2003
Revised: April 12, 2007
April 13, 2017
June 8, 2017

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

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SUPERINTENDENT'S CONTRACT, COMPENSATION AND BENEFITS

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

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

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

Adopted: October 14, 1996
Revised: April 14, 2003
February 11, 2004
March 14, 2013
May 10, 2018

Legal Ref.: Code of Virginia, 1950, as amended, §2.2-3705.1, 22.1-60.

Cross Ref.: CBB Appointment and Term of the Superintendent

SEVERANCE BENEFITS

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

Adopted: August 9, 2007

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

EVALUATION OF THE SUPERINTENDENT

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

Annually, the superintendent provides the School Board with a work plan designed to implement the goals set for the division by the School Board. The School Board evaluates the superintendent annually. The School Board develops the instrument to evaluate the superintendent after consulting the uniform performance standards and criteria developed by the Board of Education and the superintendent. The superintendent's evaluations include student academic progress as a significant component and an overall summative rating. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Informal evaluations may also take place as the Board deems appropriate, provided that specific criteria for such appraisals be communicated to the superintendent.

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

Adopted: September 11, 2000
Revised: November 10, 2004
July 11, 2013
May 10, 2018

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-60.1, 22.1-253.13:5.

Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents (Virginia Board of Education, as revised on July 23, 2015)

Cross Ref.: CBA Qualifications and Duties for the Superintendent

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SCHOOL BUILDING ADMINISTRATION

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

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

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

Adopted: October 14, 1996
Revised: March 14, 2013
July 11, 2013

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

Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals, Virginia Board of Education.

Cross Refs.:

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

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POLICY IMPLEMENTATION

Development of Regulations

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

Dissemination of Policies and Regulations

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

Adopted: October 14, 1996
Revised: April 12, 2007
July 11, 2013

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

Cross Ref.:

BF	Board Policy Manual
BFC	Policy Adoption

ADMINISTRATION IN POLICY ABSENCE

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

Adopted: September 12, 1996
Revised: June 4, 2015

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

REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

I. Acts Reported to the Principal

A. Except as may otherwise be required by federal law, regulation or jurisprudence, reports are made to the superintendent and to the principal (or designee) on all incidents involving:

(i) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;

(ii) the assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;

(iii) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;

(iv) any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;

(v) the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;

(vi) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1 or chemical bombs as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;

(vii) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;

(viii) the arrest of any student for an incident occurring on a school bus, on school property or at a school sponsored activity, including the charge therefor; and

(ix) any illegal possession of weapons, alcohol, drugs or tobacco products.

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

B. The superintendent and the principal or his designee receive reports from local law-enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (i) through (viii) of subsection A and whether the student is released to the

custody of his parent or, if 18 years of age or more, is released on bond. The superintendent may request that the reports include information regarding terms of release from detention, court dates and terms of any disposition orders entered by the court. When the superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260, the superintendent reports such information to the principal of the school in which the juvenile is enrolled.

II. Reporting Duties of the Principal and Superintendent

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

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

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

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

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

III. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student is required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent's designee.

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

IV. Purpose

The purpose of reporting acts of violence and substance abuse is to develop a program of prevention activities to provide a safe environment conducive to learning.

Adopted: September 11, 2000
Revised: February 11, 2004
November 20, 2004
August 4, 2005
August 10, 2006
April 12, 2007
April 14, 2010
June 23, 2011
March 12, 2015
April 14, 2016
July 12, 2018
June 25, 2020

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

8 VAC 20-560-10.

QUALITY PROFILES

I. Division Information

The Patrick County School Board annually prepares and disseminates information on the school division and each school within the division. The information is concise. presented in an understandable and uniform format, and, to the extent practicable, presented in a language that parents can understand. The information is accessible to the public and shows how students in the division achieved on the state's student academic assessments compared to students in the state as a whole and how students at individual schools achieved compared to students in the division and in the state

II. School Quality Profiles

The Patrick County School Board ensures that every school in the division annually provides parents and the community a School Quality Profile in a manner prescribed by the Board of Education. The School Quality Profile includes designated information for the most recent three-year period. The School Quality Profile includes information designated by the Board of Education to include indicators of the following: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality. Specific indicators include:

- Virginia Assessment Program results by percentage of participation and proficiency and disaggregated by student reporting groups;
- accreditation status;
- attendance and absenteeism for students;
- information related to school safety to include incidents of crime and violence; and
- information related to qualifications and educational attainment of the teaching staff.

In addition, School Quality Profiles for secondary schools include the following:

- Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of students who take AP tests
- International Baccalaureate (IB) and Cambridge course information to include percentage of students who are enrolled in IB or Cambridge programs and percentage of students who receive IB or Cambridge Diplomas
- college-level course information to include percentage of students who take college-level courses including dual enrollment courses
- number and percentage of (i) graduates by diploma type as prescribed by the Board of Education, (ii) certificates awarded to the senior class including high school equivalency preparation program credentials approved by the Board of Education, and (iii) students who do not complete high school

- number and percentage of dropouts
- the number of Board-approved industry certifications obtained
- the number of state licensure examinations passed
- the number of national occupational competency assessments passed
- the number of Armed Services Vocational Aptitude Battery assessments passed
- the number of Virginia workplace readiness skills assessments passed
- the number of career and technical education completers who graduated. A "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program

Adopted: October 14, 2010
Revised: October 10, 2013
June 5, 2014
September 13, 2018

Legal Refs.: 20 U.S.C. § 6311.

34 C.F.R. 200.11.

Code of Virginia, 1950, as amended, § 22.1-253.13:3, 22.1-253.13:4.

8 VAC 20-131-270.

SCHOOL DIVISION ANNUAL REPORT

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

Adopted: October 14, 1996
Revised: April 9, 2001
June 4, 2015

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

MANAGEMENT OF FUNDS

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

If the appropriating body appropriates funds to the School Board by total amount (also referred to as lump sums), funds may be transferred by the School Board from one major classification to another. If funds are appropriated to the School Board by major classifications, no funds are expended by the School Board except in accordance with such classifications without the consent of the appropriating body.

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

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

Adopted: November 11, 1996
Revised: April 10, 2018
March 13, 2014
July 12, 2018

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-89, 22.1-94, 22.1-115.

Cross Refs.:

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

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ANNUAL BUDGET

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

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

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

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

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

Adopted: November 11, 1996
Revised: April 14, 2003
April 10, 2008
June 23, 2008
July 16, 2009
June 23, 2011
June 4, 2015
March 10, 2020

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

Travel Policy

Employees will be reimbursed by the Patrick County School Board for reasonable and necessary expenses incurred in authorized travel, meals, and lodging in School Board interest. Receipts will be submitted for expense incurred other than travel. Travel expenses will be reimbursed at the same rate used by the Commonwealth of Virginia. Members of the central office staff shall receive mileage reimbursement for expense incurred in performance of assigned duties if a county vehicle is unavailable. Maintenance personnel who use personal vehicles in the performance of duties will receive mileage reimbursement. The actual odometer reading must be reported on the travel reimbursement form. Actual odometer reading is determined by recording the odometer reading at the beginning and at the end of the trip and subtracting any personal mileage from the total. The travel route should be the most direct and shortest one possible. The Assistant Superintendent of Operations and Director of Finance may approve set mileage distances for locations or designate mileage from approved websites. There may be times when employees can book their travel via a PO and or the school or departments credit card. Credit cards may also be utilized, when available, to pay for meals while traveling. PO and credit card use should fall within state guidelines, and receipts for all purchases or payments are to be provided.

Business mileage shall be determined from the point of a person's official employment. Travel between home and work is not considered mileage for reimbursement. For an employee who holds two contractual positions, such as a teacher and coach, travel from the teaching work location to the coaching work location is not considered mileage for reimbursement. Claims for reimbursement of travel and business expense shall be made on forms supplied by the School Board Office. Guidelines for Travel within the County Members of the central office staff shall receive mileage reimbursement for expense incurred in performance of assigned duties if a county vehicle is unavailable. Travel by supervisory personnel begins and ends at the school board office. Travel by itinerant teachers begins at the first school visited and ends at the last school visited. Travel by Career and Technical teachers, who visit student job sites for the purpose of coordination, begins and ends at the school. Travel cost by teachers of homebound students is not directly reimbursed.

In effect, travel cost is included in the hourly wage rate of Homebound Teachers, as preferred by the majority of such teachers.

Guidelines for travel outside the county

1. Attendance by instructional personnel at the following events usually is approved:
    a. State meetings related to achievement of the annual school division plan.
    b. Area, regional, and state meetings, sponsored by the Department of Education, which are essential for the supervisor to carry out assigned responsibilities.
    c. State meetings, sponsored by the Department of Education and held during the summer, for non-supervisory personnel.
    d. Other meetings, as approved by the division superintendent.

2. School board members are encouraged to attend the following meetings in accordance with Patrick County School Board Policy BHB:
    a. Capital Conference
    b. New Chairman/Board Member/Superintendent Orientation
    c. Hot Topic Conference – SW Virginia
    d. Hot Topic Conference – Richmond
    e. School Law Conference
    f. VSBA Conference on Education
    g. VSBA Annual Convention in Williamsburg

3. Reimbursement Procedures Claims for reimbursement of travel expenses shall be made on forms provided by the school board office. As a general practice, completed forms should be turned in to the School Board Office as of the 20th day of the month, in order to facilitate payment at the next meeting of the School Board. The travel form for June should include travel through June 30 and should be turned in by July 2; travel for November and December should be turned in by early December. Travel outside Patrick County must be approved in advance.

4. The Leave Request form should be submitted at least two weeks in advance. If the request is approved, a copy will be returned to the requester. After the trip has been completed, the requester should attach a copy of the travel reimbursement form and submit to the School Board Office. Also, the receipts for registration, lodging, meals, etc. should be submitted. The meal allowance for a day will be the same as allowed by the Commonwealth of Virginia, unless identified and approved in advance. Tip, if any, is considered part of the total meal cost, and should not exceed fifteen percent. Tip should be identified clearly on the meal ticket or receipt. Meal reimbursement may be made for trips involving an overnight stay or if a meal is a planned part or official function of the conference. Lodging allowance is the double rate guaranteed for the conference or the government approved rate. Any exception must have prior approval.

Adopted: December 14, 2017

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

SCHOOL ACTIVITY FUNDS

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

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

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

Adopted: April 10, 2008
Revised: November 13, 2014
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-17.

8 VAC 20-240-10.

8 VAC 20-240-20.

8 VAC 20-240-40.

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

CUSTODY AND DISBURSEMENT OF SCHOOL FUNDS

All School Board funds except 1) money generated by school activities, and classified "school activity fund accounts," 2) petty cash funds, and 3) accounts established for the purchase of instructional materials and office supplies, are deposited with the Patrick County treasurer, who is in charge of the receipts, custody and disbursement of School Board funds and who keeps such funds in an account or accounts separate and distinct from all other funds. Checks must be drawn on the School Board account by the Patrick County treasurer, Stuart, Virginia.

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

Adopted: November 11, 1996
Revised: April 10, 2008
March 12, 2015

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-116, 22.1-122.1 and 22.1-123.

8 VAC 20-240-10.

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

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FUNDS FOR INSTRUCTIONAL MATERIALS AND OFFICE SUPPLIES

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

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

Adopted: April 10, 2008
Revised: March 13, 2014

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

Cross Refs.:

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

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FINANCIAL ACCOUNTING AND REPORTING

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

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

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

Adopted: November 11, 1996
Revised: April 13, 2003
April 10, 2008
July 16, 2009
November 12, 2015

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

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

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REPORTING PER PUPIL COSTS

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

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

Adopted: November 11, 1996
Revised: April 14, 2004
July 12, 2012

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

Cross Ref.: DB Annual Budget

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SMALL PURCHASING

Pursuant to written procedures not requiring competitive sealed bids or competitive negotiation, the School Board may enter into single or term contracts for goods and services other than professional services and nontransportation related construction if the aggregate or the sum of all phases is not expected to exceed $200,000 and transportation-related construction if the aggregate or sum of all phases is not expected to exceed $25,000. However, such small purchase procedures shall provide for competition wherever practicable. Such small purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed $ 80,000. Where small purchase procedures are adopted for construction, the procedures shall not waive compliance with the Uniform State Building Code.

Adopted: July 9, 2001

Revised: April 14, 2004
July 16, 2009
July 12, 2012
July 11, 2013
June 23, 2016
July 12, 2018
June 25, 2020

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

Cross Ref.: DJF Purchasing Procedures

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PURCHASING AUTHORITY

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

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

Internal Controls

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

Purchasing and Contracting

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

Adopted: November 11, 1996
Revised: April 10, 2008
March 13, 2014

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

Cross Refs.:

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

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PETTY CASH FUNDS

The school board may by resolution establish one or more petty cash funds for the payment of properly itemized bills for materials, services, or supplies furnished to the school division under conditions calling for immediate payment to the vendor upon delivery. Such funds shall not exceed $1,000 each.

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

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

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

Adopted: November 11, 1996
Revised: April 10, 2008
May 9, 2019

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

Cross Ref.: DJF Purchasing Procedures

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PURCHASING PROCEDURES

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

Certification Regarding Sex Offenses

As a condition of awarding a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities, the School Board requires the contractor to provide certification of whether any individual who will provide such services has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse or rape of a child, or any crime of moral turpitude.

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

Award of Contracts When Individuals Who Will Provide Services Have Been Convicted of Certain Crimes

The School Board will not award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child.

The School Board may award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, the Governor has restored the individual’s civil rights.

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Unauthorized Aliens

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

Discrimination by Contractor Prohibited

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

1. During the performance of this contract, the contractor agrees as follows:

    a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

    b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

    c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over $10,000, so that the provisions will be binding upon each subcontractor or vendor.

Adopted: November 11, 1996
Revised: April 14, 2003
August 10, 2006
August 8, 2007
June 23, 2008
March 12, 2009
April 14, 2011
November 12, 2015
June 25, 2020

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

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

File: DJF-R

Code of Conduct for Food Services Procurement

Procedures

The Patrick County Public School District seeks to conduct all procurement procedures:

- in compliance with stated regulations; and
- to prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

For questions and concerns regarding procurement solicitations, contract evaluations, and award, contact:
Purchasing Contacts:

Assistant Superintendent of Operations	276-694-3163
Coordinator of School Food Service	276-694-3836

Regulations: 2 CFR Part 200.318, formerly 7 CFR Part 3016.36(b) (3), State Procurement Code and Regulations, and Patrick County Public School District Department of Purchasing.

Adopted: March 8, 2018

PATRICK COUNTY PUBLIC SCHOOLS

VENDOR RELATIONS

Access to School Premises

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

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

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

Prohibition on Solicitation or Acceptance of Gifts

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

Disclosure of Subsequent Employment

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

Adopted: November 11, 1996
Revised: May 11, 2006
July 12, 2012
June 8, 2017

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

Cross Ref.: GAH School Employee Conflict of Interests

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PAYMENT PROCEDURES

School Board

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

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

Fiscal Agent

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

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

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

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

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Special Warrants

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

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

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

Adopted: November 11, 1996
Revised: April 10, 2006
March 13, 2014

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

Cross Refs.:

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

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PAYROLL PROCEDURES

All salaries and supplements paid to all employees are paid in accordance with the schedule approved by the School Board. If the School Board sets the school calendar so that the first day students are required to attend occurs prior to August 15, the Board shall establish a payment schedule to ensure that all contract personnel are compensated for time worked within the first month of employment. The school division maintains records that accurately reflect the compensation and related benefits of each employee.

Adopted: November 11, 1996
Revised: April 10, 2008
August 8, 2019

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

Cross Refs.:	DK	Payment Procedures
	DLB	Salary Deductions
	IC/ID	School Year/School Day

SALARY DEDUCTIONS

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

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

Adopted: November 11, 1996
Revised: May 9, 2019

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

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EXPENSE REIMBURSEMENTS

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

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

Adopted: November 11, 1996
Revised: April 10, 2008
July 11, 2013

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

Cross Ref.: GCL Professional Staff Development

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PAYROLL PROCEDURES/PAY DAY SCHEDULES

Professional employees will be paid in 12 installments. Checks for all contracted personnel will be distributed on the last working day of the month for 12-month contract personnel. Contracted personnel will have their pay deposited directly into their bank accounts upon arrangements with the Finance Office. Checks for the month of December will be issued at the close of school for the Christmas break.

Time sheets for persons not under contract, such as substitute personnel, will be delivered to the payroll office on the 15th day of the month. Checks will be issued on the last working day of the month.

The payroll office should be notified in writing of any changes in name, marital status, address, and termination of employment. In cases of change in name and/or marital status, new tax forms must also be submitted.

Adopted: November 11, 1996
Revised: May 14, 2015
June 20, 2019

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

CASH IN SCHOOL BUILDINGS

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

Adopted: November 11, 1996
Revised: April 10, 2008
May 9, 2019

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

Cross Ref.: DGC School Activity Funds

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DISPOSAL OF SURPLUS ITEMS

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

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

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

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

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

Adopted: November 4, 2010
Revised: March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-3108, 2.2-3109, 2.2-3110, 22.1-68, 22.1-78, 22.1-129, 22.1-199.1.

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Bus Replacement Guidelines

The Patrick County School Board is committed to providing safe and efficient buses for the purpose of transporting students to and from school and to school-related activities and functions. The fleet will be maintained and operated in accordance with all state and federal regulations governing school buses.

In order to ensure an efficient and operational bus fleet, an annual assessment of the entire fleet will be conducted. The School Board, in developing its annual budget requests, will utilize the annual assessment information.

The Following criteria will be used in determining the buses eligible for replacement:

Age of Bus
Mileage of Bus
Repair Costs, excusive of routine vehicle maintenance, since its acquisition
Safety Issues

In order to be considered for replacement, a bus must meet all three components of the following standard for replacement:

Age of Bus:	15 years or older
Mileage of Bus:	200,000 miles or greater
Repair Costs:	$10,000 or greater
Safety Issues:	If safety issues occur that warrants replacement, the above criteria do not apply. Examples include excessive rust, or ongoing electrical problems.

If budget funds are available for additional bus replacements, buses that meet at least two of the three components of the established standard will be considered for replacement. Buses that are designated as a spare will have met on of the three replacement criteria and does not have a safety issue. Should a bus route be eliminated, the bus will be assigned to a different route that has an older bus or to the spare fleet.

NON-LOCALLY FUNDED PROGRAMS

In order to further the goals and objectives of the school division, the school board may seek sources of revenue to supplement the funds provided through local, state and federal funding.

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

The superintendent or superintendent's designee may submit proposals or applications for grants prior to approval by the school board. No such application or proposal shall be binding on the board without its approval.

Adopted: November 11, 1996
Revised: April 10, 2008
June 5, 2014
May 9, 2019

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

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

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SUPPORT SERVICES

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

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

Adopted: January 13, 1997
Revised: July 16, 2009
July 11, 2013
May 10, 2018

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

Cross Refs.: EC Buildings and Grounds Management and Maintenance

SCHOOL CRISIS, EMERGENCY MANAGEMENT AND MEDICAL EMERGENCY RESPONSE PLAN

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

The School Board designates the Director of Operations as emergency manager.

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

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

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

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent,

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

"School safety audit" means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses include recommendations for structural adjustments, changes in school safety procedures and revisions to the School Board's standards for student conduct.

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

In addition, the school administration ensures that the school has:

- written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy JHCD Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year;
- space for the proper care of students who become ill;
- a written procedure, in accordance with guidelines established by the School Board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
- written procedures to follow for the safe evacuation of persons with special physical, medical or language needs who may need assistance to exit a facility.

Adopted: July 9, 2001
Revised: April 14, 2003
February 11, 2004
November 10, 2004
August 10, 2006
August 9, 2007

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July 16, 2009
July 12, 2012
July 11, 2013
June 5, 2014
May 10, 2018
August 8, 2019
June 25, 2020

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-279.8.

Acts 2006, c. 164.

8 VAC 20-131-260.

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

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SCHOOL CRISIS, EMERGENCY MANAGEMENT AND MEDICAL EMERGENCY RESPONSE PLAN

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

The School Board designates the Director of Operations as emergency manager.

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

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

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

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent,

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

"School safety audit" means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses include recommendations for structural adjustments, changes in school safety procedures and revisions to the School Board's standards for student conduct.

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

In addition, the school administration ensures that the school has:

- written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy JHCD Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year;
- space for the proper care of students who become ill;
- a written procedure, in accordance with guidelines established by the School Board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
- written procedures to follow for the safe evacuation of persons with special physical, medical or language needs who may need assistance to exit a facility.

Adopted: July 9, 2001
Revised: April 14, 2003

February 11, 2004
November 10, 2004

August 10, 2006
August 9, 2007
July 16, 2009
July 12, 2012
July 11, 2013
June 5, 2014
May 10, 2018
August 8, 2019

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-279.8.

Acts 2006, c. 164.

8 VAC 20-131-260.

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

REPORTING OF HAZARDS

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

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

Adopted: January 13, 1997
Revised: April 14, 2003
August 13, 2009
March 13, 2014

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-274.1.

8 VAC 20-530-10 et seq.

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POSSIBLE EXPOSURE TO VIRAL INFECTIONS

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

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

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

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

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

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

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Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person identified by this policy who was potentially exposed to the human immunodeficiency virus or the hepatitis B or C viruses in the manner described by this policy, or the employer of such person, may petition, on a form to be provided by the Office of the Executive Secretary of the Supreme Court of Virginia, the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy. A copy of the petition, which shall specify the date and location of the hearing, shall be provided to the person whose specimen is sought. At any hearing before the court, the person whose specimen is sought or the person's counsel may appear. The court may be advised by the State Health Commissioner or the Commissioner's designee prior to entering any testing order. If the general district court determines that there is probable cause to believe that a person identified by this policy has been exposed in the manner prescribed by this policy, the court shall issue an order requiring the person whose bodily fluids were involved in the exposure to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Adopted: January 13, 1997
Revised: February 11, 2004
June 23, 2008
March 13, 2014
June 4, 2015
March 10, 2020

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

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

THREAT ASSESSMENT TEAMS

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

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

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

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

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

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

Each threat assessment team collects and reports to the Virginia Center for School and Campus Safety (the Center) quantitative data on its activities using the case management tool developed by the Center.

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

Adopted: July 11, 2013
Revised: June 5, 2014
June 23, 2016
August 8, 2019

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

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EB	School Crisis, Emergency Management and Medical Emergency Response Plan
	JFC	Student Conduct
	JFCD	Weapons in School
	JFC-R	Standards of Student Conduct
	JFCI	Substance Abuse-Student Assistance Program
	JGD/JGE	Student Suspension/Expulsion
	JDGA	Disciplining Students with Disabilities
	JFCE	Gang Activity or Association
	JFCC	Student Conduct on School Buses
	JHH	Suicide Prevention
	JM	Restraint and Seclusion of Students
	JO	Student Records
	KNAJ	Relations with Law Enforcement Authorities

EMERGENCY FIRST AID, CPR AND AED CERTIFIED PERSONNEL

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

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

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

Adopted: January 12, 1997
Revised: April 14, 2003
November 10, 2004
March 12, 2009
July 12, 2012
July 11, 2013

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

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

Patrick County Public Schools
Student Accident/Injury Report Form

Student Name: _____ Grade: _____

Homeroom Teacher: _____ Date of Accident: _____

Time of Accident: _____ AM / PM Location of Accident: _____

Questions to be answered by staff member who observed accident

Explain the nature of the accident & how it occurred:

Explain any suspected injuries sustained by the student:

Describe any first aid administered to the student & give names of those administering first aid:

1.

2.

3.

Provide the names of any witnesses:

1. 2. 3.

Action after accident was reported and first aid administered:

- ☐ Contacted parent/guardian/emergency contact (circle please)
- ☐ Rescue squad contacted
- ☐ Student sent back to class
- ☐ Student sent home
- ☐ Student transported to doctor
- ☐ Other:

Recommendations for further preventive measures:

Signature: _____ Date: _____

Date report completed: _____

ACCIDENTS AND EMERGENCIES

The superintendent shall protect the health of all students in case of accidents and emergencies. He/she shall implement plans whereby students may receive immediate competent medical attention. The board shall not assume any responsibility for the cost of medical treatment whether due to accident or illness.

Any accident, injury, or serious illness which occurs on school property should be reported to the principal immediately. Accidents and injuries that can reasonably be expected to require further medical treatment should be documented using Form EBBA-F and submitted to the Assistant Superintendent. A copy of Form EBBA-F should be placed in the student's scholastic record. This is essential for medical and insurance purposes.

In the case of students who are injured at school, every effort shall be made to immediately contact the parent or guardian. If they cannot be reached, the student will be transported by the most appropriate means to emergency treatment. Under no circumstances shall the student be permitted to go home alone.

In the case of employees who are injured at school, procedures for filing a workman's compensation claim shall be followed.

The principal shall report serious accidents to the office of the Superintendent.

Emergency Care:
School Personnel:

1. Shall render emergency care only to students who are injured at school. Students who are injured at home or in areas for which the school is not responsible shall not be treated by school personnel.
2. Shall proceed on the assumption of maximum disability in the event the severity of an injury cannot be determined.
3. Shall see that first aid kits are handily available when students are conducted on field trips.
4. Shall under no circumstances stipulate or imply to anyone that they or the school are responsible or liable for an accident. Responsibility or cause and payment of doctor bills are to be decided by the insurance carrier.
5. Shall notify the parent before a physician is contacted except in cases of extreme emergency. This must be a matter of judgment. The decision to contact a physician immediately should be made if it is in the best interest of the student.

6. Shall remain with the student if an injury to a student requires removing the student to a doctor's office or hospital, until a parent or guardian has been contacted and arrives on the scene.

Adopted: January 13, 1997
Revised: May 12, 2009
September 18, 2013

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

Cross Ref.: EBBA, First Aid/CPR Certified Personnel

PERSONNEL TRAINING-VIRAL INFECTIONS

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

Adopted: January 13, 1997
June 8, 2017

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

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

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SAFETY DRILLS

Fire Drills

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

Lock-Down Drills

Each school has a lock-down drill at least twice during the first 20 school days of each school session. Each school holds at least one additional lock-down drill after the first 60 days of the school session. Each school provides the parents of enrolled students with at least 24 hours' notice before the school conducts any lock-down drill. Such notice is not required to include the exact date and time of the lock-down drill.

Pre-kindergarten and kindergarten students are exempt from mandatory participation in lock-down drills during the first 60 days of the school session. The superintendent develops procedures to implement such exemption. Each pre-kindergarten and kindergarten students participates in each lock-down drill after the first 60 days of each school session.

School Bus Emergency Drills

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

Tornado Drills

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

Emergency Situations

In addition to the drills mentioned above, the School Board provides training to each student and employee at least once each school year on safety procedures in the event of an emergency situation on school property.

Adopted: January 13, 1997
Revised: August 10, 2006
July 11, 2013
July 23, 2016
May 10, 2018
August 8, 2019
June 25, 2020

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Legal Refs.: Code of Virginia, §§ 22.1-137, 22.1-137.1, 22.1-137.2, 22.1-137.3, 22.1-184.

Acts 2006, c. 164.

8 VAC 20-131-260.

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

SAFETY DRILL REGULATIONS

When conducting required safety drills in accordance with Policy EBCB, schools should adhere to the following regulations:

1. Fire Drills should be conducted in accordance with the Fire Marshall guidance. Fire Drills should be conducted every week the first four weeks of school and then monthly thereafter.
2. Lockdown Drills should be conducted in accordance with Policy EBCB. Schools should notify parents at least 24 hours before conducting a lockdown drill. This can be done by letter or by electronic notification systems.
3. Pre-kindergarten and kindergarten student are not required, but may, participate in lockdown drills during the first 60 days of school. If a school decides that pre-kindergarten and kindergarten students should not participate within the first 60 days of school, then procedures should be reviewed with these students by the teacher.
4. All students will be required to participate in lockdown drills after the first 60 days of school.

Principals, with guidance from the central office, must ensure that training in safety procedures for emergency situations is completed at the school level.

Adopted: June 25, 2020

SCHOOL CLOSINGS

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

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

During adverse weather or emergency conditions, employees follow guidelines from the superintendent related to work schedules. The guidelines may be reviewed by the school board.

Adopted: January 13, 1997
Revised: July 16, 2009
May 9, 2019

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

Cross Ref.: GAA Staff Time Schedules

SCHOOL SAFETY AUDITS

Each school within the division shall conduct school safety audits using the item-list developed by the Virginia Department of Criminal Justice Services.

For the purposes of this regulation, a “safety audit” means an assessment of the safety conditions in each public schools to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses may include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board’s standards for student conduct.

The superintendent shall maintain a list of division schools which have completed the safety audit pursuant to the regulation.

Adopted: January 13, 1997
Revised: May 14, 2015

Legal Refs.: Virginia Code section 22.1-278.1.

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BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE

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

Each school maintains records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections is determined by the School Board in consultation with the local health and fire departments. In addition, the school administration equips all exit doors with panic hardware as required by the Uniform Statewide Building Code.

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

Adopted: June 5, 2018
Revised: May 10, 2018
March 10, 2020

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

8 VAC 20-131-260.

Cross Refs.:

CF	School Building Administration
EA	Support Services
EB	School Crisis, Emergency Management and Medical Emergency Response Plan
EBCB	Safety Drills
FE	Playground Equipment
GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
IIBEA-R/GAB-R	Technology Use Guidelines
KF	Distribution of Information/Materials
KG	Community Use of School Facilities
KGB	Public Conduct on School Property
KJ	Advertising in the Schools
KL	Public Complaints
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

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INVENTORY AND REPORTING OF LOSS OR DAMAGE

I. Inventories

The superintendent is responsible for implementing a system of inventory of school property to identify items for the purpose of insurance and to control the loss of property.

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

II. Reporting Losses

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

Adopted: August 13, 2009
Revised: March 13, 2014
May 9, 2019

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

Cross Refs.:

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

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VANDALISM

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

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

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

Adopted: January 13, 1997
Revised: April 14, 2003
November 10, 2004
June 23, 2008
July 16, 2009
March 13, 2014
May 9, 2019

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

Cross Refs.:

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

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AUTHORIZED USE OF SCHOOL-OWNED FACILITIES AND MATERIALS

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

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

Adopted: January 13, 1997
Revised: August 13, 2009
March 13, 2014
June 5, 2014
May 9, 2019
March 10, 2020

Legal Ref.: Code of Virginia, §§ 22.1-70, 22.1-131, 22.1-132, 22.1-132.01.

Cross Refs.:		
	DN	Disposal of Surplus Items
	GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
	IIBEA/GAB	Acceptable Computer System Use
	KF	Distribution of Information/Materials
	KG	Community Use of School Facilities
	KGA	Sales and Solicitations in Schools

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File: EDC-R

Authorized Use of School Owned Facilities and Materials

Supplies, equipment, and materials assigned to schools will not be loaned, rented, or used for non-school purposes. Use of school division facilities is outlined in the KG-R Regulation for the Use of School Facilities.

Adopted: March 10, 2020

STUDENT TRANSPORTATION SERVICES

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

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

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

Adopted: January 13, 1997
Revised: April 14, 2003
July 16, 2009
March 13, 2014
April 13, 2017
June 8, 2017

Legal Ref.: 20 U.S.C. § 6312.

Code of Virginia, §§ 22.1-78, 22.1-176, 22.1-221, 22.1-254.

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

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JFC-R	Standards of Student Conduct
LC-E	Charter School Application Addendum

SCHOOL BUS SCHEDULING AND ROUTING

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

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

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

Adopted: January 13, 1997
Revised: July 16, 2009
March 14, 2013
May 10, 2018

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

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

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LOCATION OF BUS STOPS

1. All bus stops will be made in the safest possible location with regard to highway conditions.

    a. School buses should not have stops in sharp curves or at the crest of hills where there is poor sight distance.

    b. School bus stops within 200 feet of each other will be combined into one stop. Exception will be made for kindergarten or special education students.

2. Students that live more than three tenths of a mile down a road, the school bus will come down and pick up students. Exceptions will be made for kindergarten and special education students.

3. All school buses will travel only on Virginia state maintained highways, school buses are not permitted on private driveways. Exceptions will be made for special education.

SCHOOL BUS SAFETY PROGRAM

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

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

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

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

Adopted: January 13, 1997
Revised: June 23, 2008
July 16, 2009
March 14, 2013
June 8, 2017

Legal Refs.: Code of Virginia, 1950, as amended, § 46.2-919.1.

8 VAC 20-70-130.

8 VAC 20-70-140.

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SPECIAL USE OF SCHOOL BUSES

The use of school buses for purposes other than transporting children to and from school for the regular school hours and for extracurricular activities is permitted with prior approval of the superintendent and in accordance with regulations pertaining to field trips.

Activity vehicles for which funds have been provided in the budget may be operated as required between the secondary schools and various communities in the county for the purpose of allowing students to participate after school hours in activities for which the school board has approved personnel who are paid stipends.

In addition, the School Board may enter into agreements with its appropriating body, or any state agency or any federal agency established or identified pursuant 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such body or agency for public purposes, including transportation for the elderly. Each such agreement shall provide for reimbursing the school board in full for the proportionate share of any and all costs, both fixed and variable, of such buses incurred by such school board attributable to the use of such buses pursuant to such agreement. The appropriating body, or state or federal agency, shall indemnify and hold harmless the school board from any and all liability of the school board by virtue of use of such buses pursuant to an agreement.

Adopted: January 13, 1997
Revised: July 16, 2009

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-176, 22.1-182.

Cross Ref.: IICA Field Trips

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SPECIAL USE OF SCHOOL BUSES

Any community or educational entity desiring to utilize school buses for a special activity or event must submit a written request to the superintendent or director of transportation. In order for the request to be considered for approval, the community or educational entity must provide an approved instructional program to Patrick County Public Schools students. Such organizations include Virginia Cooperative Extension Office (4-H), Patrick County Sheriff's Department (DARE Program), Patrick Henry Community College (Talent Search program), Virginia Tech (Upward Bound program) and Patrick County Education Foundation (College Access program).

Any community or educational entity, which has been approved for special use of school buses, must adhere to the following guidelines:

(1) Only approved Patrick County Public Schools bus drivers may be utilized to operate the buses.
(2) The organization will pay all associated fees including the prevailing per mileage rate and bus driver hourly rate compensation.
(3) Any trip must adhere to the 125 mile distance (one way) guideline applicable to all school bus field trips.
(4) The organization must provide an adequate number of adults to provide appropriate supervision of the participants.
(5) The Patrick County School Board's student code of conduct applies to participants on any community organization trip utilizing school board owned vehicles.
(6) User must provide a certificate of liability coverage covering the organization's participants and naming the Patrick County Public School System as an additional insured.

Adopted: March 8, 2007
Revised: May 10, 2007

File: EEA – R

REIMBURSEMENT OF STUDENT TRANSPORTATION COSTS

Generally

Students who are placed in Foster Care will be transported to school when the location of such placement is within the boundaries of Patrick County. The Patrick County Public School and the Patrick County Department of Social Services will determine the placement of the Foster Care student at the Best Interest meeting. Should the organizations determine that the best interest of the student is in the school of origin and that school is different from the attendance zone of the student's placement, then the procedures outlined below will be followed for the cost of the transportation.

Procedures

1. Patrick County Public Schools will pay for the initial cost of transporting the student.

2. Patrick County Public Schools will bill the Patrick County Department of Social Services for the transportation costs on a monthly basis which will include mileage and personnel costs.

3. Patrick County Department of Social Services will reimburse Patrick County Public Schools for the mileage and personnel costs for transporting the student to the school of origin.

Adopted: 4/13/17

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_____

PATRICK COUNTY PUBLIC SCHOOLS

FOOD SERVICE MANAGEMENT

The superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the superintendent shall report to the school board on the financial status of the division's food service operations.

Adopted: January 13, 1997
Revised: April 14, 2003
August 13, 2009
March 13, 2014
May 9, 2019
March 10, 2020

Legal Refs.: 42 U.S.C. § 1751 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

Cross Refs.:	DI	Financial Accounting and Reporting
	EFB	Food Services
	JHCF	Student Wellness

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FOOD SERVICES

Generally

Employees of Patrick County School Board do not require a student who cannot pay for a meal at school or who owes a school meal debt to throw away or discard a meal after it has been served to the student, do chores or other work to pay for such meals, or wear a wristband or hand stamp.

The Patrick County school division provides free and reduced-price breakfasts, lunches and milk to students according to the terms of the National School Lunch Program and the National School Breakfast Program.

Competitive foods, as defined herein, comply with state and federal requirements.

The Patrick County School Board may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose.

Free and Reduced Price Food Services

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or superintendent’s designee establishes regulations or procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals and milk is publicly announced at the beginning of each school year and provided to parents of all children in attendance at Patrick County Public Schools.

If the School Board collects information to determine eligibility for participation in the National School Breakfast Program or the National School Lunch Program, it posts prominently on its website a web-based application for student participation in such program and provides a paper-based application.

Employees of Patrick County School Board do not physically segregate, overtly identify, or otherwise discriminate against any child eligible for free or reduced-price meals.

Definitions

“Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day.

Competitive foods meet the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium.

"Excess food" means any remaining unexpired, unopened, and unconsumed food intended to be served as part of a reimbursable meal that was unable to be utilized for a current or future meal provision after a school has served breakfast and lunch to students during a school day.

"Fundraiser" means a school-sponsored activity where food or nonfood items are sold on the school campus during regular school hours by a school-sponsored organization to raise money for a school-related program or activity. One fundraiser is defined as one or more fundraising activities by one or more school-sponsored organizations that last one school day. If multiple school-sponsored organizations conduct fundraisers on the same day, the combined activities are counted as one fundraiser. If a fundraising activity lasts more than one school day, each subsequent day's activity is considered as one fundraiser and counts toward the total number of permitted fundraisers.

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

"School day" means the period from the midnight before to 30 minutes after the end of the official school day.

School Sponsored Fundraisers

Each school may conduct 30 school-sponsored fundraisers per school year during which food that does not meet the nutrition guidelines for competitive foods may be available for sale to students. Fundraisers are not conducted during school meal service times.

Unpaid Meal Charges

Students who do not have money on account or in hand to cover the cost of a meal at the time of service may be permitted to charge the meal. Students may charge no more than $150 to their accounts.

A student carrying a negative balance of $150 or more is not permitted to charge any additional amounts. A student who is not permitted to charge any additional amounts is permitted to buy a meal if the student has cash on hand. Reasonable efforts are used to avoid calling attention to a student's inability to pay.

Notice of low or negative balances in a student's meal account are sent to parents and the school principal. Parents are expected to pay all meal charges in full by the last day of the school year.

If a parent regularly fails to provide meal money or send food to school with the student and the student does not qualify for free or reduced benefits, the Director of Food Services will inform the principal, who will determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges.

The superintendent or superintendent's designee ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt. In order to accomplish those goals, the following procedures are followed:

- At least one written notice is provided prior to the student being denied reimbursable meals for exceeding the division's charge limit.
- If payment of the negative balance is not received within 5 working days of the maximum charge limit being reached, the debt will be turned over to the superintendent or superintendent's designee for collection. If the debt is not paid within 5 days of notice being given, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.

Recordkeeping

The Patrick County School Board is responsible for maintaining records that document compliance with this policy. Those records include documentation used to assess the nutritional profile of food items and determine whether a food item is an allowable competitive food, such as recipes, nutrition labels and/or product specifications for the competitive food available for sale to students.

The School Board is also responsible for

- maintaining records documenting compliance with the competitive food nutrition standards for food available for sale in areas that are outside of the control of the school nutrition programs operations,
- ensuring any organization or school activity designated as responsible for food service at the various venues in the school, other than the school nutrition programs, maintains records documenting compliance with the competitive food nutrition standards,
- maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school within the division, and
- designating an individual at the division or school level to monitor and ensure compliance with this policy in all areas that are outside the control of the school nutrition programs operation. The designee may not be a school nutrition personnel.

Adopted: April 13, 2017

Revised: July 18, 2019
August 8, 2019
March 10, 2020
June 25, 2020

Legal Refs.: 42 U.S.C. §§ 1758, 1772 and 1773.

7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.

U.S. Department of Agriculture, SP 23-2017 Unpaid Meal Charges: Guidance and Q&A, March 23, 2017.

U.S. Department of Agriculture, SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016.

Code of Virginia, 1950, as amended, ~~§~~ §§ 22.1-79.7, 22.1-207.2:2, 22.1-207.3, 22.1-207.4, 63.2-1509.

8 VAC 20-740-10.

8 VAC 20-740-30.

8 VAC 20-740-35.

Cross Refs:

GAE	Child Abuse and Neglect Reporting
JHCF	Student Wellness
KH	Public Gifts to the Schools

FOOD SANITATION PROGRAM

The personnel and the facilities used for food services in the school division are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated by the State Board of Health.

Adopted: January 13, 1997
Revised: April 12, 2007
July 16, 2009
May 9, 2019
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended, § 35.1-1.

12 VAC 5-421-10 et seq.

Cross Refs: EF Food Service Management
EFB Food Services

File: EF-R

Food Service Management- Complaint of Discrimination
Civil Virginia Department of Education; Office of School Nutrition Programs

PATRICK COUNTY PUBLIC SCHOOLS NUTRTITION DEPARTMENT

POLICY

United States Department of Agriculture (USDA)/Food and Nutrition Service (FNS) Instruction 113-1 (dated 11/8/05) delineates the civil rights requirements for participants in Child Nutrition Programs (CNP). The following is required at the local school food authority (SFA) level.

PROCEDURE

Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. All civil rights complaints within the Patrick County Public Schools Nutrition Programs should be directed to C. Dean Gilbert. C. Dean Gilbert, can be reached via phone at 276-694-3163 or by email at dean.gilbert@patrick.k12.va.us. Complaints can be submitted verbally, in writing, or anonymously.

Patrick County School Nutrition Programs will obtain all necessary complaint information and process the complaint within 90 days.

The complaint will be forwarded to(choose one):

VDOE Office of School Nutrition Programs
PO BOX 2120
Richmond, VA 23218-2120

USDA Mid-Atlantic Regional Office
Mercer Corporate Park
300 Corporate Boulevard
Robbinsville, NJ 08691-1518

USDA Office of Civil Rights
1400 Independence Ave, SW,
Washington, DC 20250-9410

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

File: EF-R

Food Service Management- Complaint of Discrimination
Civil Virginia Department of Education; Office of School Nutrition Programs

COMPLAINT FORM

Complete form and submit to District Contact within 180 days of the alleged discriminatory action. Forms can be submitted via email to email address or through US mail to SFA address.

Name: _____

School: _____

Address: _____

Phone: _____

Email: _____

1. What happened to you? Please include date, location and any supporting documentation that would help show what happened.

   _____
   _____
   _____
   _____
   _____
   _____

2. Who do you believe discriminated against you? List name(s).

   _____
   _____

3. Name(s) of witness(es) to alleged prohibited conduct if applicable:

   _____
   _____

4. It is a violation of the law to discriminate against you based on the following: race, color, national origin, religion, sex, disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. I believe I was discriminated against based on my:

   _____
   _____
   _____

5. How would you like to see this complaint resolved?

   _____
   _____

REPRODUCTION OF COPYRIGHTED MATERIALS

The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce, and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The superintendent is responsible for promoting an understanding of the applicable law among staff members and students.

The division encourages its staff and students to enrich the educational experience by making proper use of supplementary materials. However, each staff member and student is responsible for complying with copyright law and with any regulations or procedures developed by the Superintendent. Any employee or student who is uncertain as to whether reproducing or using copyrighted materials complies with the division procedures or is permissible under law should contact the librarian who will provide clarification and assist staff members and students in obtaining proper authorization to copy or use protected material when such authorization is required.

At no time will it be necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time will it be necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion.

Adopted: January 13, 1997
Revised: June 23, 2008

Legal Refs: 17 U.S.C §§ 101 et seq.

Cross Ref:	JFC-R	Standards of Student Conduct
	GAB/IIBEA	Acceptable Computer System Use
	GCPD	Professional Staff Members: Contract Status and Discipline
	GDPD	Support Staff Members: Contract Status and Discipline

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COMPUTER SOFTWARE COPYRIGHT COMPLIANCE

GENERAL PROCEDURES

In an effort to discourage violation of software copyright laws and to prevent illegal use of the computer system, staff shall follow the procedures listed below.

1. Division employees will be expected to adhere to the provisions of software copyright law, which allows for the making of a back-up copy of computer programs. This section provides that it is not an infringement when the owner of a copy of computer programs to make or authorize the making of a copy or adaptation of that computer program provided:

   (a) That such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner; or

   (b) That such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

   The following computer software may also be copies by or at the individual request of a staff member for classroom use:

   (a) In-house production; and

   (b) Works that are not copyrighted or works in the public domain.

2. The proper use of computers will be taught through planned computer curriculum and computer-related instruction of students. Staff will address the ethical and practical problems caused by software piracy.

3. Division employees are expected to maintain software and supporting manuals in a safe place. The manual needs to be available for software and hardware audits.

4. When software is being used on disk sharing system, efforts shall be made to secure this software from copying.

5. Illegal copies of copyrighted programs may not be made or used on school division equipment.

6. The superintendent or his/her designee is the only individual who may sign licensing agreements for software in the school division. Each school using the software should have a copy of the signed software duplication agreement.

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7. No employee of the school division will illegally access any data base or electronic bulletin board.

8. No employee of the school division shall encourage or allow any student to illegally duplicate computer software or illegally access any data base or electronic bulletin board.

9. The principal of each school site or manager of each department is responsible for enforcing this regulation.

PENALTIES FOR INFRINGEMENT OF COPYRIGHT

Educators, education institutions, and school divisions may be sued if they violate or infringe the rights of copyright owners. The legal or insurance protection of Patrick County Schools will not be extended to employees who knowingly violate copyright laws.

Copyright Infringement involving the reproduction or distribution of at least 10 copies of one or more copyrighted works with a retail value in excess of $2500 (any kind, no lost computer software) within a 180 day period is a felony. A first offense is punishable in general by a sentence of up to 5 years and/or a fine of up to $250,000 for individuals and up to $500,000 for organizations. Any subsequent offense is punishable in general by a sentence of up to 10 years and/or the fines specified above.

COPYRIGHT GUIDELINES

In an effort to discourage violation of copyright laws and to prevent such illegal activities, Patrick County Schools will adhere to the following guidelines:

1. The ethical and practical problems involving copyright violations will be taught in the Patrick County School Division.

2. Division employees will be expected to adhere to copyright laws.

3. Illegal copies of copyrighted programs may not be made or used on school equipment.

4. The legal or insurance protection of the division will not be extended to employees who violate copyright laws.

5. The principal of each school site is responsible for establishing practices which will enforce this policy at the school level.

DEFINITION OF FAIR USE

Fair use is the right to use copyrighted materials in a responsible manner without consent of the author. This limitation permits teachers, librarians, researchers, scholars, and others to use copyrighted works without paying the copyright owner. Section 107, "Limitations on Exclusive Rights: Fair Use,", states:

Notwithstanding the provisions of Section 106, Exclusive Rights in Copyrighted Works, the fair use of copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright.

In determining whether the use of a work in any particular case is a fair use the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational use;

2. the nature of the copyrighted work;

3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and

4. the effect of the use upon the potential market for or value of the copyrighted work.

PRINT MATERIALS, MUSIC, AND OFF-AIR RECORDINGS

A. Guidelines for Reproduction of Print Materials:

1. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher in his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

a. a chapter from a book,
b. an article from a periodical or newspaper,
c. a short story, short essay, or short poem, whether or not from a collective work,
d. a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

2. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion provided that:

a. the copying meets the tests of brevity and spontaneity as defined below, and
b. meets the cumulative effect test as defined below, and
c. each copy includes a notice of copyright.

3. Definitions

a. Brevity
   (1) Poetry:
      (a) A complete poem if less than 250 words and if printed on not more than two pages, or
      (b) from a longer poem, an excerpt of not more than 250 words
   (2) Prose:
      (a) Either a complete article, story or essay of less than 2500 words, or
      (b) an excerpt from any prose work of not more than 1000 words or 10 percent of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated in '1' and '2' above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)
   (3) Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.

(4) "Special" works: Certain works in poetry, prose or "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2500 words in their entirety. Paragraph "b" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10 percent of the words found in the text thereof, may be reproduced.

b. Spontaneity
(1) Copying is at the instance and inspiration of the individual teacher, and
(2) The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

c. Cumulative Effect
(1) The copying of the materials is for only one course in the school in which the copies are made.
(2) Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
(3) There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated above in '1' and '2' shall not apply to current new sections of other periodicals.)

d. Prohibitions
Notwithstanding any of the above, the following shall be prohibited:
(1) Copying shall not be used to create or so to replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
(2) There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
(3) Copying shall not:
(a) substitute for the purchase of books, publishers' reprints or periodicals
(b) be directed by higher authority.
(c) be repeated with respect to the same item by the same teacher from term to term
(4) No charge shall be made to the student beyond the actual cost of the photocopying.

B. Guidelines for Music.

1. Permissible Uses
    a. Teachers may make emergency copies to replace purchased copies which are not available for an imminent performance, provided purchased replacement copies are substituted in due course.
    b. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, a movement or an aria, but in no case more than 10 percent of the whole work. The number of copies shall not exceed one copy per pupil.
    c. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.
    d. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
    e. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

2. Prohibitions
    a. Copying to create or replace or substitute for anthologies, compilations or collective works.
    b. Copying of or from works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.
    c. Copying for the purpose of performance, except as in 'a' above
    d. Copying for the purpose of substituting for the purchase of music, except as in 'a' and 'b' above
    e. Copying without inclusion of the copyright notice which appears on the printed copy.

C. Guidelines for Off-Air Television Recording

In accordance with the fair use doctrines, non-profit educational institutions may record television programs and use these recordings for instructional purposes. Such practices, however, must meet the following guidelines:

1. Only programs transmitted via open broadcasts or basic subscriber cable service are eligible under these guidelines. “Open broadcast” includes all commercial and public television stations. Programs transmitted via higher tier cable service, such as HBO and CINEMAX, are not eligible.
2. Recordings must be made at the initiative of an instructor or instructors who plan to use the program. Neither media librarians nor other support personnel are entitled to make recordings without such a prior request.
3. All recordings must include the copyright notice which was broadcast with the original program.
4. Use of off-air recordings is restricted by the following:
   a. The programs may be used for instructional purposes only (not entertainment)
   b. Instructional use of the recordings must be made within ten consecutive school days of the time the recording was made. “Consecutive school days” does not include weekends, holidays, or other times when school is not in session.
   c. During those ten days, a teacher is permitted one showing to his or her students. One repeat is also permitted, if required for the purpose of instructional reinforcement. However, a teacher may use a program only once, no matter how many times a station might repeat the program.
   d. Although programs need not be played in their entirety, recordings may not be physically edited to produce anthologies.
5. All tapes must be erased no later than 45 calendar days after the recording was made. Tapes may not be used with students after the first ten consecutive school days. This extension period is only for the purpose of evaluation by instructional staffs.
6. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.

RENTED OR PURCHASED PRERECORDED VIDEOCASSETTE PROGRAMS

A. Guidelines for School Use of Rented or Purchased Prerecorded Videocassette Programs
Teachers may use rented or purchased videocassette programs for instructional purposes only if all the following requirements are satisfied:
   1. The programs have been made or recorded in a lawful manner
   2. The programs must be used in the course of face-to-face teaching activities. The teacher must be able to point to specific objectives in the 'Program of Studies' to which the program relates, and be prepared to justify how the program assists in attaining these objectives. If the teacher is not able to make such a justification, use of the work in the classroom is not allowed.
   3. Programs may be used only in classroom or similar places devoted to instructional activities.
   4. Programs may not be used for recreational or entertainment purposes.

5. Unlawfully made programs, or programs which teachers know or have reason to believe are not lawfully made, may not be used under any circumstances.
6. Use of the program must be approved by the area superintendent unless it is a recording of a new or current affairs program, or is recorded from Channel 53, Channel 26, or one of the school cable channels. (See Regulation 6115.2.)

REPRODUCTION OF COMPUTER SOFTWARE

A. Guidelines for Copying

It is illegal to duplicate copies of software on disk, tape or even in a computer's transient memory so that two or more students may use a program intended for a single user. It is illegal to make multiple copies of a disk.

Unless you have permission, it is illegal to duplicate a computer program for use by anyone other than the owner of the master copy. It is legal to make a back-up copy for archival purposes. It is illegal to copy preview materials.

Some tests for assessing legality include:

1. The market effect test: ask yourself if your use of the software results in economic harm to the copyright owner.
2. The intended use test: if the program is designed to be used by a single user, it cannot be modified to be used by additional people in a network situation.
3. The simultaneous/sequential users test: it is legal to have multiple users, as long as they are accessing the program one at a time and not simultaneously. If the program is designed to serve as a network, such use does not violate the copyright law.
4. The fair use test: it is very difficult to apply for the four factors governing fair use to computer software.
5. Licensing agreements: some software comes with use licenses written into the manuals. Whatever the provisions, users should know that any licensing restrictions stronger than copyright law itself takes precedence over the law.

It is illegal for a library to replace a damaged copy with a duplicated copy from the back-up for permanent use.

AUDIO VISUAL MATERIALS

A. Guidelines

If showings are for purely educational purposes and are related to instruction and shown only to students in the educational institution, educators may show films or videotapes without specific permission from the copyright owner.

Displays and performances of audiovisual work are prohibited in nonprofit educational institutions when:

1. They are used for entertainment, recreation, or even for their cultural or intellectual value but are unrelated to a teaching activity.
2. They are transmitted by radio by television (either closed or open circuit) from an outside location.
3. They are shown in an auditorium or stadium before an audience not confined to students, such as a sporting event, graduation ceremony, or community lecture or art series.
4. They involve illegally acquired or duplicated copy of the work.

RESPONSIBILITIES

A. The principal of each school is responsible for establishing practices that will enforce the Patrick County Copyright Policy and Procedural Guideline at the local school level.

B. The principal of each school is responsible for informing educational staff members and students as to the legal, ethical, and practical problems caused by copyright infringement.

C. The principal of each school or his/her designee is responsible for signing license agreements for computer software purchases and used by the local staff.

D. The area superintendent or his/her designee is responsible for signing license agreements for computer software purchased and used by area staff or for area wide implementation.

E. Division employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for making a back-up copy of computer programs by the owner (usually the library).

F. The legal or insurance protection of the division will not be extended to employees who violate copyright laws.

G. The area superintendent or his/her designee is responsible for seeing that copies of the copyright law is prominently displayed in close proximity to all copying devices.

NOTICE

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specific conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use", that user may be liable for copyright infringement.

Full regulations governing copyright may be found in the Bylaws, Policy and Regulations for Patrick County Public Schools.

Adopted: January 13, 1997

_____

_____

INSURANCE MANAGEMENT

The School Board maintains such insurance on school property, including vehicles, as it deems necessary or as is required by law. The School Board may provide liability insurance, or may provide self-insurance, for certain or all of its officers and employees and for student teachers and other persons performing functions or services for any school in the school division, regardless of whether payment is made for such functions or services. Such insurance, including workers' compensation and all property and casualty insurance, is placed with insurance companies authorized to do business in Virginia or provided by insurance pools, groups, or self-insured programs authorized by the state Bureau of Insurance.

Adopted: January 13, 1997
Revised: April 14, 2003
April 14, 2004
October 12, 2006
March 13, 2014
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2703, 15.2-2704, 15.2-2705, 22.1-84, 22.1-188 through 22.1-198.

Employer Response to Employee
Request for Family or Medical Leave
(Optional Use Form -- See 29 CFR § 825.301)

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

(Family and Medical Leave Act of 1993)

Date:

OMB No. : 1215-0181
Expires : 08-31-07

To: _____
(Employee's Name)

From: _____
(Name of Appropriate Employer Representative)

Subject: REQUEST FOR FAMILY/MEDICAL LEAVE

On _____ , you notified us of your need to take family/medical leave due to:
(Date)

o The birth of a child, or the placement of a child with you for adoption or foster care; or

o A serious health condition that makes you unable to perform the essential functions for your job: or

o A serious health condition affecting your o spouse, o child, o parent, for which you are needed to provide care.

You notified us that you need this leave beginning on _____ and that you expect
(Date)
leave to continue until on or about _____ .
(Date)

Except as explained below, you have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period for the reasons listed above. Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work, and you must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from leave. If you do not return to work following FMLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.

This is to inform you that: *(check appropriate boxes; explain where indicated)*

1. You are o eligible o not eligible for leave under the FMLA.

2. The requested leave o will o will not be counted against your annual FMLA leave entitlement.

3. You o will o will not be required to furnish medical certification of a serious health condition. If required, you must furnish certification by _____ *(insert date)* (must be at least 15 days after you are notified of this requirement), or we may delay the commencement of your leave until the certification is submitted.

4. You may elect to substitute accrued paid leave for unpaid FMLA leave. We o will o will not require that you substitute accrued paid leave for unpaid FMLA leave. If paid leave will be used, the following conditions will apply: *(Explain)*

5. (a) If you normally pay a portion of the premiums for your health insurance, these payments will continue during the period of FMLA leave. Arrangements for payment have been discussed with you, and it is agreed that you will make premium payments as follows: *(Set forth dates, e.g., the 10th of each month, or pay periods, etc. that specifically cover the agreement with the employee.)*

(b) You have a minimum 30-day *(or, indicate longer period, if applicable)* grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, *provided* we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work. We O will O will not pay your share of health insurance premiums while you are on leave.

(c) We O will O will not do the same with other benefits (*e.g.*, life insurance, disability insurance, etc.) while you are on FMLA leave. If we do pay your premiums for other benefits, when you return from leave you O will O will not be expected to reimburse us for the payments made on your behalf.

6. You O will O will not be required to present a fitness-for-duty certificate prior to being restored to employment. If such certification is required but not received, your return to work may be delayed until certification is provided.

7. (a) You O are O are not a "key employee" as described in § 825.217 of the FMLA regulations. If you are a "key employee:" restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us as discussed in § 825.218.

(b) We O have O have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to *us. (Explain (a) and/or (b) below. See §825.219 of the FMLA regulations.)*

8. While on leave, you O will O will not be required to furnish us with periodic reports every _____ _____ *(indicate interval of periodic reports, as appropriate for the particular leave situation)* of your status and intent to return to work *(see § 825.309 of the FMLA regulations).* If the circumstances of your leave change and you are able to return to work earlier than the date indicated on the reverse side of this form, you O will O will not be required to notify us at least two work days prior to the date you intend to report to work.

9. You O will O will not be required to furnish recertification relating to a serious health condition. *(Explain below. if necessary, including the interval between certifications* as *prescribed in §825.308 of the FMLA regulations.)*

This optional use form may be used to satisfy mandatory employer requirements to provide employees taking FMLA leave with Written notice detailing spectfic expectations and obligations of the employee and explaining any consequences of a failure to meet these obligations. (29 CFR 825.301(b).)

Note: Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

Public Burden Statement

We estimate that it will take an average of 5 minutes to complete this collection of information, including the time for reviewing instructions. searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden. send them to the Administrator, Wage and Hour Division, Department of Labor, Room S-3502. 200 Constitution Avenue, N.W., Washington. D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THE OFFICE SHOWN ABOVE.

FACILITIES DEVELOPMENT

Any educational program is influenced greatly by the environment within which it functions. The development of a quality educational program and school facilities, which help to implement, it must go hand in hand.

The School Board's goal is to provide facilities of the kind and size that will best support and accommodate the division's educational program and the number of students enrolled.

The School Board will constantly strive to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching.

The Board aims specifically toward:

1. New buildings and renovations that will accommodate and facilitate those new organizational and instructional patterns that support the division's educational philosophy and instructional goals.

2. Meeting all safety requirements through the remodeling of older structures.

3. Providing such building renovations as needed to meet requirements on the availability of public school facilities to disabled persons.

4. Building design and construction that will lend themselves to low maintenance costs and the conservation of energy. These two factors will also be given special consideration in the renovation of buildings.

5. Decisions pertaining to educational specifications of new buildings and those undergoing extensive remodeling will be developed and with the viewpoints of teachers, students, and the community considered.

Adopted: January 13, 1997
Revised: November 10, 2004
Revised: January 10, 2008

Legal Refs.: Code of Virginia, 1950, as amended, sections §§ 22.1-78, 22.1-79 (3), 22.1-253.13:6.B.

Cross Ref: DJF-G Public-Private Education Facilities and Infrastructure Act of 2002

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FAMILY & MEDICAL LEAVE OVERVIEW
(Excerpts from Policy)

A. Eligible Employees – To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the Patrick County School System and have worked at least 1250 hours according to the Fair Labor Standards Act in the preceding twelve (12) months during the contract year preceding the commencement of the leave without pay and the employee must have exhausted all eligible compensated leave.

B. Entitlement:
   1. Leave: Any eligible employee is entitled up to a combined total of twelve (12) weeks of unpaid leave per year for the following leave situations:
      a. The birth and first-year care of a child;
      b. The adoption or foster placement of a child;
      c. The illness of an employee's spouse, parent, or child; and
      d. The employee's own illness.

   Employees who qualify for FMLA under items (c) and (d) may receive leave in excess of twelve (12) weeks under the provisions of Regulation GCBD-R, Sick Leave.

   2. Benefits During Family and Medical Leave: Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits shall be provided according to Patrick County School Division policy for paid or unpaid leave, whichever applies.

C. Modifications and/or Limitations to Entitlement
   1. To the extent an eligible employee is entitled to receive paid or unpaid leave under any other applicable leave provisions of this policy, this section merely extends that leave period to twelve weeks, with the period added by this section being unpaid.
   2. Where other applicable leave provisions under this policy already provide for twelve or more weeks of leave in any category identified in (B) above, the provisions of this section do not add any more leave for that category.
   3. Where an employee is eligible for accrued paid leave under other applicable provisions of this policy, the eligible employee must substitute paid leave for the leave provided for in this section.
   4. Eligible employees are not entitled to accrue seniority or employment benefits, including those identified in (B.2) above during the time they are on leave.
   5. The entitlement for leave for child care ends after
      a. the child reaches age one; or
      b. twelve months after the adoption or foster care placements.
   6. When both spouses are employed by the school division, the combined amount of leave for the birth, adoption, and illness of a parent may be limited to twelve weeks in a twelve-month period.

7. Intermittent and Reduced Leave
    a. An eligible employee may not take leave for the birth and care of a child for adoption or foster care placement on an intermittent or reduced leave schedule unless Patrick County School Division agrees.
    b. Intermittent leave or a reduced leave schedule may be taken for other reasons in accordance with this policy when such leave is medically necessary. Patrick County Schools may require the eligible employee to transfer temporarily to an alternative position for which the employee is qualified and which has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

D. Employee's Obligations
1. Foreseeable Leave
    a. Notice – When unpaid leave is foreseeable, the employee must provide at least thirty days' notice of the date when leave is to begin, except that if thirty days' notice is not possible, the employee shall provide notice as is practicable.
    b. Scheduling – With respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment so as not to disrupt unduly the operations of the employer.

2. Medical Excuse
    a. Certification to take leave – Patrick County Schools may require the employee to provide timely certification from the employee's health care provider or a family member's health care provider.
    b. Certification to continue leave – Patrick County Schools may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.
    c. Certification to return from leave – After receiving leave allowed under this section for personal illness, Patrick County Schools will require the employee to provide certification by the employee's health care provider that the employee is able to resume work.

FACILITIES PLANNING

The School Board provides for the erecting, furnishing, equipping, and maintenance of all school facilities.

The superintendent presents to the School Board annually, or as necessary to coordinate with the planning process of the appropriating body, a Capital Improvement Program which includes recommendations regarding timing, location, costs and savings associated with:

- new building requirements
- restoration and renewal of existing school facilities

The superintendent may make recommendations for new buildings and renovations after receiving input concerning facilities utilization, development and closure from the community. Recommendations are supported by data that supports the feasibility and need for construction and/or renovation.

Adopted: January 13, 1997
Revised: January 10, 2008
March 12, 2015
March 10, 2020

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

Cross Ref.:

AF	Comprehensive Plan
BCF	Advisory Committees to the School Board
FEA	Educational Facilities Specifications
FECBA	Energy Efficient Construction
FEG	Construction Planning

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EDUCATIONAL FACILITIES SPECIFICATIONS

To ensure that all new and remodeled facilities are designed to best implement the educational program, the superintendent provides for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications include detailed descriptions of:

- All the activities that are expected to take place in the building;
- The curriculum to be housed in the building;
- Specific architectural characteristics desired; and
- The facilities needed, their equipment requirements, and their relationship to other facility elements.

When educational specifications are prepared, an introductory section is included containing a brief description of the community and the educational philosophy of the division. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and approved by the School Board.

The School Board consults with the local building official and the state or local fire marshal to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with the Uniform Statewide Building Code and Statewide Fire Prevention Code.

Adopted: January 13, 1997
Revised: May 9, 2019
August 8, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-79, 22.1-138.

Cross Refs.:

AF	Comprehensive Plan
FA	Facilities Development
FB	Facilities Planning
FECBA	Energy-Conserving Construction
FECBB	Accommodations for the Disabled
FEG	Construction Planning

Policy FECAA

Environmental Stewardship Policy

The Patrick County School Board promotes environmental stewardship by supporting resource conversation as an economic, environmental and social priority to be taught, practiced and implemented throughout our schools. The school board understands the profound impact that our actions have on our ecological systems and natural resources. It encourages efforts which will consistently prevent or eliminate damage to our environment thereby protecting the health and well-being of our children and employees both present and future.

PURPOSE: The purpose of this policy is to support environmental stewardship through a district-wide sustainability plan.

I. POLICY IMPLEMENTATION: The District shall employ the following practices in order to adhere to the policy herein:

A. Education & Training:
    a. Quality education and training will be provided to all employees concerning environmental impacts, practices and responsibilities.
    b. Internal and external department collaboration on environmental practices and programs will be ensured.
    c. Best Management Practices (BMP) in environmental stewardship will be identified and communicated and viable information shared with all stakeholders.

B. Conservation & Compliance:
    a. Mandate the efficient use of materials and natural resources.
    b. Reduce or mitigate negative impacts to the ecosystems we affect.
    c. Reduce waste generated from our facilities and operations through source reduction, reuse, or recycling.
    d. Collaborate with stakeholders, agencies, and other organizations to mandate and promote sound data supported principles and to achieve common objectives.

Adopted October 9, 2014

ENERGY EFFICIENT CONSTRUCTION

Efficient use of energy in construction and operation of school division buildings is a high priority. To the extent permitted by the Public Procurement Act, a proposed project which contains the most cost efficient and energy-efficient plans within an acceptable budget shall have priority. Energy efficiency will be considered in the architectural evaluation.

A continuous study of energy use shall be maintained by the administration for future planning in new construction.

Adopted: April 15, 2010

_____

_____

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

Cross Refs.:
- DJF Purchasing Procedures
- FA Facilities Development
- FEA Educational Facilities Specifications

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ACCOMMODATIONS FOR THE DISABLED

Plans for new buildings and renovations or alterations of existing buildings will offer such design and accommodations as to make the newly constructed buildings and renovated or altered areas accessible to disabled persons. The Board shall require that construction plans for new buildings and renovations or alterations to existing buildings meet accessibility standards as specified in either the Uniform Federal Accessibility Standards (Appendix to 41 C.F.R. Part 101-119.6) or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (Appendix A to 28 C.F.R. Part 36).

Adopted: January 13, 1997

_____

_____

Legal Refs.: Rehabilitation Act of 1973 42 U.S.C., section 504, Americans with Disabilities Act of 1990, 42 U.S.C. sections 12101-12213.

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CONSTRUCTION PLANNING

No public school building or addition or alteration thereto, for either permanent or temporary use, is advertised for bid, contracted for, erected or otherwise acquired until the plans and specifications therefor

- have been approved in writing by the superintendent;
- are accompanied by a statement by an architect or professional engineer licensed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects that such plans and specifications are, in the professional opinion and belief of the architect or professional engineer, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code; and
- have been reviewed by an individual or entity with professional expertise in building security and crime prevention through building design.

The superintendent's approval, architect's or engineer's statement, all reviewers' comments, and a copy of the final plans and specifications are submitted to the Superintendent of Public Instruction.

Adopted: May 13, 2010
Revised: June 24, 2010
March 12, 2015
August 8, 2019

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-140.

Cross Ref: FEA Educational Facilities Specifications

PLAYGROUND EQUIPMENT

When any playground equipment is installed on School Board property the Board assumes ownership of that equipment unless specifically stated otherwise by agreement. For this reason the maintenance of the playground equipment installed by a school or community group is the responsibility of the School Board.

Once equipment is installed on School Board property, the principal of the school has the responsibility to inspect the equipment on a regular basis and the authority, to order its repair or removal from the school property. The principal may also restrict or deny the use of such equipment until such time as, in his or her opinion, it is restored to safe a condition.

Consideration should be given to designing the outdoor learning environment to support classroom learning.

Adopted: April 15, 2010
Revised: November 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79, 22.1-293.

Guidelines for School Facilities in Virginia's Public Schools (Virginia Department of Education, September 2013).

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NAMING SCHOOL FACILITIES

It is the responsibility of the Patrick County School Board to determine the name of schools and school facilities in the division. The Board will solicit and accept input from the public regarding school names and school facilities but reserves the right to make the final decision regarding the name of any school or school facility. Suggestions regarding the name of a school or school facility must be in writing, must state the name of the person or group making the suggestion, and must state the reasons supporting the suggestion. The School Board may create a committee to make recommendations to the Board on the naming of any school or school facility.

Adopted: April 14, 2004
Revised: November 13, 2014
March 12, 2015
December 12, 2019

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

Cross Ref.: BCE School Board Committees
FF Public Dedication of New Facilities

PUBLIC DEDICATION OF NEW FACILITIES

The School Board may have a public dedication ceremony following completion of major building projects.

Adopted: January 13, 1997
Revised: April 14, 2004
November 13, 2014

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

Cross Ref.: FFA Naming School Facilities

RETIREMENT OF FACILITIES

School division buildings may become unsuitable for their present use, but may be used to benefit the school division or public in other ways. The superintendent reviews division schools and facilities on a continuing basis. The superintendent may recommend to the School Board that a particular school or school facility should be retired or its use changed. In determining whether a facility is to be retired, the School Board may consider the following factors, among others:

1. The adaptability of the building for continued use for its present purpose;

2. The suitability of the site of the building;

3. The maintenance and upkeep costs of the building;

4. The historic value of the building to the community.

The School Board shall invite the viewpoints of community residents and staff in making its decision to retire a school building.

If the School Board determines to close a facility, it will first consider other uses that the school division might make of the building prior to considering relinquishing possession of the building.

Adopted: April 15, 2010
Revised: November 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-129, 22.1-135, 22.1-136.

Cross Ref.: KG Community Use of School Facilities

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PERSONNEL POLICIES GOALS

The goal of the employment policies and practices of the Patrick County School Board is to promote the employment and retention of highly qualified personnel to effectively serve the educational needs of students.

No employee, contractor or agent of the Patrick County School Board may assist a school board employee, contractor or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the employee, contractor or agent knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of law. This prohibition does not apply if the information giving rise to probable cause

1. A. has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct and
   B. has been properly reported to any other authorities as required by federal or state law, including title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) and the regulations implementing it and
2. A. the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor in violation of law;
   B. the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
   C. the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor or agent within 4 years of the date on which the information was reported to a law enforcement agency.

Adopted: April 13, 2017
Revised: July 12, 2018
August 8, 2019

Legal Ref.: 20 U.S.C. § 7926.

Code of Virginia, 1950, as amended, §§ 22.1-79.8, 22.1-295.

Cross Refs.:		
	AC	Nondiscrimination
	GAE	Child Abuse and Neglect Reporting
	GB	Equal Employment Opportunity/Nondiscrimination
	GBL	Personnel Records
	GBN	Staff Hiring Procedure

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Adopted: April 13, 2017
Revised: July 12, 2018

Legal Ref.: 20 U.S.C. § 7926.

Code of Virginia, 1950, as amended, § 22.1-295.

Acts 2018, c. 513.

Cross Refs.:		
	AC	Nondiscrimination
	GAE/JHG	Child Abuse and Neglect Reporting
	GB	Equal Employment Opportunity/Nondiscrimination
	GBL	Personnel Records
	GBN	Staff Hiring Procedure

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STAFF TIME SCHEDULES

Work Schedules

The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the students and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Elementary school classroom teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard load of students or class periods per week, as defined by the Board of Education, an appropriate contractual arrangement and compensation is provided. Work schedules for other employees are defined by the superintendent or superintendent's designee consistent with the Fair Labor Standards Act and the provisions of this policy.

Workweek Defined

For purposes of compliance with the Fair Labor Standards Act, the workweek for employees of Patrick County School Board is 12:00 a.m. Saturday until 11:59 p.m. Friday.

Overtime and Compensatory Time

Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. The Patrick County School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

(1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
(2) is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee will be paid for any unused compensatory time at the rate of not less than the higher of

(1) the average regular rate received by the employee during the employee's last three years of employment, or
(2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Adopted: February 10, 2005
Revised: July 16, 2009
March 13, 2014
May 9, 2019

Legal Refs.: 29 U.S.C. § 201 et seq.

29 C.F.R § 516.1 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-253.13:2, 22.1-253.13:3, 22.1-291.1, 40.1-28.8 et seq.

8 VAC 20-131-240.

Cross Ref.: IC/ID School Year/School Day

File: GAA-E

PATRICK COUNTY PUBLIC SCHOOLS

Volunteer Request

I volunteer my time to the Patrick County Public Schools to supervise the activity listed below, and it is my intention to not be compensated for this activity.

Name and Description of Activity:

_____
_____
_____
_____
_____

Date of Activity: _____

Number of Hours Volunteered: _____

_____	_____	_____
Volunteer Signature	*Date*	*Principal/Supervisor Signature*

File: *Volunteer Form*
Color: *Yellow*

File: GAA-E

PATRICK COUNTY PUBLIC SCHOOLS

Compensatory Time Request
Forty-Hour Contract

Request for overtime compensation:

_____ hereby requests _____ of overtime
Name *Hour(s)*

compensation on _____ to perform the following:
Date(s)

_____
_____
_____
_____
_____
_____
_____

I agree to accept compensatory time for all overtime worked in excess of forty (40) hours. I understand that I may not accumulate more than thirty (30) hours of compensatory time during a pay period and that I must use all accumulated compensatory time prior to the end of my contract or my resignation/retirement.

_____ _____
Employee Signature *Date*

_____ _____
Principal/Supervisor Signature *Date*

A total of _____ hours of overtime compensation have been approved.

_____ _____
Superintendent or Designee *Date*

File: Compensatory Time Request Form
Color: Yellow

File: GAA-E

PATRICK COUNTY PUBLIC SCHOOLS
Beyond Contracted Hours Request

Request for compensation of hours above employees contracted hours but less than forty (40) hours:

_____ hereby requests compensation for _____ of
Name *Hour(s)*

above contracted hours on _____ to perform the
Date(s)

following:

_____
_____
_____
_____
_____
_____
_____

_____ _____
Employee Signature *Date*

_____ _____
Principal/Supervisor Signature *Date*

A total of _____ hours above contracted hours have been approved.

_____ _____
Superintendent or Designee *Date*

File: Beyond Contracted Hours Form
Color: Yellow

Beyond Contracted Hours Guidelines

Prior approval must be obtained from the Superintendent or his/her designee for compensation to be awarded to non-exempt employees for hours worked beyond contracted hours. (Example: an employee contracted for seven (7) hours per day. If a supervisor needs the employee to work (1) extra hour per day for one week, the employee would work forty (40) hours during the week in question. This does not place the employee in an overtime situation, but does require compensation over and above the contractual agreement with the employee.)

Beyond Contracted Hours:

Because of the nature of the responsibilities of certain departments, hours worked beyond contracted hours for some non-exempt employees is occasionally necessary. Hours beyond contracted hours are not to be worked without prior authorization.

Prior Approval:

Prior approval for work beyond contracted hours for all non-exempt employees must be obtained at least five (5) days prior to the date when the work is scheduled to be performed. The only exception is for personnel responding to operational emergencies. Verbal approval from the superintendent or his/her designee must be obtained in emergency situations, with completed approval form to follow.

Compensatory Time Guidelines

Overtime:

Because of the nature of the responsibilities of certain departments, overtime for some non-exempt employees is occasionally necessary. Overtime is accrued only for emergencies or extra work requirements that exceed forty (40) hours per week. For the purposes of compliance with the Fair Labor Standards Act, the workweek for school employees will be 12:00 a.m. Monday until 11:59 p.m. Sunday. Overtime is not to be worked without prior authorization.

Overview:

Overtime compensation for non-exempt employees in excess of forty (40) hours per week will be compensated with time off at a rate of one and one-half (1.5) hours for each one hour of overtime worked.

Compensatory time may not be accumulated in excess of 30 hours (reflecting 20 overtime hours worked) in a pay period. Acquired compensatory time in any pay period must be used during that period, unless extenuating circumstances exist.

Prior approval for overtime work for all non-exempt employees must be obtained at least five (5) days prior to the date when the work is scheduled to be performed. The only exception is for school plant, maintenance, and transportation personnel responding to operational emergencies (necessary paperwork must follow).

Patrick County Public Schools
Fair Labor Standards Act
Employee Classification

Exempt:

Superintendent of Schools
Central Office Administrators
Principal
Assistant Principal
Teacher
Guidance Counselor
School Psychologist
Visiting Teacher
School Registered Nurse (RN)
Substitute Teacher with Teaching License
Librarian/Media Specialist
Technology/Data Management
Speech Therapist
Physical Therapist
Occupational Therapist
Clerk of the Board
Secretary to the Superintendent
Food Services Bookkeeper
Grant Writer
Assistant Transportation Director
Assistant Maintenance Director
Administrative Secretary (High School)
Accounting and Payroll

Non-Exempt:

Bus Driver/Bus Aide/Car Driver
Bus Mechanic
Food Services Worker
Food Services Manager
Head Custodian
Custodian
Maintenance Worker
Tutor who is not in the exempt status
Coach who is not in the exempt status
Ticket Taker who is not in the exempt status
Score Keeper/P.A. Announcer/Clock Operator who is not in the exempt status
Paraprofessional: Instructional and Clerical Aides, Technology Coordinators, Secretary, and Bookkeeper

ACCEPTABLE COMPUTER SYSTEM USE

The school board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

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. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy.

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

(1) a prohibition against use 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, blogs, 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 requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;

(8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

(9) 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.

Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the superintendent or superintendent's designee.

The failure of any user to follow the terms this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

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: April 7, 2005
Revised: August 10, 2006
July 16, 2009
July 16, 2013
May 9, 2019
August 8, 2019

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78.

Cross Refs.:		
	EGAA	Reproduction and Use of Copyrighted Materials
	GAB-R/IIBEA-R	Technology Use Guidelines
	GBA/JHFA	Prohibition Against Harassment and Retaliation
	GCPD	Professional Staff Discipline
	GCQB	Staff Research and Publishing
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

TECHNOLOGY USE GUIDELINES

All use of the Patrick County School Division's computer system shall be consistent with the school board's goal of promoting 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, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and any other internal or external network. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the division or (2) for legitimate school business.

2. **Privilege.** The use of the division's computer system is a privilege, not a right.

3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:
   - using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state, or local law.
   - sending, receiving, viewing or downloading illegal material via the computer system.
   - unauthorized downloading of software.
   - using the computer system for private financial or commercial purposes.
   - wastefully using resources, such as file space.
   - gaining unauthorized access to resources or entities.
   - posting material created by another without his or her consent.
   - submitting, posting, publishing, or displaying any obscene, profane, threatening, illegal, or other inappropriate material.
   - using the computer system while access privileges are suspended or revoked.
   - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
   - intimidating, harassing, bullying, or coercing others.
   - threatening illegal or immoral acts.

4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
   - be polite.
   - users shall not forge, intercept or interfere with electronic mail messages.

- use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
- users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
- users shall respect the computer system's resource limits.
- users shall not post chain letters or download large files.
- users shall not use the computer system to disrupt others.
- users shall not modify or delete data owned by others.

5. **Liability.** The school board makes no warranties for the computer system it provides. The school board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The school division is not responsible for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the school board for any losses, costs, or damages incurred by the school board relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

7. **Vandalism.** Intentional destruction of or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

8. **Charges.** The school division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone, data, or long-distance charges.

9. **Electronic Mail.** The school division's electronic mail system is owned and controlled by the school division. The school division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the school division. All electronic mail may be archived. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users may be held responsible and personally liable for the content of any electronic message they create or that is created under their account or password. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. **Enforcement.** Software will be installed on the division's computers having internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored

manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by school board policy, or legal action.**

Adopted: April 7, 2005
Revised: July 16, 2009
July 11, 2013
March 8, 2018
May 9, 2019

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

Cross Refs:		
	GAB/IIBEA	Acceptable Computer System Use
	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

The Patrick County School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the Board will not be liable for having the information but will not use the information to gain access to the employee's social media account.

This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding.

Adopted: June 4, 2015

Legal Ref.: Code of Virginia, 1950, as amended, § 40.1-28.7:5.

Cross Ref.: GAB/IIBEA Acceptable Computer System Use

CHILD ABUSE AND NEGLECT REPORTING

Reporting Requirement

Every employee of Patrick County School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

Notice of Reporting Requirement

The School Board posts in each school a notice that

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and
- all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

Complaints of Abuse and Neglect

The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services. The School Board reports substantial modifications of the agreement to the Board of Education.

Adopted:
Revised: May 2015
August 8, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7, 22.1-291.3, 63.2-1509, 63.2-1511.

Cross Refs.:

EFB	Food Services
JFHA/GBA	Prohibition Against Harassment and Retaliation
GA	Personnel Policies Goals
GBLA	Third Party Complaints Against Employees

SCHOOL EMPLOYEE CONFLICT OF INTERESTS

A. Purpose

The State and Local Government Conflict of Interests Act (the Act), applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The purpose of this policy is to provide an introduction to the Act for employees. Additional information regarding the Act may be obtained from Policy BBFA Conflict of Interests and Disclosure of Economic Interests and from the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) which assists with compliance with the Act.

B. Compliance

School board employees are required to read and be familiar with the Act. The superintendent provides employees with information regarding how to access the Act and how to contact the Ethics Council.[1]

The Act's provisions are complex and their application is fact-specific. A violation of the Act could result in civil or criminal penalties. Therefore, if an employee has any question whether an interest the employee has in a contract or transaction involving the school division is prohibited under the Act, the employee should contact the superintendent's office or the Ethics Council for assistance.

C. Areas of Regulation

The Act prohibits school employees from having a "personal interest," as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee's immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).

Under the Act, an employee may be considered to have a prohibited conflict arising from:

- a personal interest in a contract;
- a personal interest in a transaction;
- business opportunities tied to official acts;
- misuse of confidential information; or
- receipt or solicitation of certain gifts.

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Examples of prohibited conduct include:

- soliciting or accepting money or other thing of value for services performed within the scope of the employee's official duties, except for the employee's compensation, expenses or other remuneration paid by the division;
- using for the employee's own economic benefit or that of another party, confidential information that the employee has acquired by reason of the employee's public position and which is not available to the public;
- accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the employee in the performance of the employee's official duties;
- accepting any business or professional opportunity when the employee knows that there is a reasonable likelihood that the opportunity is being afforded to influence the employee in the performance of the employee's official duties;
- entering into contracts with the school division under certain circumstances;
- accepting a gift from a person who has interests that may be substantially affected by the performance of the employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee's impartiality in the matter affecting the donor; and
- accepting gifts from sources on a basis so frequent as to raise an appearance of the use of the employee's position for private gain.

D. Awards to Employees for Exceptional Service

The Act does not prohibit or apply to the acceptance by a teacher or other employee of Patrick County School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

E. Advisory Opinions

Employees may seek written opinions regarding application of the Act from the local Commonwealth's Attorney, the local county attorney
or the Ethics Council. Good faith reliance on a written opinion of the Commonwealth's Attorney or a formal opinion or written informal advice of the Ethics Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion or advice was made after a full disclosure of the facts. If the employee relies on written informal advice given by the Ethics Council in a prosecution for a knowing violation of the Act, the record of the request and the written informal advice given shall be a public record and released upon request. An opinion of the local

county attorney may be introduced at trial as evidence that the employee did not knowingly violate the Act.

Adopted: July 9, 2001
Revised: April 14, 2003
February 11, 2004
August 10, 2006
August 9, 2007
June 23, 2008
June 24, 2010
July 12, 2012
July 11, 2013
November 13, 2014
March 12, 2015
June 4, 2015
April 14, 2016
June 23, 2016
April 13, 2017
June 8, 2017

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

Cross Ref.:

BBFA	Conflict of Interests and Disclosure Requirements
CBCA	Disclosure Statement Required of Superintendent
DJG	Vendor Relations
GCCB	Employment of Family Members
GCQA	Nonschool Employment by Staff Members
KGA	Sales and Solicitations in Schools
KJ	Advertising in the Schools

File: GAH – R

SCHOOL EMPLOYEE CONFLICT OF INTERESTS REGULATIONS

The superintendent will provide a link of the school division website for policy GAH for all staff to have access to the policy. In addition, there will be a hard copy of the policy in each work location in the school division.

Adopted: 4/13/17

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EQUAL EMPLOYMENT OPPORTUNITY/ NONDISCRIMINATION

I. Policy Statement

The Patrick County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, age, pregnancy, childbirth or related medical conditions, marital status, status as a veteran, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The Patrick County School Board provides facilities, programs and activities that are accessible, usable and available to qualified persons with disabilities. Further, the Patrick County School Board does not discriminate against qualified persons with disabilities in the provision of health, welfare and other social services.

The statement, “Patrick County School Board is an equal opportunity employer,” is placed on all employment application forms.

II. Notice of Policy/Prevention

This policy is (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination is included in employee in-service training.

III. Complaint Procedure

A. File Report

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the Compliance Officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the Compliance Officers designated in this policy. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the superintendent. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the superintendent has violated this policy, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a written decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the Compliance Officer's report or the time a committee is appointed, if there is no standing committee. The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken.

The written decision must be mailed to or personally delivered to the complainant within 5 calendar days of the issuance of the decision. If the superintendent, superintendent's designee or committee concludes that prohibited discrimination occurred, the Patrick 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 dismissal.

D. Appeal

If the superintendent, superintendent's designee or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent, superintendent's designee or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

E. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at **complianceofficer@patrick.k12.va.us**
Complaints of discrimination may also be made to the Alternate Compliance Officer at **alternate.complianeofficer@patrick.k12.va.us**

The Compliance Officer

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity and has the authority to protect the alleged victim and others during the investigation.

IV. Retaliation

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division takes appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer informs 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 denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent discrimination is included in employee orientations and in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to school personnel and (2) included in employee handbooks. All employees are notified annually of the names and contact information of the Compliance Officers.

VII. False Charges

Employees who knowingly make false charges of discrimination are subject to disciplinary action.

Adopted: July 9, 2001
Revised: April 7, 2005
August 4, 2005
August 9, 2007
January 10, 2013
June 4, 2015
October 13, 2016
June 25, 2020

Legal Refs.: 20 U.S.C. § 1681 et seq.
29 U.S.C. § 701.
42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-295.2, 22.1-306.

Cross Refs:

AC	Nondiscrimination
AD	Educational Philosophy
BCE	School Board Committees
GB-F	Report of Discrimination
GBA/JFHA	Prohibition Against Harassment and Retaliation
GBM	Professional Staff Grievances
GBMA	Support Staff Grievances
GCPD	Professional Staff Discipline
JB	Equal Educational Opportunities/Nondiscrimination
KKA	Service Animals in Public Schools

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Patrick County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status 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 protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

"Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more or the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as

defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at **titleixcoordintor@patrick.k12.va.us**

III. Complaint Procedures

1. Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment the Title IX Coordinator 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 the Title IX Coordinator or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

The complaint, and identity of the person allegedly harassed 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 person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint.

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;

- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures 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.

2. Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, 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 referral of the complaint to 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 person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall 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 person allegedly harassed, 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 person allegedly harassed and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this

policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Patrick County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

A. Compliance Officer Informal Procedure

If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed' s principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the person allegedly harassed 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 Compliance Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

B. Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

"Program or activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures, Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual

harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

The standard of evidence used to determine responsibility is preponderance of the evidence.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice

previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by Title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant for respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties,

interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standard of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:
- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator
- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and

- ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved with 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution

process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any

supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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 Title IX Coordinator 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 prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

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: May 12, 1997
Revised: June 23, 2011
January 10, 2013
February 14, 2013

June 4, 2015
October 13, 2016
June 25, 2020
August 13, 2020

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-295.2.

Cross Refs:		
	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA-F/JFHA-F	Report of Harassment
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	GCPD	Professional Staff Discipline
	GAE	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Patrick County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status 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 protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

"Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more or the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as

defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at **titleixcoordintor@patrick.k12.va.us**

III. Complaint Procedures

1. Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment the Title IX Coordinator 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 the Title IX Coordinator or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

The complaint, and identity of the person allegedly harassed 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 person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint.

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;

- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures 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.

2. Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, 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 referral of the complaint to 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 person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall 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 person allegedly harassed, 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 person allegedly harassed and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this

policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Patrick County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

A. Compliance Officer Informal Procedure

If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed' s principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the person allegedly harassed 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 Compliance Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

B. Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

"Program or activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures, Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual

harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

The standard of evidence used to determine responsibility is preponderance of the evidence.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice

previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by Title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant for respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties,

interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standard of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:
- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator
- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and

- ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved with 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution

process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any

supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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 Title IX Coordinator 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 prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

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: May 12, 1997
Revised: June 23, 2011
January 10, 2013
February 14, 2013

June 4, 2015
October 13, 2016
June 25, 2020
August 13, 2020

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-295.2.

Cross Refs:		
	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA-F/JFHA-F	Report of Harassment
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	GCPD	Professional Staff Discipline
	GAE	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

REPORT OF HARASSMENT

Name of Complainant: _____

For Students, School Attending: _____

For Employees, Position and Location: _____

Address, Phone Number and Email Address: _____

_____

_____

Date(s) of Alleged Incident(s) of Harassment: _____

Name of person(s) you believe harassed you or others: _____

_____

If the alleged harassment was toward another, please identify that person: _____

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

_____

Signature of Complainant Date

Complaint Received By: _____

(Principal or Compliance Officer) Date

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Signature of Complainant Date

Complaint Received By: _____

(Principal or Compliance Officer) Date

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PROHIBTION OF ABUSIVE WORK ENVIRONMENTS

The Patrick County School Board prohibits abusive work environments in the school division.

Any school board employee who contributes to an abusive work environment is appropriately disciplined.

Retaliation or reprisal against school board employees who make allegations of abusive work environments or assist in the investigation of allegations of abusive work environments is prohibited.

Adopted: July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-291.4.

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STAFF COMPENSATION PROCEDURES

Employees are paid in accordance with the Patrick County School Division pay schedule. Employees who work less than 12 months are given a copy of the document entitled “Written Notice of How Employees Who Work Less Than 12 Months are to be Paid.”

Adopted: June 23, 2008
Revised: March 12, 2009
May 9, 2019

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

Cross Ref.: GBC-E2 Notice of How Employees Who Work Less Than 12 Months Are To Be Paid

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EMPLOYEE CODE OF PROFESSIONAL ETHICS AND CONDUCT

I. STATEMENT AND PURPOSE

The purpose of this policy is to establish and uphold uniform professional standards of ethics and conduct for employees in the Patrick County School System. School personnel will carry out their duties and responsibilities in ways which will merit the respect and confidence of the community, students, and fellow staff members. School personnel are respected by the community and the School Division when each individual member of the team: (1) knows his/her areas of responsibility and the functions of his/her job; (2) respects the role of each of his/her colleagues in the school system; (3) is proud of and loyal to his/her school/department and profession; (4) knows and respects the appropriate relationship that must exist between students and employees; and (5) is a responsible citizen of his/her school/department and community.

II. STAFF PROFESSIONAL ETHICS AND CONDUCT

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of Patrick County Public Schools are expected to maintain high standards in their school relationships, conduct and behavior. These standards include but are not limited to the following:

A. The maintenance of just and courteous professional relationships with students, parents, staff members, and others;
B. The sustainment of professional efficiency and knowledge of the developments in the field(s) of work, including licensure requirements and credentials;
C. The transaction of all official business with the properly designated authorities of the school system;
D. The maintenance of professional standards of dress and grooming;
E. The performance of all assigned responsibilities with conscientious concern and diligence in submitting required reports and completing projects within a specified timeframe;
F. The preservation of professionalism regarding attendance/promptness to work;
G. The proper use and protection of all school properties, equipment, and materials;
H. The establishment of friendly and intelligent cooperation between the community and the school system;

I. The placement of the welfare of students as the first concern of the school system and ensuring that students are under supervision at all times;
J. The protection of test security procedures by not knowingly engaging in any conduct or making any statement that would breach the security of any standardized or non-standardized test, omit all or part of the testing instructions of any standardized test, and/or assist students in obtaining services or benefits to which they do not qualify or are not entitled;
K. The restraint from using school contacts and privileges to promote partisan politics, or self-propaganda of any kind, including using undue pressure on school officials for appointment or promotion;
L. The restraint to not criticize other staff members or any department of the school system and to direct all concerns and criticism to an administrator (and/or Superintendent/ appropriate authority) in order to foster the continuous improvement of the school system;
M. The protection of the constitutional and/or civil rights of each student, parent/legal guardian, or colleague;
N. The sustainment of professional relationships with students at all times, both inside and outside of school (This includes any action or conduct communicated or performed in person, in writing, or electronically through such means as a telephone, cell phone, computer, personal data assistant, or other telecommunication device, including text messaging, instant messaging and social networking); and
O. The preservation of confidence of personally identifiable information regarding students or their family members that has been obtained in the course of professional service, unless disclosure is required or permitted by law or professional standards, or is necessary for the personal safety of the student or others.

All school employees shall be held responsible for familiarizing themselves with School Board policies, state law, federal law and program guidelines. Higher standards in School Board policies supersede minimum standards in the law or other regulation.

Adopted: June 6, 2013

CROSS REFERENCES:

GBA/JFHA Sexual Harassment/Harassment Based On Race, National, Origin, Disability, Religion and Sexual Orientation

GBA-E Report of Harassment

GBG - Staff Participation in Political Activities

GBM - Professional Staff Grievances

GBM-R - Procedure for Adjusting Grievances

GBMA - Support Staff Grievances

GBMA-R - Procedure for Adjusting Grievances for Support Staff

GC - Professional Staff

GCPD Professional Staff Members: Contract Status and Discipline

GCPF Suspension of Staff Members

GDPD Support Staff Members: Contract Status and Discipline

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B. The sustainment of professional efficiency and knowledge of the developments in the field(s) of work, including licensure requirements and credentials;
C. The transaction of all official business with the properly designated authorities of the school system;
D. The maintenance of professional standards of dress and grooming;
E. The performance of all assigned responsibilities with conscientious concern and diligence in submitting required reports and completing projects within a specified timeframe;
F. The preservation of professionalism regarding attendance/promptness to work;
G. The proper use and protection of all school properties, equipment, and materials;
H. The establishment of friendly and intelligent cooperation between the community and the school system;

I. The placement of the welfare of students as the first concern of the school system and ensuring that students are under supervision at all times;
J. The protection of test security procedures by not knowingly engaging in any conduct or making any statement that would breach the security of any standardized or non-standardized test, omit all or part of the testing instructions of any standardized test, and/or assist students in obtaining services or benefits to which they do not qualify or are not entitled;
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L. The restraint to not criticize other staff members or any department of the school system and to direct all concerns and criticism to an administrator (and/or Superintendent/ appropriate authority) in order to foster the continuous improvement of the school system;
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N. The sustainment of professional relationships with students at all times, both inside and outside of school (This includes any action or conduct communicated or performed in person, in writing, or electronically through such means as a telephone, cell phone, computer, personal data assistant, or other telecommunication device, including text messaging, instant messaging and social networking); and
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MAINTAINING APPROPRIATE BOUNDARIES BETWEEN SCHOOL STAFF AND STUDENTS

Purpose and Applicability

The purpose of this Policy is to deter misconduct, provide accountability, and establish clear boundaries for interactions among students, teachers, other School Board employees, and adult volunteers and contractors (collectively "School Staff").

General Conduct Expectations

The School Board expects that all School Staff members maintain the highest professional standards when interacting with students. Interactions between School Staff members and students must be based on mutual respect and trust, appropriate boundaries both inside and outside of the school setting, and consistent with the School Board's educational mission and policies and procedures.

As a general matter, School Staff members should limit their interactions with students to a school-related purpose consistent with their job duties, responsibilities, or the purpose of their visit on school property. School Staff members are expected to be aware of appearance of impropriety when interacting with students and has the responsibility to discuss or notify the building administrator or their direct supervisor when they suspect or have any questions about whether a particular conduct constitutes a violation of this Policy.

Communication and Interaction between School Staff Members and Students

School Staff members shall limit communications with students whether face-to-face or through social media, other online platforms, text messaging, or other similar applications to school-related topics or for an educational purpose. School Staff members are prohibited from communicating with students whether face-to-face or through social media, other online platforms, text, or other similar applications in a way that violates the law, School Board policies or procedures, or in an inappropriate manner as specified below.

Examples of inappropriate interactions, include but are not limited to, the following:

- Having physical contact with a student that could be reasonably interpreted as constituting sexual harassment under the law or School Board Policy JFHA/GBA, Prohibition against Harassment and Retaliation;
- Showing pornography to a student;
- Invading unnecessarily a student's personal privacy, such as, for non-guidance or counseling staff, initiating or encouraging students to disclose their personal or family problems and relationships;
- Singling out a particular student or group of students for personal attention and friendship beyond the bounds of an appropriate educator/mentor-student relationship;
- Providing students with alcohol, drugs, or tobacco products;
- Socializing where students are consuming alcohol, drugs, or tobacco products;
- Maintaining a flirtatious, romantic, or sexual relationship with a student;

- Sending students on personal errands unrelated to any educational purpose;
- Engaging in banter, allusions, jokes or innuendos of a sexual nature with students;
- Having a conversation of a sexual nature with students not related to the School Staff member's professional responsibilities
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Maintaining personal contact with a student outside of school by phone, email, instant messenger or chat rooms, social networking sites, or letters (beyond homework or other legitimate school purpose) without including the building administrator/supervisor and parent/guardian;
- Socializing or spending time with students without a parent's knowledge or approval in activities such as going out for beverages, meals, movies, shopping, traveling, and recreational activities, outside of school-sponsored events, except as participants in organized community activities; or

Moreover, the following interactions below may create an appearance of or actual impropriety. Accordingly, whenever possible, School Staff member shall avoid these situations and seek guidance from a building administrator or direct supervisor whether the circumstance is appropriate.

- Conducting ongoing, private, conversations with individual students that are unrelated to school activities or the well-being of the student and that take place in locations inaccessible to others;
- Inviting a student or students for home visits without informing parents;
- Visiting the homes of students without the knowledge of parents;
- Addressing students or permitting students to address School Staff members with personalized terms of endearment, "pet names," or otherwise in an overly familiar manner;
- Exchanging personal gifts, cards, or letters with an individual student;
- Inviting students for social contact off school grounds without the permission or knowledge of parents; and
- Transporting students in personal vehicles without the knowledge of parents or supervisors.

School Staff Members should avoid appearances of impropriety and refrain from inappropriate electronic communications with students. Factors that may be considered in determining whether an electronic communication is inappropriate include, but are not limited to:

- The subject, content, purpose, authorization, timing and frequency of the communication;
- Whether there was an attempt to conceal the communication from supervisors and/or parents;
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship; and
- Whether the communication was sexually explicit.

Reporting a Suspected Violation

All School Board employees must promptly report to the building administrator or direct supervisor of anyone suspected of engaging in any conduct that may violate this Policy. The individual who receives the report must document, in writing, the allegations and provide a copy of the documentation to the Human Resources Coordinator. Moreover, all School Board employees shall report any suspected child abuse or neglect, including sexual abuse, in accordance with Virginia law and Policy JHG, Child Abuse and Neglect Report. The failure to report shall be a violation of this Policy.

Violation

A violation of this Policy may result in disciplinary action up to and including the termination of employment or volunteer status, termination of contract, or a ban from school property.

Adopted: December 7, 2018

MAINTAINING APPROPRIATE BOUNDARIES BETWEEN SCHOOL STAFF AND STUDENTS

Purpose and Applicability

The purpose of this Policy is to deter misconduct, provide accountability, and establish clear boundaries for interactions among students, teachers, other School Board employees, and adult volunteers and contractors (collectively "School Staff").

General Conduct Expectations

The School Board expects that all School Staff members maintain the highest professional standards when interacting with students. Interactions between School Staff members and students must be based on mutual respect and trust, appropriate boundaries both inside and outside of the school setting, and consistent with the School Board's educational mission and policies and procedures.

As a general matter, School Staff members should limit their interactions with students to a school-related purpose consistent with their job duties, responsibilities, or the purpose of their visit on school property. School Staff members are expected to be aware of appearance of impropriety when interacting with students and has the responsibility to discuss or notify the building administrator or their direct supervisor when they suspect or have any questions about whether a particular conduct constitutes a violation of this Policy.

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- Invading unnecessarily a student's personal privacy, such as, for non-guidance or counseling staff, initiating or encouraging students to disclose their personal or family problems and relationships;
- Singling out a particular student or group of students for personal attention and friendship beyond the bounds of an appropriate educator/mentor-student relationship;
- Providing students with alcohol, drugs, or tobacco products;
- Socializing where students are consuming alcohol, drugs, or tobacco products;
- Maintaining a flirtatious, romantic, or sexual relationship with a student;

- Sending students on personal errands unrelated to any educational purpose;
- Engaging in banter, allusions, jokes or innuendos of a sexual nature with students;
- Having a conversation of a sexual nature with students not related to the School Staff member's professional responsibilities
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Maintaining personal contact with a student outside of school by phone, email, instant messenger or chat rooms, social networking sites, or letters (beyond homework or other legitimate school purpose) without including the building administrator/supervisor and parent/guardian;
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Violation

A violation of this Policy may result in disciplinary action up to and including the termination of employment or volunteer status, termination of contract, or a ban from school property.

Adopted: December 7, 2018

STANDARDS OF STAFF CONDUCT REGULATIONS

Online Environments and Social Networks

Since conduct in online environments and social networks can potentially impact an employee's effectiveness in the work environment and, therefore, can potentially impact the effectiveness of a school system, the Patrick County School Board has established standards of conduct and behavior for online environments and social networks. These standards are intended to apply to both school-related and non-school related online activity.

Electronic Communication

The Board acknowledges that electronic communication (including social media and text messaging) are effective communication tools used by staff, parents, and students.

Teachers, coaches, club sponsors and other staff members who elect to use social media and text communications are expected to inform parents and immediate supervisors in advance that they intend to use electronic communication methods, how these tools will be used, and how parents may also access or receive copies of communications.

Social media and text communications should be used almost exclusively to:

- Provide multiple recipients with information related to school, athletic, and/or extracurricular activities. (Examples of "multiple recipients" include groups of involved students, parents who have requested copies of electronic communications, and immediate supervisors when appropriate); and
- Answer school-related questions in a timely and professional manner.

Social media accounts created for the purpose of communication school business with students/parents/community stakeholders will be maintained separately from personal social media accounts. All communications are expected to reflect the professional appropriate relationship that exists between staff and the students they supervise and the high professional standards for conduct outlined in Board Policy GBCB: Standards of Staff Conduct. Login and password information for social media accounts created for the purpose of communicating school business with students/parents/community stakeholders will be made available to administration upon request.

Expected

Each Staff member is expected to:

- Comply with all school laws, school board policies, and regulations when participating in and operating in an online environment.
- Behave in a professional manner when participating in an online environment.
- Include a disclaimer stating that views and ideas expressed do not officially represent the views and opinions of Patrick County Public Schools if the content of the website is dealing with school system related issues.

Unacceptable Conduct

The following conduct is prohibited and may be subject to disciplinary action: this list is not exhaustive; therefore, other conduct in online environments may also be subject to discipline in accordance with state law. This unacceptable conduct applies to all online interactions in which an employee participates:

- Allowing online activity to interfere with workplace responsibilities.
- Breaching of student and/or staff confidentiality in any online environment.
- Creating situations that jeopardize employee effectiveness or undermine professional standing.
- Interacting with students in a secretive or unprofessional manner.
- Displaying immoral or morally questionable content.
- Using official school system logos or symbols on non-school system websites.
- Referring to students, colleagues, or the school environment in an unprofessional manner.

Adopted: May 2017

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Cross Ref.:
GBCB, STANDARDS OF STAFF CONDUCT
GAD, ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

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Adopted: May 2017

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Cross Ref.:
GBCB, STANDARDS OF STAFF CONDUCT
GAD, ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

CIVILITY POLICY

I. Statement and Purpose:

The School Board's primary objective with this policy is to promote mutual respect, civility and orderly conduct among division 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 division.

It is not the intent of the School Board to deprive any person of his or her right to freedom of speech. This policy conveys the need to maintain, to the greatest extent possible, safe and professional 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. Patrick 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. Patrick 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 division. 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,
- 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.

II. Expectations:

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

The School Board believes:

- there should be respect for the obligations and time constraints of all individuals,
- school division 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 offensive and demeaning language, swearing, and/or cursing towards a staff member, parent, or student 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

III. Process for Addressing Concerns and Issues:

Individuals who feel they have been subjected to uncivil 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).

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: Jun 6, 2013

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CROSS REFERENCES:

GBA/JFHA Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion

GBA-F Report of Harassment

KGB Public Conduct on School Property

KK School Visitors

KL Public Complaints

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Adopted: Jun 6, 2013

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CROSS REFERENCES:

GBA/JFHA Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion

GBA-F Report of Harassment

KGB Public Conduct on School Property

KK School Visitors

KL Public Complaints

File: GBC-E1

DEFERRED WAGE PAYMENT ELECTION FORM

This is to notify the Patrick County school division that I have elected, beginning with the 2008-2009 school year, to have the salary for the period I actually perform services paid out over a 12-month period.

In the event that a separation from service occurs before the end of the 12-month payment period, I will be entitled to an additional payment for the amount I have actually earned from the beginning of the 12-month pay period until the date of my separation from service, but which has not yet been paid.

Adopted: May 12, 1997
Revised: November 10, 2004
Revised: April 10, 2008
Revised: June 23, 2008

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

Cross Ref.: GBB Staff Involvement in Decision Making

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File: GBC-E1
Optional

DEFERRED WAGE PAYMENT ELECTION FORM

This is to notify the Patrick County school division that I have elected, beginning with the school year, to have the salary for the period I actually perform services paid out over a 12-month period.

In the event that a separation from service occurs before the end of the 12-month payment period, I will be entitled to an additional payment for the amount I have actually earned from the beginning of the 12-month pay period until the date of my separation from service, but which has not yet been paid. This additional payment will be included in my final paycheck. For this purpose, "separation from service" has the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations.

This notice is irrevocable for any particular school year, and may not be changed or withdrawn after the beginning of the school year in which I am working. This notice will be effective for the school year and all following school years unless I change my election. If I choose not to have my salary deferred in any future school year and be paid only during the period that I actually perform services, I will so notify the Patrick County school division in writing prior to beginning work for that school year.

This notice will have no effect if it is not submitted to the division prior to the time I begin working for the school year.

_____ _____

Signature date signed

_____

Printed Name

© 2/09 VSBA

File: GBC-E1
Optional

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© 2/09 VSBA

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Adopted: May 12, 1997
Revised: November 10, 2004
Revised: April 10, 2008
Revised: June 23, 2008

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

Cross Ref.: GBB Staff Involvement in Decision Making

© 5/08 VSBA

NOTICE OF HOW EMPLOYEES WHO WORK LESS THAN 12 MONTHS ARE TO BE PAID

This notifies **[name of employee]** that Patrick County school division requires him or her to be paid over 12 months regardless of the fact that he or she will actually work over a shorter time period. Specifically **[name of employee]** will receive

12 equal monthly payments of **[dollar amount of each payment**] beginning on **[date]**

In the event that a separation from service occurs before the end of the 12-month payment period, **[name of employee]** will be entitled to an additional payment for the amount actually earned from the beginning of the 12-month pay period until the date of separation from service which has not yet been paid. This additional payment will be included in the employee's final paycheck. For this purpose, "separation from service" has the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations.

Adopted: June 23, 2009
Revised: March 12, 2009

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Adopted: June 23, 2009
Revised: March 12, 2009

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BOARD-STAFF COMMUNICATIONS

The Patrick County School Board supports and encourages two-way communication between the board and employees. The superintendent is the official representative of the school board in its relations and communications with its employees.

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the school board and/or the superintendent or superintendent's designee.

The school board desires to develop and maintain the best possible working relationship with the employees of the school division. The school board welcomes the viewpoints of employees, and allows time at its meetings for employees to be heard.

The school board does not discriminate against any employee because of membership in an employee organization, or participation in any lawful activities of the organization.

Adopted: May 12, 1997
Revised: November 10, 2004
April 10, 2008
June 23, 2008
March 13, 2014
May 9, 2019

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

BOARD-STAFF COMMUNICATIONS

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

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

It is the policy of the School Board not to discriminate against any employee by reason of his or her membership in an employee organization, or participation in any lawful activities of the organization.

Adopted: May 12, 1997
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Cross Ref.: GBB Staff Involvement in Decision Making

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STAFF HEALTH

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner or registered nurse stating the employee appears free of communicable tuberculosis.

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

Adopted: May 12, 1997
Revised: April 14, 2003
February 11, 2004
August 4, 2005
August 10, 2006
June 23, 2011
November 13, 2015
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-300, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:		
	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	GDQ	School Bus Drivers
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

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June 23, 2011
November 13, 2015
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-300, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:		
	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	GDQ	School Bus Drivers
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

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UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

Generally

The Patrick County School Board is committed to maintaining a Drug-Free Workplace.

Prohibited Conduct

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity or on any school-sponsored trip. It is a condition of employment that each employee of the Patrick County School Board will not engage in such prohibited conduct and will notify the Patrick County School Board of any criminal drug conviction for a violation occurring on school property, at any school activity or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Discipline

Within 30 days of receiving notice from a School Board employee as described above, the superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above or require satisfactory participation in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

Distribution of Policy

All employees are given a copy of this policy.

Drug-Free Awareness Program

The Patrick County School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

Adopted: May 12, 1997
Revised: April 14, 2011
June 5, 2014
March 10, 2020

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Legal Refs.: 41 U.S.C. §§ 8103, 8104.

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

Cross Refs.: GCPD Professional Staff Discipline
GDQ School Bus Drivers

STAFF WEAPONS IN SCHOOL

No one may possess or use any firearm or any weapon, as defined in Policy JFCD Weapons in School, on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place or on any school bus without authorization of the superintendent or superintendent's designee. The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property.

Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal.

Illegal conduct will be reported to law enforcement officials.

Adopted: July 9, 2001
Revised: April 14, 2003
June 23, 2011
June 4, 2015
June 8, 2017
June 25, 2020

Legal Refs: Code of Virginia, 1950, as amended, §§ 18.2-308.1, 22.1-78, 22.1-279.3:1, 22.1-280.2:1, 22.1-280.2:4.

8 VAC 20-560-10.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	JFCD	Weapons in School
	KGB	Public Conduct on School Property

TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

Definitions

“Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: May 12, 1997
Revised: April 14, 2002
April 10, 2008
August 13, 2009
June 5, 2014
August 8, 2019

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.:

CLA	Reporting Acts of Violence and Substance Abuse
JFC-R	Standards of Student Conduct
JFCH/KGC	Tobacco Products and Nicotine Vapor Products
KG	Community Use of School Facilities
KGB	Public Conduct on School Property

LACTATION SUPPORT

The superintendent shall designate a non-restroom location in each school as an area in which any mother who is employed by the Patrick County School Board or enrolled as a student in the division may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one. The area must be shielded from public view

Adopted: June 5, 2014

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-79.6.

REPORT OF DISCRIMINATION

Name of Complainant: _____

For Employees, Position: _____

For Applicants, Position Applied For: _____

Address, Phone Number and Email Address: _____

_____

_____

Date(s) of Alleged Discrimination: _____

Name(s) of person(s) you believe discriminated against you or others:_____

_____

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint._Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

_____

Signature of Complainant Date

Complaint Received By: _____

Compliance Officer Date

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STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Patrick County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in his or her political activities, an employee may not

- use his or her position within the school division to further a political cause;
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

Adopted: May 12, 1997
Revised: April 12, 2012

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

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STAFF GIFTS AND SOLICITATIONS

Exchange of gifts between students and/or parents and staff is discouraged.

No school division employee solicits money, property, goods or services for personal use or use by staff or students during school hours on school property without written authorization from the superintendent or superintendent's designee.

Adopted: May 12, 1997
Revised: May 11, 2006
May 9, 2019

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

Cross Refs.:

JHCH	School Meals and Snacks
JL	Fund Raising and Solicitation
KGA	Sales and Solicitations in Schools
KMA	Relations with Parent Organizations
KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

THIRD-PARTY COMPLAINTS AGAINST EMPLOYEES

Any parent or guardian of a student enrolled in Patrick County Public Schools or any resident of Patrick County may file a complaint regarding an employee of the Patrick County School Board. Such complaint should be filed with the superintendent or superintendent's designee. If the complaint involves allegations that an employee of the Patrick County School Board has abused or neglected a child in the course of his employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505 and 63.2-1516.1.

Information determined to be unfounded after a reasonable administrative review is not maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code §§ 2.2-3800 et seq., is settled through the employee grievance procedure as provided in Va. Code §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals lodging a complaint are notified in writing that the complaint has been received and is being investigated.

The complaint should be filed as soon as possible after the alleged incident, usually within 15 school days, and will be processed promptly, usually within 15 days.

Adopted: July 9, 2001
Revised: August 10, 2006
April 10, 2008
June 23, 2008
July 11, 2013
March 13, 2014
May 9, 2019
March 10, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3800 et seq., 22.1-70, 22.1-78, 22.1-295.1.

Cross Refs.:

GB	Equal Employment Opportunity/Nondiscrimination
GBA/JFHA	Prohibition Against Harassment and Retaliation
GBL	Personnel Records
GBM	Professional Staff Grievances
GBMA	Support Staff Grievances
JB	Equal Educational Opportunities/Nondiscrimination
GAE	Child Abuse and Neglect Reporting

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PERSONNEL RECORDS

Present and past employees have access to their personnel information maintained by the Patrick County School Division. No separate employee files shall be maintained which are not available for that employee's inspection.

If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records.

The superintendent or superintendent’s designee is responsible for maintaining a system of personnel records for all employees of the School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format.

Teacher performance indicators, or other data collected by or for the Department of Education or the School Board or made available to and able to be used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise, is confidential but may be disclosed, in a form that does not personally identify any student or other teacher, (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Adopted: April 14, 2003
Revised: November 10, 2004
August 10, 2006
July 11, 2013
October 10, 2013
November 12, 2015
June 23, 2016

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3705.1, 2.2-3800 et seq., 22.1-295.1.

Cross Ref.: CBA Qualifications and Duties for the Superintendent
GBLA Third Party Complaints Against Employees

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PROFESSIONAL STAFF GRIEVANCES

The Patrick County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

Adopted: July 9, 1998
July 16, 2009
July 11, 2013
June 23, 2016
Revised: April 13, 17

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.C.8, and 22.1-306 et seq.

8 VAC 20-90-10 through 8 VAC 20-90-80 and accompanying forms.

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CLASSIFIED EMPLOYEES' GRIEVANCE PROCEDURE

The school board adopts the following procedure in accordance with §22.1-79(6) of the Code of Virginia. Nothing in this procedure is intended to create, nor shall it be construed as creating, a property right in employment, nor shall this procedure be interpreted to limit in any way whatsoever the school board's exclusive final authority over the management and operation of the school division.

The following words and terms have the following meanings when used in this procedure, unless the context clearly indicates otherwise.

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday, or legal holiday, the period of time for taking action under this procedure shall be extended to the next day that is not a Saturday, Sunday or legal holiday. "Working days" means those days that the central office is open for business.

"Dismissal" means the dismissal of an employee for disciplinary reasons during the term of such employee's contract.

"Demotion" means the involuntary assignment of an employee to a lower paying position for disciplinary reasons during the term of such employee's contract.

"Grievance" means a complaint or dispute involving the dismissal or demotion of an employee. "Grievance" shall not mean a complaint or dispute regarding the suspension of an employee, the nonrenewal or layoff of an employee, or reprimands or other forms of disciplinary action other than a dismissal or demotion. The procedure for the suspension of classified employees will be that as set forth in §22.1-315 of the Code of Virginia.

"Employee" or "employees" means all full-time employees of the school division, who have completed the required probationary period, except the Division Superintendent and those employees covered under Part III of the Procedure for Adjusting Grievances. "Employee" does not mean a part-time or temporary employee.

Procedure

Written notice of the proposed action, along with a statement of the reasons for the action, shall be given to the employee by his or her supervisor or appropriate administrator. Such notice shall also advise the employee that he may file a written request for a hearing with the superintendent within five days of the written notice, and that the failure to make a written request within the prescribed time will constitute a waiver of the right to a hearing and the action will become final without a hearing or further notice.

1. Upon a timely request, the superintendent or his designee shall hold a hearing within ten working days of receipt of the employee's request. Notice of the hearing shall be given orally or in writing to the employee at least five calendar days before the hearing.
2. The employee and his supervisor may be represented by legal counsel at the hearing. The hearing shall be private and the superintendent or his designee shall have full discretion over the conduct of the hearing. However, the employee and the supervisor may make opening statements, may present all material and relevant evidence, including the testimony of witnesses, and may cross-examine witnesses. Witnesses may be questioned by the superintendent or his designee.
3. The superintendent or designee shall give the employee a written decision within five working days after the completion of the hearing. The decision shall be based on the evidence relevant to the issues produced at the hearing in the presence of each party. If the Superintendent/designee decides to accept the recommendation of dismissal or demotion, the decision shall specify the effective date of the action, which may be immediate.
4. The school board shall conduct a hearing regarding the recommended dismissal or demotion only when such action is initiated by the Superintendent. In all other cases, the Superintendent or designee shall provide the hearing. A hearing before the school board, when applicable, must be requested in the manner and within the time, and will be conducted, as set forth above.
5. In cases in which the Superintendent or designee has provided the hearing, the employee may appeal the decision to the school board by providing written notice of appeal to the Superintendent within five (5) days of the decision of Superintendent or designee. Upon timely appeal, the school board shall decide the appeal on the record and render its decision within 30 days of the appeal.

Adopted: January 20, 2011
Revised: June 25, 2020

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Legal Refs: Code of Virginia §22.1-79(6)

STAFF HIRING PROCEDURES

It is the desire of the Patrick County School Board to recruit, hire and retain the best possible qualified applicants.

The Superintendent is responsible for developing procedures for advertising vacancies and new positions. Those procedures will be designed to ensure that all openings are properly advertised to give all interested and qualified parties the opportunity to apply. While most positions will be filled using those procedures, the School Board may, at the request of the Superintendent, fill positions in other ways. For example, the School Board may authorize the filling of a position to accommodate the disability of an employee, to transfer an employee when it is determined to be in the best interest of the school division, to satisfy the rights of employees returning from leave, to move an employee whose performance is unsuccessful to a position in which the employee might be successful or to discipline an employee for conduct deficiencies.

Current division employees are given an opportunity to apply for positions for which they are qualified.

The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate.

Application for employment in Patrick County Public Schools shall be made on online forms provided by the Human Resources department.

It is the responsibility of the applicant to furnish accurate information and any falsification of either information or credentials is cause for dismissal or refusal to employ.

Adopted: May 12, 1997
Revised: March 12, 2015
March 10, 2020

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

Cross Refs.:

AC	Nondiscrimination
GA	Personnel Policies Goals
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect

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VIRGINIA RETIREMENT SYSTEM

All eligible employees must be members of the Virginia Retirement System. Employee retirement benefits are governed by the rules and regulations established by the Virginia Retirement System.

Adopted: May 12, 1997
Revised: April 13, 2003
July 12, 2012

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 51.1-135.

Cross Ref.: GBR Voluntary Retirement Savings Program

VOLUNTARY RETIREMENT SAVINGS PROGRAM

The Patrick County School Division offers its employees the opportunity to participate in a defined contribution retirement plan, also known as a tax sheltered annuity or 403(b) program. This program is maintained and operated pursuant to a written plan.

The written plan contains all the material terms and conditions for eligibility, benefits, applicable limitations, the contracts available under the plan and the time and form under which benefit distributions may be made.

The written plan also addresses any optional features, including hardship withdrawal distributions, loans, plan-to-plan or annuity contract-to-annuity contract transfers and acceptance of rollovers to the plan, which are included in the Division's program.

The written plan may

- allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements
- assign such responsibilities to parties other than the school division, but not to participants (unless the administration of the plan is a substantial portion of the duties of the participant)
- incorporate by reference other documents which thereupon become part of the written plan
- address termination of the program

Every employee of the school division is notified annually about the program.

Adopted: December 13, 2007
Revised: July 12, 2012
June 4, 2015

Legal Refs.: 26 U.S.C. § 403(b).

26 CFR 1.403(b)-1 et seq.

Code of Virginia, 1950, as amended, §§ 51.1-603, 51.1-603.1

Cross Ref.: GBO Virginia Retirement System

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PROFESSIONAL STAFF

No teacher is regularly employed by the School Board or paid from public funds unless such teacher

- holds a license or provisional license issued by the Board of Education,
- holds a three-year license to teach high school career and technical education courses in specified subject areas or
- is hired to teach in a trade and industrial education program and for whom the teacher licensure requirements have been waived by the Virginia Department of Education.

If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof during which the teacher is activated or deployed. The additional year shall be granted the year following the return of the teacher from deployment or activation.

The superintendent may request that the Board of Education extend the three-year provisional license of a teacher for at least one year but no more than two additional years. The request must be accompanied by the superintendent's recommendation for such extension and satisfactory performance evaluations for the teacher for each year of the original three-year license.

The Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license. On recommendation of the superintendent, the School Board may waive applicable licensing requirements as specified Va. Code § 22.1-298.1 for any individual the School Board seeks to employ as a career and technical education teacher who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education.

Adopted: September 11, 2000
Revised: April 14, 2003
June 23, 2008
June 4, 2015
June 23, 2016
June 8, 2017
July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-298.1, 22.1-299, 22.1- 299.5 and 22.1-299.6.

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PROFESSIONAL STAFF CONTRACTS

The School Board shall enter into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-440-10 before such employees assume their duties except as noted below. Contracts will be in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts shall be signed in duplicate, with a copy furnished to each party.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid shall be separate from the employee's primary contract and termination of the separate contract shall not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: May 12, 1997
Revised: August 10, 2006
July 12, 2012
July 11, 2013

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.

8 VAC 20-440-10.

Cross Ref.:	GCBB	Supplementary Pay
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCE	Part-Time and Substitute Professional Staff Employment
	GCG	Professional Staff Probationary Term and Continuing Contract
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

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PROFESSIONAL STAFF CONTRACTS

The School Board enters into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-441-10 before such employees assume their duties except as noted below. Contracts are in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts are signed in duplicate, with a copy furnished to each party.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid are separate from the employee's primary contract. Such contracts are in a form permitted by the Board of Education. Termination of the separate contract does not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: May 2013
Revised: May 10, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.
8 VAC 20-441-10.
8 VAC 20-441-40.

Cross Ref.:		
	GCBB	Supplementary Pay
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCE	Part-Time and Substitute Professional Staff Employment
	GCG	Professional Staff Probationary Term and Continuing Contract
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

STAFF SALARY SCHEDULES

The School Board shall annually establish and approve salaries for all school employees.

Adopted: April 13, 2012

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-289.1, 22.1-313.

STAFF SALARY SCHEDULES

The School Board shall annually establish and approve salaries for all school employees.

Adopted:

_____

_____

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-289.1, 22.1-313.

SUPPLEMENTARY PAY

The Patrick County School Board approves all athletic coaching and other extracurricular activity sponsorships for which supplemental pay is provided. The Board establishes the amount of compensation for employees who coach or supervise such activities.

A separate contract in a form permitted by the Board of Education is executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. All such contracts ~~will~~ require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof becomes effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: May 12, 1997
Revised: April 14, 2003
April 12, 2012
July 11, 2013
May 10, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302 and 22.1-313.

Cross Ref.: GCB Professional Staff Contracts

STAFF FRINGE BENEFITS

The Patrick County School Board recognizes the need for fringe benefits in order to promote the employment and retention of the highest quality personnel and effectively serve the educational needs of students. Accordingly, fringe benefits shall be provided pursuant to regulations established by the Board.

Adopted: May 12, 1997
Revised: April 14, 2003
July 12, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-85

8 VAC 20-460-10.

Cross Ref.: GCBD Staff Leaves and Absences
GBO Virginia Retirement System

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PROFESSIONAL STAFF FRINGE BENEFITS

Insurance

A. Liability Insurance

The Board shall provide liability insurance for all employees under one general policy.

B. Unemployment Insurance

The board shall participate in unemployment compensation through the "nonparticipating" alternative.

C. Workmen's Compensation Insurance

The board shall select an insurance carrier and shall pay the premiums to cover all employees under Workmen's Compensation Insurance.

Employee's injured while on the job and who qualify for payments under the Workmen's Compensation Insurance may use portions of their accumulated sick leave to supplement their income from the insurance company. However, an employee shall be paid for sick leave only to the limit that sick leave is available and the pay for sick leave will complement the insurance benefits. The total payment shall not exceed the employee's per diem rate of pay.

D. Group Life Insurance

Full-time employees who are required by law to participate in the Virginia Supplemental Retirement System shall be covered by the group life insurance included as part of the retirement system. The board shall pay the premiums.

E. Hospitalizations and Medical Insurance

The board shall select an insurance plan to provide medical and hospitalization coverage for all full-time employees.

The board shall pay all or part of the premium for coverage of the employee desiring the insurance. The employee may purchase family coverage for members of his or her immediate family acceptable to the insurance company. Payroll deductions may be used to pay the additional costs.

Employees granted a one-year leave of absence may participate in the group hospitalization plan for that year providing they pay the current premium rate.

F. Hospitalization and Medical Insurance for Retired Employees

All employees eligible for retirement under the Virginia Retirement System, age 50 and older, will be allowed to stay in the Patrick County School System group health plan until age 65 or until retiree enrolls in Medicare or Medicaid on or before September 30, 2007. The employees must pay their premiums.

The premium plan of the eligible retiree will be the same as that which he/she had during their last year of employment and the plan cannot be increased to a higher level of participation, that is, a single premium coverage cannot be changed to a family coverage. However, premium coverage may be decreased, that is, a family coverage may be changed to a single coverage.

G. Payroll Deduction with Pretax Monies

Employees may participate in payroll deduction for 125 Plan, payment of Health care premium cost with pre-tax monies.

I. Professional Development/Licensure

Certified employees may be entitled to up to $130.00 annually for approved college/university courses successfully completed and/or professional license renewal. Board certifications for clinically licensed personnel will be reimbursed. For the cost to be covered, professional license renewal and/or board certifications must be a requirement of the employee's current contracted position. Educational Support Staff may be reimbursed up to $50 annually for approved college/university courses successfully completed.

J. Pay Periods

Employees on 10-month teaching contracts will be paid in twelve (12) equal paychecks for convenience of teachers.

K. Disability Insurance

Full-time employees covered under the Hybrid Disability Plan of the Virginia Retirement System will have disability insurance provided. Short term and Long-term Disability benefits will be administered in accordance

with state code and the plan sponsor. Hybrid plan employees may use available sick leave days in order to receive full pay during the seven day wait period or to receive a full per diem daily rate during the disability period.

Employees not covered under the Hybrid Disability Plan of the Virginia Retirement System will be able to use available sick leave days during Short-term or Long-term disabled periods. Short-term and Long-term Disability insurance is available for employees not covered under the Hybrid Disability Plan to purchase with no contribution by the school board in order to supplement any loss of pay that may occur during the disability period.

_____

_____

Revised: June 4, 2015
December 12, 2019
November 12, 2020

References: GCBDA
GCBD-R

STAFF LEAVES AND ABSENCES

All employee leaves and absences are subject to school division policy and regulations. The superintendent shall establish any regulations necessary for the application of the division's policies regarding leaves and absences.

Adopted: May 12, 1997
Revised: April 14, 2003
April 12, 2012

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

Cross Refs.:

GCBE	Family and Medical Leave
GCBEA	Leave Without Pay
GCBEB	Military Leave and Benefits
GCQA	Nonschool Employment by Staff Members

© 2/12 VSBA

PATRICK COUNTY PUBLIC SCHOOLS SHARE LEAVE

The following regulations are required for this policy:

1. Employees of the Patrick County Public Schools, who receive sick leave, may transfer no more than three (3) sick leave days per year to other employees who are currently eligible for sick leave.

2. Employees desiring to transfer (donate) sick leave days to another employee must complete the "Request for Transfer of Sick Leave Days' and submit the form to the employee's supervisor. The Superintendent will provide final approval.

3. An employee will be eligible to receive a transfer of sick leave days when all of his/her available leave (sick, personal, and vacation) is depleted.

4. Once an employee transfers (donates) sick leave days to another employee, the donated days remain credited to the recipient, even if not actually used, for that fiscal year. All unused donated leave left at the end of the fiscal year is no longer valid.

5. The "Request for Transfer of Sick leave Days" must be executed and submitted by the donor within ninety (90) days prior to submissions of any correspondence or intent to terminate his/her employment with the school system.

6. Employees may receive no more than 20 days of donated leave per occurrence. Any unused donated leave cannot be carried forward into the next fiscal year.

7. Employees receiving shared leave must have a documented extended illness (i.e. pregnancy) or an immediate family member with a documented extended illness. Immediate family member is defined in Policy GCBD-R.

8. For the purposes of classification shared leave is considered sick leave, as defined in Policy GCBD-R.

9. Employee may only apply for shared leave once every three (3) years of employment.

10. Employee must be on unpaid leave for five (5) days prior to receiving shared leave.

11. Employee will need to have a minimum of 20 leave days in order to donate days.

12. Shared leave is subject to approval of the annual budget.

13. Employees covered under the Hybrid Disability provisions are not eligible for shared leave.

Approved: March 13, 2000
Revised: May 13, 2010
May 12, 2011
June 4, 2015
May 10, 2018

File: GCBDA-E

PATRICK COUNTY PUBLIC SCHOOLS
Request for Transfer of Sick Leave days

I, _____, as an employee of the Patrick County Public Schools County Public Schools wish to donate _____days of my accumulated sick leave days to _____.

I understand that these days will be deducted from my record and will be credited to my designated recipient's sick leave record. I also understand that the recipient employee will retain the donated days even if they are not used.

_____	_____
Donor's Name (PRINT)	Recipient's Name (PRINT)
_____	_____
Donor's Position	Recipient's Position
_____	_____
Donor's Signature	Recipient's Signature
_____	_____
Date	Date
_____	_____
Donor's Supervisor's Signature	Date
_____	_____
Superintendent/Designee's Signature	Date

Revised: July 10, 2008

EMPLOYEE LEAVES AND ABSENCES

Employee Attendance

The Patrick County School Board employs personnel to provide an instructional program for its students. The program is centered around 180 days of instruction in a clean, safe environment, providing transportation and a school lunch program. The school board seeks the best qualified persons to carry out their mission and expects employees, once hired, to be on the job. The school board considers the 180 days of instructions as critical need days which possess the highest intensity of need.

Realizing that human needs exist beyond the school system and beyond human control, the Patrick County School Board has established a generous policy to accommodate absences. These policies are defined in Sections GCBD – R of the Patrick County Public Schools Policy Manual.

To ensure that leaves and absences are used in a way that promotes the best interest of the school system and that the policies have the effect of their intention the following quality control measures are incorporated and apply to each contract year:

1. Any employee who misses more than five (5) consecutive days will be required to have a doctor's excuse or approval by the Superintendent or his/her designee for the absence.
2. Any employee who misses more than ten (10) consecutive days will be required to have a doctor's excuse or approval by the Superintendent or his/her designee and submit documentation as described in policy GCBE- Family Medical Leave Act.
3. After ten (10) days cumulative absences during any one (1) contract year, each employee will have his/her attendance record reviewed by the superintendent or designee to determine the nature of the absences.
4. Illness or death in the immediate family shall be limited, in any one case, to five (5) days absent regardless of a return to work.
5. Cumulative absences in excess of twelve (12) days during any one (1) contract year which are not covered by leave of absence or superintendent's approval will necessitate a performance evaluation review.

Any exceptions to policy must have prior approval of the Superintendent of Schools.

A. Paid Leave

1. Sick Leave

a. Generally
Full-time certificated employees shall earn one (1) day of sick leave for each month or major portion of a month of employment. There is no limit to the number of sick days that may be accumulated for employees hired prior to January 1, 2014. Employees who are hired after January 1, 2014 and fall under the Hybrid Retirement Plan through the Virginia Retirement System may accumulate up to ninety (90) days of sick leave.

b. Transfer of Credit
A certificated employee who transfers to the Patrick County School Division from another school division in Virginia may transfer up to one hundred twenty (120) sick leave days. A statement from the superintendent of the school division from which the employee is transferred shall be required to establish the exact number of days accumulated by the employee.

c. Termination Pay for Unused Sick Leave
Employees who are retiring from service under the regulations of the VRS and who have accumulated sick leave days shall receive payment at the rate of ten dollars ($10.00) per day for up to one hundred twenty (120) unused sick leave days. Employees who are terminating employment in this school division and who have accumulated sick leave may elect to transfer their unused days to their new employer, if acceptable, or to accept payment at the rate of ten dollars ($10.00) per day for up to one hundred twenty (120) days of unused sick leave days. The employee may not accept payment and transfer accumulated sick leave.

d. Allowances
Employees new to the division shall not be paid for sick leave time unless they have reported for duty in accordance with the terms of their contracts. Employees who have earned and have accumulated sick leave in the previous year may use sick leave credited to them as of June 30 without having to report for duty at the beginning of the school year.

e. "Immediate Family" Defined
The "immediate family" of an employee shall be regarded to include natural parents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, brother and sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild and any other relative living in the household of the employee. ("any other relative living in the household of a employee" is limited

only in that the relative, however distant, must live in the household of an employee.)

f. Physician's Certificate
The superintendent may require a physician's certificate to verify an excuse for absence due to illness.

g. Anticipating Sick Leave Days
An employee may use sick leave days anticipated during the coming year. Should the employee fail to earn the anticipated days, monies equal to the employee's pay for these days shall be deducted from his/her final paycheck.

h. Maternity Leave
Employees may apply for leave under the Family and Medical Leave Act (policy GCBE), which will run concurrently with available paid leave.

i. School Related Leave
Employees who are absent from the assigned duties and their absence is provided for under the policies and regulations of the board or school related and approved by the superintendent shall be absent without loss of pay.

j. Extended Personal Leave
Employees who extend the personal leave beyond two days but approved by the superintendent shall receive no pay for the period of absence unless approved by the board.

2. Personal Leave
Full-time employees may use two personal leave days during the school year. Days not used as personal days will be added to the employees' accumulative sick leave days. Personal leave shall not be taken on days immediately before or after a holiday, on scheduled in-service/workday days, or on scheduled exam days. Exceptions to the above policy, only in case of emergency, may be granted by the superintendent of schools or his designee.

3. Holidays
Employees on the standard teaching contract will be given paid holidays as stipulated in the annual school calendar. Employees in a twelve month contract will be given paid holidays as stipulated in the annual school calendar.

4. Vacations
Full-time twelve (12) month personnel shall earn vacation days with pay at a monthly rate depending upon their years of service as full-time

twelve (12) month employees in this school division. Employees classified as full-time twelve (12) month employees shall earn vacation days at the rate of one (1) day per month, or major portion thereof, for the first five (5) years of employment in this classification. Beginning the sixth (6) year, the employee shall earn vacation days at the rate of one and one-fourth (1 ¼) days per month or major portion thereof through the tenth (10^{th}) year. Beginning with the eleventh (11^{th}) year and thereafter, the employee shall earn vacation days at the rate of one and one-half (1 ½) days per month. Earned vacation days should be used by the employee each year. However, an employee may accumulate vacation days up to the maximum earned in one year (1) plus 10 days. The Superintendent shall approve the scheduling of vacation days. No employee's vacation schedule shall interfere with the normal operation of the schools or disrupt the working schedules. At the time of termination of employment as a full-time twelve (12) month employee, the employee shall be paid for unused vacation days at the employee's current per diem rate of pay based on a 260 day work year up to the maximum amount of accumulation or the current balance, whichever is less. Any unused vacation days above what may be accumulated will be added to an employee's accumulated sick leave days at the end of the fiscal year.

B. Unpaid Leave

1. Civic Leave
   The school board encourages involvement of employees in public service so long as such service is consistent with the board's Philosophy and Goals.

2. Military Leave – Reserve Training
   Employees who are members of the National Guard or an organized military service of the United States and, as such, are required to report for training periods, may be granted military leave without pay, given according to federal and state statures. This leave shall not exceed fifteen workdays during any fiscal year.

   Conditions

   a. Upon receipt of official notice to report for duty, a written request
   for military leave with a copy of the official orders shall be submitted to the superintendent or designee.

   b. When possible, military leave for employees on less-than-twelve- month contracts shall be arranged during non-duty periods.

3. Court Appearance Leave
   Leave of absence may be granted for employees to serve on a jury or to attend court as a witness under subpoena. Employees who are absent for jury duty shall be paid the difference between contractual salary and payment for jury duty. If an employee is involved in a personal case, he/she may not be granted court appearance leave.

4. Leave of Absence
   The school board may grant a leave of absence for one year for personal illness or for advanced studies, including student teaching, or reasons acceptable to the board. Such leave shall be without pay. An employee granted a leave of absence may be reemployed following the leave of absence, if desired by the employee, to a position equivalent to the position held prior to the leave. During the leave of absence, the employee may participate in the group hospitalization plan by paying the current employer and employee premium rate. Re-employment is not guaranteed but the employee will be given preference if an appropriate position is available.

5. Leave for Summer Study
   For instructional personnel employed on a twelve-month basis, leave for summer study shall be allowed under the following conditions:

   a. Up to six (6) weeks leave shall be granted every third summer for study proved two (2) of these six (6) weeks are earned vacation time. No additional vacation shall be allowed that particular summer.
   b. To qualify for this six-week leave, an employee must have been employed by the county school board for at least the two (2) previous years and must be under contract for the school year immediately following. An exception may be allowed for a person who must meet certification standards.
   c. Any individual accepting summer school leave who later requests and is granted a release from contract, shall refund all salary received during the period of absence while in summer school and exclusive of any earned vacation. The salary refund shall be required at the time of release from contract.
   d. Any and all summer school leave shall be scheduled and shall be with the express consent of the school board and/or division superintendent. In no case shall the leave excuse an individual from normal responsibilities in connection with preparation and planning for the following school year.

e. Requests for absence not covered by these regulations may be granted but with forfeiture of salary for the full period of absence exclusive of any earned vacation.

Support Staff Leave and Absences (GDBD-R Incorporated)

Full-time support personnel shall earn one (1) day of sick leave each month or major portion of a month of employment. Bus drivers shall earn one-half (1/2) day of sick leave each month or major portion of a month of employment. There is no limit to the number of sick days that may be accumulated for employees hired prior to January 1, 2014. Employees who are hired after January 1, 2014 and fall under the Hybrid Retirement Plan through the Virginia Retirement System may accumulate up to ninety (90) days of sick leave.

A bus driver will be permitted to use a maximum of two days annually of accumulated sick leave for personal reasons. Prior arrangement for the personal leave must be made with the Director of Transportation. A driver missing one run in a day due to illness will be charged one-half (1/2) day sick leave. A driver missing both runs in a day due to illness will be charged one (1) day sick leave. Allowances for the use of sick leave days for support personnel would be the same as for certificated personnel.

_____
_____

Adopted: June 11, 2001
Revised: February 4, 2010
May 13, 20110
April 12, 2012
June 4, 2015
November 12, 2015
May 11, 2017
November 12, 2020

ATTACHMENTS

Attachment 1 — **Employee Rights and Responsibilities Under the Family and Medical Leave Act** (WHD Publication 1420)
Please note: a copy of this poster can be downloaded from http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf.

Attachment 2 — **Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-E)
Please note: a copy of the certification form can be downloaded from http://www.dol.gov/whd/forms/WH-380-E.pdf.

Attachment 3 — **Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-F)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-380-F.pdf.

Attachment 4 — **Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)** (Form WH-381)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-381.pdf.

Attachment 5 — **Designation Notice (Family and Medical Leave Act)** (Form WH-382)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-382.pdf.

Attachment 6 — **Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act)** (Form WH-384)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-384.pdf.

Attachment 7 — **Certification for Serious Injury or Illness of Covered Servicemember—for Military Family Leave (Family and Medical Leave Act)** (Form WH-385)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-385.pdf.

Application for Family & Medical Leave

(Reference File GCBE – Copy attached)

NAME:_____ **SCHOOL:**_____**DATE:**_____

SECTION I:

1. I wish to make application for Family & Medical Leave for the period

FROM:_____, 200___
(month/day)

TO:_____, 200___
(month/day)

If intermittent leave is requested, please include a letter documenting the reason intermittent leave is needed. Also include a completed Certification of Physician or Practitioner with your application if reason for request is due to personal or family illness (form attached).

2. Reason for Family & Medical Leave: (check one)

Eligible employees are entitled to up to a combined total of twelve weeks of leave in a year (September 1 – August 31.)

_____ The birth and first year care of a child

Date of birth:_____ (date/month/year)

_____ The adoption or foster placement of a child

Date of placement:_____ (date/month/year)

_____ The serious health condition of an employee's spouse, parent, or child

_____ The employee's own serious health conditions (accrued sick leave must be used before unpaid leave commences)

Eligible employees are entitled to the continuation of all employment benefits provided or made available to employees by Patrick County Public Schools. Beginning when the employee is absent for thirty (30) consecutive unpaid days approved as family and medical leave, dependent health and dental insurance and optional group life insurance coverage may be continued at employee expense when paid in advance by the 15th of the preceding month.

Signature of Employee_____

Section II:

The above application for Family & Medical Leave is:

APPROVED_____ UNAPPROVED_____

Signature of Superintendent or Designee_____ Date_____

THE EMPLOYEE SHALL COMPLETE SECTION I AND SUBMIT THE FORM TO THE PERSONNEL OFFICE FOR PROCESSING. THE FORM SHOULD BE SUBMITTED 30 DAYS IN ADVANCEOF THE DATE LEAVE IS TO BEGIN EXCEPT IN AN EMERGENCY SITUATION.

CERTIFICATION OF PHYSICIAN OR PRACTITIONER
(For use with FAMILY AND MEDICAL LEAVE application)

1. Employee's Name _____
2. Patient's Name (if other than employee) _____
3. Diagnosis: _____

_____

4. Date condition commenced _____
5. Probable duration of condition _____
6. Regimen of treatment to be prescribed (indicate number of visits, general nature and duration of treatment, including referral to other provider of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week:)

    a. By a Physician or Practitioner:

    b. By another provider of health services, if referred by Physician or Practitioner:

CHECK *YES* OR *NO* IN THE BOXES BELOW, AS APPROPRIATE:

	YES	NO	
7.	☐	☐	Is inpatient hospitalization of the family member (patient) required?
8.	☐	☐	Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety, or transportation?
9.	☐	☐	After review of employee's signed statement below, is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort.)

10. Estimate the period of time care is needed or the employee's presence would be beneficial.

11. When Family and Medical Leave is needed to care for a seriously ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

12. _____ _____
Employee's Signature Date

13. _____ _____
Signature of Physician or Practitioner Date

14. _____
Type of Practice (Field or Specialization, if any)

Application for Leave without Pay
(Reference File GCBEA – Copy attached)

NAME:_____ **SCHOOL:**_____**DATE:**_____

SECTION I:

1. I wish to make application for Leave without Pay for the period

FROM:_____, 200___
(month/day)

TO:_____, 200___
(month/day)

If intermittent leave is requested, please include a letter documenting the reason intermittent leave is needed. Also include a completed Certification of Physician or Practitioner with your application if reason for request is due to personal or family illness (form attached).

2. Reason for Leave without Pay: (check one)

_____ The birth and first year care of a child

Date of birth:_____ (date/month/year)

_____ The adoption or foster placement of a child

Date of placement:_____ (date/month/year)

_____ The serious health condition of an employee's spouse, parent, or child

_____ The employee's own serious health conditions (accrued sick leave must be used before unpaid leave commences)

Signature of Employee_____

Section II:

The above application for Leave without Pay is:

APPROVED_____ UNAPPROVED_____

Signature of Superintendent or Designee_____
Date_____

THE EMPLOYEE SHALL COMPLETE SECTION I AND SUBMIT THE FORM TO THE PERSONNEL OFFICE FOR PROCESSING. THE FORM SHOULD BE SUBMITTED 30 DAYS IN ADVANCEOF THE DATE LEAVE IS TO BEGIN EXCEPT IN AN EMERGENCY SITUATION.

PATRICK COUNTY PUBLIC SCHOOLS

CERTIFICATION OF PHYSICIAN OR PRACTITIONER
(For use with LEAVE without Pay application)

1. Employee's Name_____
2. Patient's Name (if other than employee) _____
3. Diagnosis:_____

_____

4. Date condition commenced_____
5. Probable duration of condition_____
6. Regimen of treatment to be prescribed (indicate number of visits, general nature and duration of treatment, including referral to other provider of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week:)

    a. By a Physician or Practitioner:

    b. By another provider of health services, if referred by Physician or Practitioner:

CHECK *YES* OR *NO* IN THE BOXES BELOW, AS APPROPRIATE:

	YES	NO	
7.	☐	☐	Is inpatient hospitalization of the family member (patient) required?
8.	☐	☐	Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety, or transportation?
9.	☐	☐	After review of employee's signed statement below, is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort.)

10. Estimate the period of time care is needed or the employee's presence would be beneficial.

11. When leave is needed to care for a seriously ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

12. _____ _____
Employee's Signature Date

13. _____ _____
Signature of Physician or Practitioner Date

14. _____
Type of Practice (Field or Specialization, if any)

Application for Leave without Pay
(Reference File GCBEA – Copy attached)

NAME:_____ **SCHOOL:**_____**DATE:**_____

SECTION I:

1. I wish to make application for Leave without Pay for the period

FROM:_____, 200___
(month/day)

TO:_____, 200___
(month/day)

If intermittent leave is requested, please include a letter documenting the reason intermittent leave is needed. Also include a completed Certification of Physician or Practitioner with your application if reason for request is due to personal or family illness (form attached).

2. Reason for Leave without Pay: (check one)

_____ The birth and first year care of a child

Date of birth:_____ (date/month/year)

_____ The adoption or foster placement of a child

Date of placement:_____ (date/month/year)

_____ The serious health condition of an employee's spouse, parent, or child

_____ The employee's own serious health conditions (accrued sick leave must be used before unpaid leave commences)

Signature of Employee_____

Section II:

The above application for Leave without Pay is:

APPROVED_____ UNAPPROVED_____

Signature of Superintendent or Designee_____
Date_____

THE EMPLOYEE SHALL COMPLETE SECTION I AND SUBMIT THE FORM TO THE PERSONNEL OFFICE FOR PROCESSING. THE FORM SHOULD BE SUBMITTED 30 DAYS IN ADVANCEOF THE DATE LEAVE IS TO BEGIN EXCEPT IN AN EMERGENCY SITUATION.

PATRICK COUNTY PUBLIC SCHOOLS

CERTIFICATION OF PHYSICIAN OR PRACTITIONER
(For use with LEAVE without Pay application)

1. Employee's Name_____
2. Patient's Name (if other than employee) _____
3. Diagnosis:_____

_____

4. Date condition commenced_____
5. Probable duration of condition_____
6. Regimen of treatment to be prescribed (indicate number of visits, general nature and duration of treatment, including referral to other provider of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week:)

    a. By a Physician or Practitioner:

    b. By another provider of health services, if referred by Physician or Practitioner:

CHECK *YES* OR *NO* IN THE BOXES BELOW, AS APPROPRIATE:

	YES	NO	
7.	☐	☐	Is inpatient hospitalization of the family member (patient) required?
8.	☐	☐	Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety, or transportation?
9.	☐	☐	After review of employee's signed statement below, is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort.)

10. Estimate the period of time care is needed or the employee's presence would be beneficial.

11. When leave is needed to care for a seriously ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

12. _____ _____
Employee's Signature Date

13. _____ _____
Signature of Physician or Practitioner Date

14. _____
Type of Practice (Field or Specialization, if any)

LEAVE WITHOUT PAY

Employee's Debilitating or Life-Threatening Illness or Injury

A leave of absence, without pay, may be granted to employees of the school division who have a debilitating or life-threatening illness or injury and who are not eligible for Family and Medical Leave as described in Policy GCBE Family and Medical Leave because they have not worked for the division for 12 months or have not worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

Employees with a debilitating or life-threatening illness who are entitled to leave under this policy may take up to thirty (30) days unpaid leave during their first year of employment with the school division. Leave may be taken only in full-day increments. Leave may be taken only when the employee has no other leave (such as sick leave) available.

Employees must submit medical documentation of their need for leave. Whenever possible, documentation must be provided prior to leave being taken.

Approval must be obtained prior to leave being taken.

All rights under this policy expire at the end of the employee's first year of service.

Other Work During Leave

Employees who are on unpaid leave pursuant to this policy or any other policy, except those on leave pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (see Policy GCBEB Military Leave and Benefits), may not engage in work for which they receive pay or any other type of remuneration without the prior written approval of the superintendent.

Adopted: August 4, 2005
Revised: August 10, 2006
March 13, 2014
May 9, 2019

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

Cross Refs.:

	GCBD	Staff Leaves and Absences
	GCBE	Family and Medical Leave
	GCBEB	Military Leave and Benefits
	GCQA	Nonschool Employment by Staff Members

File: GCBEA-A

Application for Leave without Pay
(Reference File GCBEA – Copy attached)

NAME:_____ SCHOOL:_____DATE:_____

SECTION I:

1. I wish to make application for Leave without Pay for the period

FROM:_____, 200___
(month/day)

TO:_____, 200___
(month/day)

If intermittent leave is requested, please include a letter documenting the reason intermittent leave is needed. Also include a completed Certification of Physician or Practitioner with your application if reason for request is due to personal or family illness (form attached).

2. Reason for Leave without Pay: (check one)

_____ The birth and first year care of a child

Date of birth:_____ (date/month/year)

_____ The adoption or foster placement of a child

Date of placement:_____ (date/month/year)

_____ The serious health condition of an employee's spouse, parent, or child

_____ The employee's own serious health conditions (accrued sick leave must be used before unpaid leave commences)

Signature of Employee_____

Section II:

The above application for Leave without Pay is:

APPROVED_____ UNAPPROVED_____

Signature of Superintendent or Designee_____
Date_____

THE EMPLOYEE SHALL COMPLETE SECTION I AND SUBMIT THE FORM TO THE PERSONNEL OFFICE FOR PROCESSING. THE FORM SHOULD BE SUBMITTED 30 DAYS IN ADVANCEOF THE DATE LEAVE IS TO BEGIN EXCEPT IN AN EMERGENCY SITUATION.

PATRICK COUNTY PUBLIC SCHOOLS

CERTIFICATION OF PHYSICIAN OR PRACTITIONER
***(For use with LEAVE without Pay application*)**

1. Employee's Name_____
2. Patient's Name (if other than employee) _____
3. Diagnosis:_____
   _____

---

4. Date condition commenced_____
5. Probable duration of condition_____
6. Regimen of treatment to be prescribed (indicate number of visits, general nature and duration of treatment, including referral to other provider of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week:)

   a. By a Physician or Practitioner:

   b. By another provider of health services, if referred by Physician or Practitioner:

CHECK *YES* OR *NO* IN THE BOXES BELOW, AS APPROPRIATE:

	YES	NO	
7.	☐	☐	Is inpatient hospitalization of the family member (patient) required?
8.	☐	☐	Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety, or transportation?
9.	☐	☐	After review of employee's signed statement below, is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort.)

10. Estimate the period of time care is needed or the employee's presence would be beneficial.

11. When leave is needed to care for a seriously ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

12. _____ _____
    Employee's Signature Date

13. _____ _____
    Signature of Physician or Practitioner Date

14. _____
    Type of Practice (Field or Specialization, if any)

MILITARY LEAVE AND BENEFITS

Leave

All employees of Patrick County School Board who are members of the state or federal military reserves are entitled to leaves of absence from their duties on all days during which they are engaged in federally funded military duty, including training duty, or when called forth by the Governor.

Immediately upon receipt of official notice to report for duty, the employee will notify his or her supervisor of the need for military leave. A copy of the official orders must accompany the leave request.

Pay/Paid Leave

All employees on military leave receive up to 15 days paid leave per federally funded tour of duty. When possible, military leave for employees on less than a 12-month contract should be arranged during non-duty hours.

An employee who is scheduled for a physical examination for military service during working hours, including but not limited to pre-induction physicals, receives paid leave.

In addition, full-time employees of the Patrick County School Division whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component requires the employee's absence from employment ~~will~~ receive supplemental pay in the amount equaling the difference in the regular contracted salary and the employee's military compensation if the employee's military compensation is less than the regular salary paid to the employee by the school division.

The employee will be permitted, upon request, to use any vacation, annual, or similar leave that had accrued at the time military leave began.

Except as outlined above, military leave is unpaid.

Benefits

Health Benefits

If the employee so desires, the employee and the employee's dependents may continue to participate in the division's group health plan for up to 24 months while the employee is on military leave. The employee must notify the payroll department if the employee wants to continue participation in the division's group health plan. Employees who elect to continue on the division's health plan will be responsible for paying the full premium of the desired coverage.

Retirement Benefits

An employee reemployed after military leave will be treated as not having incurred a break in service. The period of military leave will be considered service to the division for purposes of vesting and benefit accrual. The division is responsible for its pension plan funding obligation. The division is not required to make its contribution until the employee is reemployed.

The employee is allowed, but not required, to make up the employee's contributions to a contributory plan. The employee may repay his or her employee contributions for a period of up to three times the period of military service, but not to exceed five years. If the employee's retirement plan is contributory and the employee does not make up the employee's contributions, the employee will not receive the employer match or the accrued benefit attributable to the employee's contribution because the employer is required to make contributions that are contingent on the employee's contributions.

The employer and employee contribution will be calculated on the rate of pay the employee would have received but for the absence to serve military duty.

Reemployment

An employee who is entitled to military leave by reason of service in the federal military reserves is entitled to be reemployed by the School Board as long as the employee

- has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise impossible or unreasonable);
- has not been absent from his or her job for more than five years; and
- returns to work as outlined below.

If the employee was absent from work for

- less than 31 days, the employee must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
- more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
- more than 180 days, the employee must submit an application for reemployment within 90 days after the completion of service.

Employees who are entitled to military leave due to service in the Virginia military reserves must make written application for reemployment within (1) 14 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services does not exceed 180 days or (2) 90 days of his release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services exceeds 180 days.

Upon returning from duty, an employee will be restored to the same job he held before leaving or to a comparable job. The School Board is not obligated to reemploy persons returning from military leave in certain unusual situations specified by state and federal law.

Termination after Reemployment

A person who is reemployed after returning from more than 30 days of military duty will not be discharged except for cause

- within one year after the date of reemployment, if the person's period of military service before the reemployment was more than 180 days; or
- within 180 days after the date of reemployment, if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

Discrimination Against Members of Military Reserves Prohibited

Members of the military reserves will not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of that membership.

Adopted: May 11, 2006
Revised: June 24, 2010
March 12, 2015
March 10, 2020

Legal Refs: 38 U.S.C. §§ 4312, 4313, 4316, 4317.

20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267.

Code of Virginia, 1950, as amended, §§ 22.1-289.2, 44-93, 44-93.1, 44-93.3, 44-93.4, 44-102.1.

FAMILY AND MEDICAL LEAVE

Generally

The Patrick County School Board recognizes its obligation to provide its eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601 et seq. This policy describes the benefits available to eligible employees under the Act.

Definitions

Covered active duty: The term covered "active duty" means

- in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

Covered servicemember: The term "covered servicemember" means

- a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Eligible employee: To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the BLANK school division and have worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq., in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.

Instructional employee: Employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting such as teachers, athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, or auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

Next of kin: The term "next of kin" used with respect to an individual, means the nearest blood relative of that individual other than the covered servicemember's spouse,

parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

Outpatient status: The term "outpatient status," with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to

A. a military medical treatment facility as an outpatient; or
B. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious health condition: A serious health condition is an illness, injury, impairment or condition that involves inpatient care or continuing treatment by a health care provider.

Serious injury or illness: The term "serious injury or illness," in the case of

- a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period described in 29 U.S.C. § 2611(15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: A rolling 12-month period measured backward from the date an employee uses an FMLA leave.

Leave

Any eligible employee is entitled to leave for a combined total of twelve (12) weeks per year for the following situations:

1. The birth and care of a newborn child;
2. The adoption or foster placement of a child;
3. To care for an employee's spouse, parent, or child with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the essential functions of the employee's job; and
5. Because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

However, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to a total of 26 workweeks of leave per year to care for the servicemember. Leave under this paragraph is available only during a single year. During that year the employee is entitled to a combined total of 26 workweeks of leave under this policy.

To the extent that an employee is entitled to compensated leave under other Patrick County school division policies, such paid leave shall be substituted for unpaid FMLA leave. Otherwise, family and medical leave is unpaid. When paid leave is available, the employee must satisfy any procedural requirements of the division's paid leave policy.

Employees on FMLA leave must report their status and intention regarding returning to work to the school division at least every four weeks.

Notice to Employees of Their Rights under the FMLA

Posting and General Notice

The Patrick County school division shall post, in conspicuous places, on the premises of the school division where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor. Attachment 1 may be used as the notice.

A copy of Attachment 1 will also be given to each employee by including it in the employee handbook or similar document or by distributing it to each new employee upon hiring.

Eligibility Notice

When an employee requests FMLA leave, or the division has knowledge that an employee's leave may be for an FMLA-qualifying reason, the division should notify the employee of the employee's eligibility to take FMLA leave within five business days. The Eligibility Notice should state whether the employee is eligible for FMLA leave. If the

employee is not eligible for FMLA leave, the Notice must state at least one reason why the employee is not eligible (such as, for example, the number of months the employee has worked for the division.) This notification may be accomplished by providing the employee a copy of Attachment 4.

Notice of Rights and Responsibilities

The division will provide written notice detailing the specific expectations and obligations of the employee and explaining the consequences of the failure to meet those obligations each time the employee is given an Eligibility Notice. This Notice will include, as appropriate:

- that the leave may be designated and counted against the employee's annual FMLA leave entitlement and the 12-month period for FMLA entitlement;
- any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status, and the consequences of failing to provide certification;
- that the division will substitute paid leave for unpaid leave and any conditions related to the substitution and the employee's right to take unpaid FMLA leave if the employee does not meet the conditions for paid leave;
- any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis;
- the employee's rights to maintenance of benefits during the FMLA leave and restoration to the same or an equivalent job upon return from FMLA leave; and
- the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after FMLA leave.

The Notice of Rights and Responsibilities should be accompanied by any required certification form.

The Notice of Rights and Responsibilities will also include notice that employees on FMLA leave must report their status and intention regarding returning to work to the division at least every four weeks.

If the information provided by the Notice of Rights and Responsibilities changes, the division will, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, provide written notice referencing the prior notice and setting forth any of the information in the Notice of Rights and Responsibilities that has changed.

Designation Notice

When the division has enough information to determine whether the leave is being taken for a FMLA-qualifying reason, the division should give the employee written notice whether the leave will be designated and will be counted as FMLA leave within five business days. If the division determines that the leave will not be designated as FMLA-qualifying, the division must inform the employee of that determination. The division will also notify the employee that paid leave must be substituted for unpaid FMLA leave or that paid leave taken under an existing leave plan be counted as FMLA leave at the time of designating the FMLA leave.

If the division will require the employee to present a fitness-for-duty certification to be restored to employment after taking leave for a continuous period of time, the division will provide notice of the requirement with the Designation Notice. If the division will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the division must so indicate in the Designation Notice and must include a list of the essential functions of the employee's position.

If the division has reasonable safety concerns regarding the ability of an employee who is returning to work after intermittent or reduced leave schedule to perform his or her duties based on the serious health condition for which the employee took leave, it may require the employee to submit a fitness for duty certification unless one has been submitted within the past 30 days.

If the leave is not designated as FMLA leave because it does not meet the requirements of the FMLA, the notice to the employee that the leave is not designated as FMLA leave may be in the form of a simple written statement.

If the information provided by the division to the employee in the Designation Notice changes, the division will provide, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, written notice of the change.

The division will notify the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA-qualifying, the division must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement in the Designation Notice. If it is not possible to provide the hours, days, or weeks that will be counted against the employee's FMLA leave entitlement, then the division must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon request by the employee but no more often than once in a 30-day period and only if leave was taken in that period.

The division's decision to designate leave as FMLA-qualifying will be based only on information received from the employee or the employee's spokesperson. If the

division does not have sufficient information about the reason for an employee's use of leave, the division will inquire further of the employee or the spokesperson to ascertain whether leave is potentially FMLA-qualifying. Once the division has knowledge that the leave is being taken for a FMLA-qualifying reason, the division will provide the employee the notice described in this subsection.

An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the division to determine whether the leave is FMLA-qualifying. If the employee fails to explain the reasons, leave may be denied.

Leave for the Birth, Adoption or Foster Placement of a Child

The employee's entitlement to leave for a birth, adoption or foster placement of a child expires at the end of the twelve month period beginning on the date of the birth, adoption or foster placement. Leave taken for the birth, adoption or foster placement of a child may be taken intermittently or on a reduced leave schedule if the superintendent agrees to such an arrangement.

If the necessity for leave for the birth, adoption or foster placement of a child is foreseeable based on an expected birth or placement, the employee shall provide the school division with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

Leave Because of a Serious Health Condition of Employee

Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

(1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
(2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

The School Board may require that a request for leave because of the employee's own serious health condition be supported by a certification issued by a health care provider of the employee. The division may use Form WH-380-E (Attachment 2) for this certification. The division should request that the employee furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at a later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide a complete and sufficient certification within 15 calendar days after the division's request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

(1) the name, address, telephone number and fax number of the health care provider and the type of medical practice/specialization;
(2) the approximate date on which the serious health condition commenced and its probable duration;
(3) a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
(4) information sufficient to establish that the employee is unable to perform the essential functions of his or her position, the nature of any other work restrictions, and the likely duration of such inability.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of his or her serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates on which such treatment is expected to be given and the duration of such treatment and any period of recovery.

If an employee requests leave on an intermittent or reduced leave schedule because of his or her own serious health condition that may result in unforeseeable episodes of incapacity, the certification shall include information sufficient to establish the medical necessity for the intermittent leave or leave on a reduced leave schedule, and an estimate of the frequency and duration of the episodes of incapacity.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider

designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

Leave Because of a Serious Health Condition of a Child, Spouse, or Parent of Employee

Family and medical leave shall be provided when the employee is needed to care for his/her spouse, child or parent with a serious health condition, as defined above. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

(1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
(2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee’s notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for an employee’s spouse, parent, or child with a serious health condition be supported by a certification issued by a health care provider of the family member in need of care. The division may use Form WH-380-F (Attachment 3) for this medical certification. The division should ask the employee to furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at some later date if it has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification within 15 calendar days after the division’s request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee’s failure to provide adequate certification.

Certification will be sufficient if it states

(1) the name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
(2) the approximate date on which the serious health condition commenced and its probable duration;
(3) a statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
(4) information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of a family member's serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and the duration of such treatments and any periods of recovery.

If an employee requests leave on an intermittent reduced leave schedule in order to care for a family member with a serious health condition, the certification shall include a statement that the employee's intermittent leave or leave on a reduced leave schedule is medically necessary for the care of the son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

Leave to Care for a Covered Servicemember

If the necessity for leave is foreseeable based on planned medical treatment for a serious injury or illness of a covered servicemember, the employee shall

(1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
(2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for a covered servicemember with a serious injury or illness be supported by a certification issued by a health care provider of the covered serviceperson. The certification may be completed by any health care provider listed in 29 C.F.R. 825.310(a). The employee shall provide, in a timely manner, a copy of such certification to the school division.

Certification will be sufficient if it states

(1) the name, address, and appropriate contact information (telephone number, fax number, and/or email address) of the health care provider, the type of medical practice, the medical specialty, and whether the health care provider is one of the following: a (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider or a health care provider as defined in 29 C.F.R. 825.125;
(2) whether the covered servicemember's injury or illness was incurred in the line of duty on active duty;
(3) the approximate date on which the serious health condition or serious injury or illness commenced or was aggravated and its probable duration;
(4) a statement or description of appropriate medical facts regarding the covered servicemember's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
(5) information sufficient to establish that the covered servicemember is in need of care and whether the covered servicemember will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.

If an employee requests FMLA leave on an intermittent or reduced leave schedule for planned medical treatment appointments for the covered servicemember, the certification must state that there is a medical necessity for the covered

servicemember to have such periodic care and must contain an estimate of the treatment schedule of such appointments.

If an employee requests FMLA leave on an intermittent or reduced schedule basis to care for a covered servicemember other than for planned medical treatment, the certification must contain a statement that there is a medical necessity for the covered servicemember to have such periodic care, and must contain an estimate of the frequency and duration of the periodic care.

In addition to the information listed above, the division may also request that the certification set forth the information on Form WH-385 (Attachment 7.)

In lieu of Form WH-385, the division will accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill servicemember at his or her bedside. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, the employee may take leave to care for the covered servicemember in a continuous block of time or on an intermittent basis.

The information on the certification must relate only to the serious injury or illness for which the current need for leave exists. The division may seek authentication or clarification of the certification, ITO, or ITA but may not seek second or third opinions. The division may require an employee to provide confirmation of covered family relationship to the seriously injured or ill servicemember.

The division will also accept as sufficient certification of the servicemember's serious injury or illness documentation indicating the servicemember's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Leave Related to a Qualifying Exigency arising from Covered Active Duty or a Call to Covered Active Duty

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is on covered active duty or has been notified of an impending call to covered active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The first time an employee requests leave because of a qualifying exigency arising out of the covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of a military member, the division may require the employee to provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status and the dates of the military

member's covered active duty service. A copy of new active duty orders or other documentation issued by the military shall be provided to the division if the need for leave because of a qualifying exigency arises out of a different covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of the same or a different military member.

A request for leave because of a qualifying exigency must be supported by

(1) a statement or description signed by the employee of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave;
(2) the approximate date on which the qualifying exigency commenced or will commence;
(3) the beginning and ending dates of absence if the employee requests leave because of a qualifying exigency for a single, continuous period of time;
(4) an estimate of the frequency and duration of the qualifying exigency if the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis;
(5) if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting; and
(6) if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

The division may use Form WH-384 (Attachment 6) for this certification.

Rules for Intermittent and Reduced Schedule Leave

When permitted by the FMLA, intermittent and reduced schedule leave may be used until the aggregate amount of such leave equals twelve weeks or 26 weeks if the leave is taken to care for a covered servicemember in the employee's rolling year. However, when the employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment the school division may temporarily transfer the employee to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

When an eligible employee employed principally in an instructional capacity requests leave to care for a family member with a serious health condition, leave because of the employee's own serious health condition, or leave to care for a covered servicemember and the leave is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the school division may require the employee to elect either

(1) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
(2) to transfer temporarily to an available alternative position offered by the school division for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment position.

The school division may require an employee to make such an election when the employee has

(1) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division, subject to the approval of the health care provider; and
(2) has provided the division with not less than 30 days' notice before the date the leave is to begin, of the employee's intention to take leave, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

Rules for Husband and Wife Employed by BLANK School Division

A husband and wife who are both eligible for family and medical leave and are employed by BLANK school division shall be granted family and medical leave only for a combined total of twelve weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by Patrick County school division shall be granted family and medical leave only for a combined total of 26 workweeks per year if the leave

(1) is taken to care for a covered servicemember; or
(2) is taken as a combination of leave to care for a covered servicemember and leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition. However, if the leave taken by the husband and wife includes leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition, the leave for that reason shall be limited to 12 workweeks per year.

Benefits During Family and Medical Leave

Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits shall be provided according to Patrick County school division policy for paid or unpaid leave, whichever applies.

If the employee fails to return to work when the period of leave to which he or she is entitled expires for any reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave, or other circumstances beyond the employee's control, the school division may recover the premium it paid for maintaining the employee's coverage during the period of unpaid leave in accordance with federal law.

Return to Work

An employee on family and medical leave shall provide the division at least two work days' notice of the intent to return to work. The employee shall be returned to the same or equivalent position at the end of the family and medical leave unless the division shows that the employee would not otherwise have been employed at the time reinstatement is requested.

The following return to work provisions apply to instructional employees:

1. If an instructional employee begins family and medical leave more than five (5) weeks before the end of an academic term, the employee may be required to continue taking leave until the end of the term if the leave is at least three (3) weeks in duration and the return to work would occur during the last three (3) weeks of the academic term.
2. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the five (5) week period before the end of an academic term, the employee may be required to continue taking leave until the end of the academic term if the leave is longer than two (2) weeks in duration and the return to work would occur during the last two (2) weeks of the academic term.
3. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the three (3) week period before the end of an academic term, the employee may be required to continue taking leave until the end of an academic term if the leave is longer than five (5) working days in duration.

If an instructional employee is required to continue leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be counted against the family and medical leave entitlement. However, the division must continue the group health insurance coverage under the same conditions as if the employee were working.

Outside Employment

An employee who is on family and medical leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may include termination from employment.

Adopted: March 2010
Revised: October 10, 2013
April 14, 2016

Legal Refs.: 29 U.S.C. §§ 207, 2611, 2612, 2613, 2614, 2618, 2619.

29 C.F.R. 825.110, 825.115, 825.122, 825.124, 825.125, 825.200, 825.203, 825.207, 825.300, 825.301, 825.302. 825.303, 825.305, 825.306, 825.307, 825.309, 825.310, 825.311, 825.312, 825.600, 825.602, 825.603, 825.800.

Cross Refs.:

GCBD	Staff Leaves and Absences
GCBEA	Leave without Pay
GCQA	Nonschool Employment by Staff Members

ATTACHMENTS

Attachment 1 — **Employee Rights and Responsibilities Under the Family and Medical Leave Act** (WHD Publication 1420) (Revised February 2013)
Please note: a copy of this poster can be downloaded from http://www.dol.gov/whd/regs/compliance/posters/fmla.htm

Attachment 2 — **Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-E) (Revised May 2015)
Please note: a copy of the certification form can be downloaded from
http://www.dol.gov/whd/forms/WH-380-E.pdf

Attachment 3 — **Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)** (Form WH-380-F) (Revised May 2015)
Please note: a copy of this form may be downloaded from
http://www.dol.gov/whd/forms/WH-380-F.pdf

Attachment 4 — **Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)** (Form WH-381) (Revised February 2013)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-381.pdf

Attachment 5 — **Designation Notice (Family and Medical Leave Act)**
(Form WH-382)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-382.pdf

Attachment 6 — **Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act)** (Form WH-384) (Revised February 2013)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-384.pdf

Attachment 7 — **Certification for Serious Injury or Illness of Covered Servicemember—for Military Family Leave (Family and Medical Leave Act)** (Form WH-385) (Revised May 2015)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/WH-385.pdf

Attachment 8 — **Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Family and Medical Leave Act)**
(Form WH-385-V (revised May 2015)
Please note: a copy of this form may be downloaded from http://www.dol.gov/whd/forms/wh385V.pdf

EMPLOYMENT OF FAMILY MEMBERS

A. The School Board may not employ or pay, and the superintendent may not recommend for employment, any family member of the superintendent or of a School Board member except as authorized ~~in Subsection B~~ below. This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who

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

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

B. Notwithstanding the rules stated in Section A above, the School Board may employ or pay and the superintendent may recommend for employment, any family member of a School Board member provided that

- the member certifies that he had no involvement with the hiring decision; and
- the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.

C. Notwithstanding the rules stated in Section A above, the School Board may employ or pay any family member of the superintendent provided that

- the superintendent certifies that he had no involvement with the hiring decision; and
- the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent had no involvement with the hiring decision.

D. No family member of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or

administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

E. Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

Adopted: June 23, 2011
Revised: March 12, 2015
June 8, 2017
July 12, 2018
September 13, 2018
August 8, 2019

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3119.

Cross Ref.:

BBFA	Conflict of Interests and Disclosure of Economic Interests
GCI	Professional Staff Assignments and Transfers

EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

Generally

The Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

I. APPLICANTS FOR EMPLOYMENT

A. Criminal Convictions

As a condition of employment for all of its employees, whether full-time or part-time, permanent, or temporary, the Patrick County School Board shall require on its application for employment certification of whether the applicant has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; or any crime of moral turpitude.

The School Board does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code §19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child.

The School Board may employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor.

Notwithstanding the requirements of subsection A of Va. Code § 22.1-296.1, the School Board may employ an individual who, at the time of the individual's hiring, has been convicted of a felony, provided that such individual (i) was employed in good standing by a school board on or before December 17, 2015; (ii) has been granted a simple pardon for such offense by the Governor or other appropriate authority; and (iii) has had his civil rights restored by the Governor or other appropriate authority. However, the School Board may employ, until July 1, 2020, such an individual who does not satisfy the conditions set forth in clauses (ii) and (iii), provided that such individual has been continuously employed by the School Board from December 17, 2015 through July 1, 2018.

The Patrick County School Board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect shall

be guilty of a Class 1 misdemeanor and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with the Patrick County School Board shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who are offered or accept employment.

To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, the Patrick County School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment of the results of the criminal history record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and Patrick County School Board as provided by statute.

If an applicant is denied employment because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the applicant.

B. Founded Complaints of Child Abuse or Neglect

The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board shall ensure that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board shall take reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this

subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

If an applicant is denied employment because of information appearing on his record in the registry, the School Board shall provide a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services shall be confidential and shall not be disseminated by the School Board.

II. EMPLOYEE CHARGES AND CONVICTIONS

A. Criminal Proceedings

An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or a misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with Policy GCPF Suspension of Staff Members.

If a current employee is suspended or dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the employee.

The superintendent shall inform the School Board of any notification of arrest of a school board employee received pursuant to Virginia Code §19.2-83.1. The School Board shall require such employee, whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the employee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee’s criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

B. Founded Complaints of Child Abuse or Neglect

Any employee of Patrick County School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.

III. COURT ORDERED PROBATION

For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 is treated as a conviction and as a finding of guilt.

IV. COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECKS

The School Board shall pay for fingerprinting/criminal record check for all contracted employees pursuant to this policy. The applicant or employee shall pay for the abuse and neglect check conducted pursuant to this policy.

Adopted: July 9, 2001
Revised: August 10, 2006
April 12, 2007
June 23, 2008
July 16, 2009
September 13, 2018
August 8, 2019
June 25, 2020

Legal Ref.: Code of Virginia, as amended, §§ 18.2-251,19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, 63.2-1515.

Acts 2018, c. 833.

Cross Refs.: GCPF Suspension of Staff Members
GCPD Professional Staff Discipline

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Substitute Teachers

Substitute teachers shall:

(1) be at least 18 years old, with preference given to persons 21 years old or older;
(2) possess good moral character;
(3) hold a high school diploma or have passed a high school equivalency examination approved by the Board of Education;
(4) attend orientation to school policies and procedures; and

The Patrick County School Board shall seek to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.

A substitute teacher, as used in this section, is (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

Homebound Teachers

Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.

Part-Time Teachers

An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time.

Part-time teachers shall meet the certification requirements of the State Board of Education.

Summer School Teachers

Summer school teachers shall meet all certification requirements.

Interns

Arrangements for the utilization of interns in the school division should be initiated through the superintendent.

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Student Teachers

The school division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent shall have the responsibility for the assignment and placement of student teachers in the school system.

Student teachers shall not be used as substitute teachers.

Adopted: September 11, 2000
Revised: July 12, 2012
June 5, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-302.

Cross Ref.: GCB Professional Staff Contracts
GCPD Professional Staff Discipline
GCPF Suspension of Staff Members

A. Substitute Teachers

The superintendent shall employ the best qualified persons available to serve as substitute teachers. Substitute teachers may be employed and shall be compensated at a diem rate established annually by the board.

Substitute teachers may be employed for minimum of one-half (1/2) day and should be endorsed in the area they may be called on to teach. They shall be compensated through the central office.

Substitute teachers will be paid a per diem rate at either a "degree" or "non-degree" level.

Substitute teachers employed in the same position for ten (10) consecutive days shall be paid a per diem rate at either a "degree" or "non-degree" level. The substitute teacher employed in the same position for an additional ten (10) consecutive days shall be paid at an increased rate. On the twenty-first consecutive day of employment in the same position, the per diem rate shall be as follows: (See GCE – E)

If a substitute completes a long-term substitution period and moves to another position for a long term basis without a break in service, the substitute will continue to receive the higher daily rate.

Persons holding a college degree shall be paid at a per diem rate equal to the amount received by a beginning teacher.

Substitute teachers shall meet the same health requirements as are required of teachers under contract.

B. Temporary Personnel

The superintendent is authorized to employ temporary support of part-time personnel for those projects or jobs for which the board previously has approved or budgeted funds.

Adopted: September 11, 2000

Legal Reference:	Code of VA 22.1-299	Certificate Required of Teacher
	Code of VA 22.1-302	Written contracts required; execution of contracts; Rules and regulations.
	Code of VA 22.1-282	Appointment and compensation of persons taking census.

PATRICK COUNTY PUBLIC SCHOOLS

SUBSTITUTE TEACHER

ELIGIBILITY REQUIREMENTS

1. **High School Diploma or Equivalent**

2. **Degree Pay –** (Substitute teacher must provide the school board with a copy of a 4-year college transcript.)

3. **Test Negative for TB –** (If you have had a TB skin test within the last year, you will need to only submit a copy – otherwise you will need to get an assessment completed through the health department or your doctor.)

4. **Criminal Record Check –** (The 2000 Session of the Virginia General Assembly amended and reenacted Section 22.1-296.2 of the Code of Virginia authorizing all public school systems of the Commonwealth to obtain criminal history record information from the files of the Federal Bureau of Investigation (FBI) on applicants from employment through the submission of fingerprints. (Required if employed after July 1, 2000.) Prior to obtaining fingerprints you must contact the Personnel Department at 276-694-3163 ext. #107 to set up a scheduled time.

5. **Child Abuse Registry –** (Required if employed after July 1, 2008) Child Abuse Central Registry release information will be processed prior to any employment. (Prior to obtaining child abuse record, you must contact the Personnel Department at 276-694-3163 ext. #107 to set up a scheduled time.)

6. **Application Approved by the Patrick County School Board**

7. **Receive Blood-borne Pathogen Training –** (Film and questions by our school nurse. You will not need to do this until we have approved several substitutes, at which time we will notify you for this training with a letter.)

8. **Substitute Teacher Workshop –** (All substitute teachers will be notified with a letter stating the scheduled workshops.)

Individual schools secure their substitute teachers from the approved eligibility list.

Placement on substitute list is not a guarantee of employment.

PROFESSIONAL STAFF PROBATIONARY TERM AND CONTINUING CONTRACT

Teachers

Probationary Term

A probationary term of service of three years in Patrick County School Division is required before a teacher is issued a continuing contract. A mentor teacher is provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers are evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. A teacher in the first year of the probationary period is evaluated informally at least once during the first semester of the school year. The superintendent considers such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. Patrick County School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed two years, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the probationary contract must be given by the Board on or before June 15 of each year. If the teacher requests a conference with the superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the superintendent notifies the teacher of his intention with respect to the recommendation.

Continuing Contract

Teachers employed after completing the probationary period are entitled to continuing contracts during good behavior and competent service. Written notice of

noncontinuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the School Board furnishes each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than July 1, the School Board will notify any teacher who may be subject to a reduction in force due to a decrease in the School Board's budget as approved by the appropriating body.

Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve a probationary term of three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent, the superintendent's designee or the School Board. Before recommending such reassignment, the superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, the superintendent's designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education.

Adopted: July 9, 2001
Revised: February 11, 2004
June 23, 2008
June 23, 2011
July 12, 2012
July 11, 2013
June 23, 2016
July 12, 2018
June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304.

Cross Refs.:

GBM	Professional Staff Grievances
GCB	Professional Staff Contracts
GCE	Part-Time and Substitute Professional Staff Employment
GCN	Evaluation of Professional Staff
GCPA	Reduction in Professional Staff Work Force
GCPB	Resignation of Staff Members
GCPD	Professional Staff Discipline
GCPF	Suspension of Staff Members

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Principals and other supervisory personnel may submit recommendations to the superintendent for the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to their supervision.

Upon recommendation of the superintendent, the Patrick County School Board shall place all employees within the various schools and facilities located in the school division. The superintendent shall have the authority to assign such employees to their respective positions within the school or facility wherein they had been placed by the School Board.

The superintendent may also reassign any such employee for that school year to any school or facility within such division, provided no change or reassignment during a school year shall affect the salary of such employee for that school year. However, no one will be employed in or reassigned to a situation where a family member, as defined in Policy GCCB, is directly responsible for that employee's supervision.

Any employee seeking a transfer of assignment to another work location for the next school year must make a request in writing to the superintendent or his/her designee, with copies to the current supervisor, not later than April 1. This type of request, if granted, will be considered a voluntary transfer. A change of assignment within an immediate work station is the responsibility of the immediate supervisor.

Adopted: May 12, 1997
Revised: April 10, 2008

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-293, 22.1-295, 22.1-297

Cross Refs: GCCB Employment of Family Members

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REDUCTION IN STAFF WORK FORCE

Reduction in Force for Teachers and Instructional Administrative Personnel

In the event of a decrease in pupil enrollment, insufficient allocation of financial resources, expiration of special grants and/or other conditions which may result in a reduction in staff, the school board, upon recommendation of the superintendent, shall determine the program adjustments to be made and the reduction in force required.

Definitions:

1. Seniority

   Seniority shall be that period of time commencing with the most recent term of continuous full-time service in the Patrick County Public Schools based on date of contract with the Patrick County School Board, including authorized leave(s), but excluding employment under temporary or interim contract. For the purposes of this regulation, a minimum of 180 work days in a school year will be required for a teacher to be credited with a year of seniority. Should a tie exist, the tie shall be broken in the following order:

   a. official beginning date of employment as shown on the teacher's contract;

   b. the date the School Board took action on the employment of the teacher as shown in the Board's minutes;

   c. date of teacher's signature on the teacher's contract; and

   d. selection by lot.

2. Teacher

   As used in this regulation, "teacher" shall mean a regularly employed full-time classroom teacher, guidance counselor, or librarian/media specialist.

3. Instructional Administrative Personnel

   As used in this regulation, "instructional administrative personnel" shall mean principals and assistant principals.

4. Endorsement Area

   For purposes of this regulation, "endorsement area" shall mean the teaching endorsement shown on the current teaching license as issued by the Board of Education.

5. Active Assignment

   For purposes of this policy, "active assignment" shall mean the endorsement area in which the teacher is actively assigned at such time as it may become necessary to implement reduction in force procedures.

6. Performance Evaluation

   For purposes of this regulation, "performance evaluation" shall mean the evaluation of the employee's performance as reflected in both formal and informal instruments, including, but not limited to the Patrick County Public Schools Teacher Evaluation Document, classroom observations, letters of reprimand, etc.

Seniority Lists for Teachers

Seniority lists for teachers will be shown in ascending order of seniority and shall be comprised of lists based on the endorsement or other special areas of the active assignment as follows (or on the comparable endorsement areas under the Licensure Regulations of the Board of Education in effect at the time it may become necessary to implement reduction in force procedures):

Subject Areas – English, Mathematics, History/Social Studies, Etc.

Early/Primary Education – PK-3

Elementary Education – PK-6

Middle Education – 6-8

Special Areas – Special Education, Federal or other specially funded programs, Adult Education, or other special areas.

A teacher holding a comprehensive elementary endorsement of grades PK-3 or PK-6 will be listed in the first category that is appropriate to the teacher's active assignment, i.e. either PK-3 or PK-6.

Reduction in Force Procedures:

1. Continuing Contract Teachers:

   When recommending the destaffing of teachers under continuing contract and probationary teachers after June 15, the superintendent will consider the performance of the teacher as reflected in that teacher's performance evaluation, employee licensure, full licensure or provisionally licensed, teacher's endorsement area, and the teacher's seniority as defined as defined above. If the superintendent determines that two or more employees under consideration for reduction are equal after application of the above identified criteria, then and only then shall seniority be the determining factor.

2. Probationary Contract Teachers:

   Destaffing of probationary contract teachers on or before June 15 will be in accordance with the procedures set forth in §22.1-305 of the Code of Virginia. Except as provided hereafter, the destaffing of probationary contract teachers after June 15 will be accordance with the provisions of this regulation.

3. Instructional Administrative Personnel

   Should an instructional administrative position be eliminated as part of a reduction in force, the person holding that position will be placed on the teacher seniority list(s) for any teaching endorsement on that person's license issued by the Board of Education and the person shall be granted seniority based on that person's most recent term of continuous full-time service in the Patrick County Public Schools as a teacher and in an instructional administrative position.

Transfers

Transfers may be made within the division to accommodate the retention of employees affected by the reduction in force. The selection of personnel to be transferred will be governed by the need to maintain maximum effectiveness as determined by the superintendent in his/her sole discretion. Should a person refuse an assignment by transfer, he/she will lose all seniority and recall rights.

Exceptions:

a. The provisions of this regulation shall not apply to the employment of personnel whose special skills and/or active assignment is essential to the effective operation of the school program. The determination of essential personnel shall be solely at the discretion of the school board upon recommendation of the superintendent.

b. The provisions of this regulation shall not apply and shall not provide the basis for any employee action in situations involving adjustments in length of contracts of any personnel of the school division.

c. Any teacher on a plan of improvement shall not have any seniority or recall rights; provided, however, that the superintendent shall review the circumstances surrounding such plan of improvement, including, but not limited to, whether sufficient time has elapsed to allow the teacher to pursue the recommended corrective actions; whether the teacher has diligently pursued the recommended corrective actions; and whether the teacher had been previously placed on a plan of improvement. Based on such review, the superintendent may, in his/her sole discretion, exempt the teacher from this provision.

Notification:

All employees scheduled for reduction in force under this policy shall be notified in writing at the earliest possible date but not later than June 15 preceding the school year for which reduction in force shall become effective unless insufficient funding or decrease in enrollment after that date requires further or additional adjustments.

Recall Procedures:

a. Teachers under probationary contract shall have no recall rights but will be given consideration for reemployment at the discretion of the school board upon recommendation of the superintendent. The performance of the individual and length of service shall be among the factors considered in making this recommendation.

b. When openings occur, the eligible destaffed continuing contract teacher with the greatest seniority will be offered a vacant position in the endorsement area of his/her active assignment at the time of the reduction in force. A teacher may be offered a position that is in his/her endorsement area, but not in his/her active assignment. In any event, a teacher offered a position must accept the assignment or lose all recall rights. Eligible licensed employees who have not been recalled within one (1) year from time of notification of reduction in force will have no further recall rights. During the recall period, eligible licensed employees who are reduced and who have not been offered a position will be placed on the list of eligible substitutes and subject to call at the discretion of the particular principal or his or her designee.

c. When an eligible destaffed continuing contract teacher is to be recalled, he/she will be notified first by telephone and/or e-mail. If the employee cannot be reached through either of those means, the teacher will be notified by certified mail at his/her last known address. If the offer of re-employment is not accepted in writing within ten (10) work days of notice of recall, all rights of recall will be forfeited. It shall be the responsibility of the teacher to maintain an accurate telephone number, e-mail address and mailing address with the Department of Human Resources.

Teachers will not be eligible for recall if:

a. The teacher, subsequent to termination, makes a contractual commitment with another school or school division from which release cannot be obtained prior to July 15.

b. The teacher fails to maintain a valid teacher's license.

c. The teacher, subsequent to termination, becomes unable to qualify for a position in the endorsement area of his active assignment at the time of the reduction in force.

Board Minutes

To avoid negative implications with regard to the professional record of an employee destaffed under this regulation, the minutes of the board will clearly show that such termination of employment was due to a reduction in force.

Board Prerogatives

Notwithstanding any rights herein granted by the school board, the school board reserves the right to at all times destaff, transfer, reassign or recall employees of the division in any manner as may be, in the school board's sole discretion, necessary in the best interest of and for the more efficient operation of the schools of the division.

RESIGNATION OF STAFF MEMBERS

The superintendent is authorized to approve resignations of employees. Any resignation must be in writing.

A teacher may resign after June 15 of any school year with the approval of the superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the superintendent. In the event that the Board or the superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the superintendent. The superintendent will inform the School Board of the resignation at its next regular meeting.

Adopted: September 11, 2000
Revised: April 12, 2012
July 12, 2012
May 10, 2018

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-304.

Cross Refs.: GCPD Professional Staff Discipline
GDB Support Staff Employment Status

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EMPLOYMENT RETIREMENT

Retirement shall be at the discretion of the employee. Teachers and administrators employed by the Patrick County School Board who qualify are eligible for the benefits of the Virginia Retirement System.

Adopted: May 12, 1997

Legal Ref: Age Discrimination in Employment Act, P. O. 95-256 (1987)

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PROFESSIONAL STAFF DISCIPLINE

A. Probation and Dismissal

Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause.

A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the School Board to recommend that the Board of Education revoke such person's license to teach.

In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation.

If a current employee is dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year.

No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board.

B. Suspension

Employees of Patrick County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

C. Failure to Perform Nonemergency Health-Related Services

With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and

glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

"Health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.

D. Effect of Probation Pursuant to Va. Code §18.2-251

For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 shall be treated as a conviction and as a finding of guilt.

Adopted: July 9, 2001
Revised: June 23, 2008
July 12, 2012
July 11, 2013
June 8, 2017
June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-274, 22.1-296.2, 22.1-307, 22.1-313, 22.1-315.

Cross Refs.:

GBM	Professional Staff Grievances
GCE	Part-Time and Substitute Staff Employment
GCG	Professional Staff Probationary Term and Continuing Contract
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPF	Suspension of Staff Members
JHC	Student Health Services
JHCD	Administering Medicines to Students

SUSPENSION OF STAFF MEMBERS

Employees of Patrick County School Board, whether full-time or part-time, permanent or temporary, may be suspended for good and just cause

- when the safety or welfare of the school division or the students therein is threatened or
- when the employee has been charged by summons, warrant, indictment or information with the commission of
  - a felony; or
  - a misdemeanor involving
    - sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia,
    - obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia,
    - drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia,
    - moral turpitude, or
    - the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the superintendent or appropriate central office designee shall not suspend an employee for longer than sixty (60) days and shall not suspend an employee for a period in excess of five (5) days unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the school board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. Any employee so suspended shall continue to receive his then applicable salary unless and until the school board, after a hearing, determines otherwise. No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above-listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to the employee's salary while on suspended status shall be placed in an interest-bearing demand escrow account. Upon being found not guilty of one of the above-listed criminal offenses or upon the dismissal or nolle prosequi of the charge, such employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

In the event an employee is found guilty by an appropriate court of any of the above-listed criminal offenses and, after all available appeals have been exhausted and

such conviction is upheld, all funds in the escrow account shall be repaid to the School Board.

If an employee is suspended because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.

The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt.

Adopted: 4/13/17

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.2, 22.1-315.

Cross Refs.

GBMA	Support Staff Grievances
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPD	Professional Staff Discipline
GDG	Support Staff Probationary Period

NONSCHOOL EMPLOYMENT BY STAFF MEMBERS

Employees may, during the hours not required of them to fulfill their responsibilities to Patrick County School Board, engage in other employment as long as such employment does not detract from or interfere with their employment by Patrick School Board.

An employee who is on leave from Patrick School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent.

The School Board does not endorse, support, or assume liability for any activity conducted by School Board employees in which division students or employees participate which is not sponsored by the School Board.

Adopted: Mary 12, 1997
Revised: April 12, 2012

Legal Ref.: 29 C.F.R. 825.216(e).

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

Cross Refs.:	BBFA	School Board Members Conflict of Interest
	GAA	Staff Time Schedules
	GCBE	Family and Medical Leave
	GCBEA	Leave Without Pay
	GCBEB	Military Leave and Pay
	GCQAB	Tutoring for Pay
	GCQB	Staff Research and Publishing

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TUTORING FOR PAY

Staff members may not be paid by anyone other than the Patrick County School Board for tutoring students enrolled in a class under their direction.

Adopted: May 12, 1997
Revised: April 12, 2012
July 12, 2012

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

SUPPORT STAFF

Support staff personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Adopted: May 12, 1997
Revised: April 12, 2012
July 12, 2012

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

Cross Refs.:

GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPB	Resignation of Staff Members
GCPF	Suspension of Staff Members
GDB	Support Staff Employment Status

SUPPORT STAFF LEAVES AND ABSENCES

All support staff employee leaves and absences shall be subject to school division policy and regulations. The superintendent shall provide for the interpretation and application of the school division's policies and regulations regarding leaves and absences.

Adopted: May 12, 1997
Revised: April 1`4, 2003

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

Cross Ref.: GCBE Family and Medical Leave

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SUPPORT STAFF EMPLOYMENT STATUS

Support staff are not issued written contracts unless such contracts are required by law.

The school division employs three types of support staff:

- Temporary employees who are hired for short-term needs on a daily basis; these employees do not receive benefits and are paid only for hours worked.
- Probationary employees who are fully qualified new employees assigned to authorized positions; these employees are eligible for salary increases and receive benefits.
- Regular employees who have successfully completed the prescribed probationary period; regular employees receive all employment benefits available under School Board policy.

The employment of support personnel may be terminated with fifteen calendar days' notice. Support personnel may also be subject to immediate dismissal for just cause.

Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment by Patrick County School Board.

Employees of Patrick County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

Adopted: May 12, 1997
Revised: April 12, 2012
July 12, 2012
June 23, 2016

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

Cross Ref.:	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GDG	Support Staff Probationary Period
	GBMA	Support Staff Grievances
	GCPF	Suspension of Staff Members

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SUPPORT STAFF PROBATIONARY PERIOD

The probationary period for all support staff positions is six months.

Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.

Adopted: May 12, 1997
Revised: April 7, 2005
July 12, 2012
June 23, 2016

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

Cross Ref.:		
	GBMA	Support Staff Grievances
	GD	Support Staff
	GDB	Support Staff Employment Status

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SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.

Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.

Adopted: May 12, 1997
July 12, 2012

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

Cross Ref.:

GA	Personnel Policies Goals
GD	Support Staff
GDB	Support Staff Employment Status
GDG	Support Staff Probationary Period

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EVALUATION OF SUPPORT STAFF

Every employee of the Patrick County School Board will be evaluated on a regular basis.

The superintendent shall assure that cooperatively developed procedures for support staff evaluations are implemented within the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee.

The primary purposes of evaluation and assistance are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

Adopted: May 12, 1997
Revised: November 10, 2004
June 23, 2008
July 12, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-313, 22.1-253.13:7.C.7.

Cross Ref.:

CBG	Evaluation of the Superintendent
GCN	Evaluation of the Professional Staff
GD	Support Staff
GDB	Support Staff Employment Status
GDG	Support Staff Probationary Period
GDPF	Suspension of Staff Members

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SCHOOL BUS DRIVERS

Eligibility for Employment

Any applicant for employment operating a school bus transporting pupils must

a. have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination
b. furnish a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498
c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character
d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339
e. have reached the age of 18 on the first day of the school year
f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.

Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

The Patrick County School Board requires proof of current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator as a condition of employment to operate a school bus transporting pupils.

The Patrick County School Board does not employ drivers subject to controlled substances and alcohol testing required by federal law without first conducting a pre-employment query of the federal Drug and Alcohol Clearinghouse (the Clearinghouse) to obtain information about the driver. Drivers must give specific consent for the query.

No driver is permitted to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or

substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test; or that an employer has reported actual knowledge that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance in violation of federal regulations, except where a query of the Clearinghouse demonstrated that the driver has successfully completed the substance abuse professional (SAP) evaluation, referral, and education/treatment process required by federal regulation; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP

The School Board also conducts a query of the Clearinghouse at least once per year for information for all employees subject to controlled substance and alcohol testing required by federal law and regulation to determine whether information exists in the Clearinghouse about these employees.

Drug and Alcohol Testing

Drivers are subject to drug and alcohol testing as required by state and federal law. Any driver who refuses to submit to a test shall not perform or continue to perform safety-sensitive functions. The division administers alcohol and controlled substance tests in accordance with federal laws and regulations.

Prohibited conduct

Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.

Notification

The superintendent or superintendent's designee is responsible for providing educational materials to drivers that explain the requirements of federal regulations and the divisions' policies and procedures with regard to meeting those requirements. The superintendent or superintendent's designee ensures that a copy of the materials is distributed to each driver prior to the start of testing and to each driver subsequently hired or transferred into a position requiring driving a commercial vehicle. Those materials contain at least the following information

- the identity of the person designated by the school division to answer driver questions about the materials;
- the categories of drivers subject to this policy;
- sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required to be in compliance;
- specific information concerning driver conduct that is prohibited;
- the circumstances under which a driver will be tested for alcohol and/or controlled substances, including post-accident testing;
- the procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver, including post-accident information, procedures and instructions;
- the requirement that a driver submit to alcohol and controlled substances tests;
- an explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;
- the consequences for drivers found to have violated federal law or regulations, including the requirement that the driver be immediately removed from safety-sensitive functions;
- the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;
- information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and
- the requirement that the following personal information be reported to the Clearinghouse: a verified positive, adulterated, or substituted drug test result; an alcohol confirmation test with a concentration of 0.04 or higher; a refusal to submit to required tests; an employer's report of actual knowledge of on duty alcohol use, pre-duty alcohol use, post-accident alcohol use, and controlled substance use; a SAP report of the successful completion of the return-to-duty process; a negative return-to-duty test; and an employer's report of completion of follow-up testing.

Each driver must sign a statement certifying that the driver has received a copy of the above materials and the division maintains this signed copy.

Before performing each alcohol or controlled substances test, the division notifies the driver that the test is required by federal law or regulation.

Consequences of prohibited conduct

A driver who has engaged in conduct prohibited by federal regulation or for whom testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, is removed immediately from safety-sensitive functions. Before a driver is returned to the performance of safety-sensitive functions, if at all, the driver shall undergo an evaluation by a substance abuse professional, as defined by 49 C.F.R. § 40.281, comply with any required rehabilitation and undergo a return-to-duty test with negative drug test results and/or an alcohol test with an alcohol concentration of less than 0.02.

Record retention

The division maintains records in compliance with federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

Adopted: April 7, 2005
Revised: July 11, 2013
May 10, 2018
March 10, 2020

Legal Refs.: 49 U.S.C. § 31136.
49 C.F.R. §§ 40.305, 382.105, 382.113, 382.201, 382.205, 382.207, 382.209, 382.213, 382.217, 382.301, 382.303, 382.401, 382.405, 382.601, 382.605, 382.701.

Code of Virginia, 1950, as amended, §§ 22.1-178, 46.2-339, 46.2-340.

Cross Ref.: GBEA Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance

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ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORDS

Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Patrick County School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

Definitions

"Attribution" – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

"Electronic Signature"- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Electronic Record" – Any record created, generated, sent, communicated, received or stored by electronic means.

Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the Patrick County School Board agrees to accept or send such communication electronically; and

2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non-electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;

2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;

3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;

4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

Adopted: June 4, 2015

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-79.3, 59.1-479 et seq.

Cross Ref.: JO Student Records

Drug and Alcohol Testing for CDL Employees
Federal Motor Carrier Safety Administration (FMCSA)
Substance Abuse Policy

In an effort to prevent the effects of substance abuse in the transportation industry, the Federal Motor Carrier Safety Administration (FMCSA) of the Department of Transportation, the DOT, has expanded its current drug and alcohol regulations for federal motor carriers. These regulations can be found in Title 49, the Code of Federal Regulations (CFR), Federal Motor Carrier Safety Regulations (FMCSR) Part 382, entitled, "Controlled Substances & Alcohol Use and Testing", and Part 40, entitled, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs".

To maintain a drug-free work force and to eliminate the safety risks, lost time and reduced productivity that results from the use and influence of alcohol and/or drugs in the workplace, Patrick County Public Schools has adopted substance abuse policies.

I. POLICY STATEMENT:
The use, possession, purchase, sale, distribution or manufacture of alcohol, illegal drugs, or non-prescribed drugs or being under the influence of alcohol, illegal drugs, or non-prescribed drugs while on Patrick County Public Schools property, while operating Patrick County Public Schools commercial motor vehicles, or while engaging in Patrick County Public Schools business is strictly prohibited.

II. SCOPE:

Employees Subject to Testing:

All applicants for full or part time positions at Patrick County Public Schools and all full time or part time employees being considered for, or currently performing safety sensitive duties as defined by 49 CFR Part 382.107. This applies to every person who operates a CMV in interstate or intrastate commerce and is subject to the commercial driver's license requirements of 49 CFR Part 383.

Prohibited Substances:
Alcohol

- Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.
- No employee shall be on duty or operate a CMV while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment.
- No employee shall use alcohol while performing safety-sensitive functions.

- No employee shall perform safety-sensitive functions within four hours after using alcohol.
- No employee required to take a post-accident test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
- Refusals to test will be treated as if the employee has had a confirmed positive test result.

Controlled Substances/Illegal Substances/Non-Prescribed Controlled Substances

The U.S. Department of Transportation (DOT) requires testing for amphetamines, cannabinoids, cocaine, opiates, synthetic opiates (hydrocodone, hydromorphone, oxycodone, oxymorphone) phencyclidine, 6MAM (6 Acetyl-morphine), MDMA (Ecstasy) and prohibits the use of illegal substances and non-prescribed drugs.

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle.

No employee shall report for duty, remain on duty or perform a safety-sensitive function, if the employee has a positive drug test result verified by a certified Medical Review Officer (MRO), a physician trained and certified in analyzing and interpreting drug screen results.

Prescribed Medications:

All employees in safety-sensitive functions taking prescribed medications that could impair their ability to safely operate a CMV or related activities associated with loading, unloading, inspection and maintenance or other activity that is classified as "on duty time" defined in 49 CFR 395.2, must report this to their immediate supervisor or Designated Employer Representative (DER), the person or persons as directed by this policy that have been assigned by Patrick County Public Schools to oversee and manage the DOT drug and alcohol testing program.

III. PROHIBITED CONDUCT:

Prohibited Conduct:

Patrick County Public Schools prohibits any alcohol misuse, any drug use and/or adulterating of specimens, which could affect performance of safety-sensitive functions, including:

Alcohol:

1. Use while performing safety-sensitive functions
2. Use during 4 hours before performing safety-sensitive functions.
3. Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.02 or greater.
4. Possession of alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over the counter), unless the packaging seal is unbroken.
5. Use during the 8 hours following an accident, or until he/she undergoes a post accident test.
6. Refusal to take a required test.

NOTE: An employee found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

Controlled Substance:

1. Use of any drug, except by doctor's prescription, and then only if the doctor has advised the driver that the drug will not adversely affect the employee's ability to safely operate a CMV.
2. Testing positive for drugs.
3. Refusing to take a required test.

Consequences and Disqualifications:

1. The employee shall not perform or be permitted to perform, a safety-sensitive function if any of the above listed prohibitions are violated.
2. Any employee violating these prohibitions will be subject to disciplinary procedures as set forth herein and referred to a Substance Abuse Professional (SAP) for evaluation, regardless of employment status, as required by 49 CFR, Parts 40 and 382.

IV. TESTING CIRCUMSTANCES:

- *Pre-Employment Testing:*

All applicants for part-time or full-time safety-sensitive positions and all persons transferring from non- safety sensitive positions at Patrick County Public Schools will be directed to submit to an alcohol and controlled substance test. A drug test will be conducted during the pre-employment process and a negative drug test result must be received before a final offer of employment is made.

- *Post-accident Testing:*

As soon as practicable following an occurrence involving a CMV operating on a public road in commerce, each employer shall test for alcohol and controlled substances for each of its surviving drivers:

(1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
(2) Who receives a citation within 8 hours for alcohol testing or within 32 hours for controlled substance testing of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
(i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
(ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The alcohol test must be administered within 2 hours following the accident and in no case shall more than 8 hours elapse before the test is administered. The driver must refrain from using alcohol for 8 hours following the accident, or until he/she submits to an alcohol test, whichever comes first.

The drug test must be administered within 32 hours following the accident. The driver must remain available for testing, or Patrick County Public Schools will consider the driver to have refused to submit to testing.

All efforts to perform a FMCSA required drug test must cease after 32 hours. All efforts to perform a FMCSA required alcohol test must cease after 8 hours. All efforts to complete the tests within these time frames must be documented by the DER.

NOTE: Nothing in this requirement should be construed as to require the delay of necessary medical attention for injured people following an accident.

- *Random Testing:*

All employees who are subject to this policy will be subject to random testing for alcohol and controlled substances. Random testing will be done at the FMCSA Administrator's minimum annual percentage rate in a fair and equal manner. Selection of employees for random testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Each time a random selection is made, every employee will have an equal chance of being selected. Random tests will be unannounced and spread reasonably throughout the year. Employees when notified that they have been selected for random testing, will proceed immediately to the collection site.

For alcohol testing an employee shall only be tested while the employee is performing safety-sensitive functions, immediately prior to performing, at any time during performance or immediately after performing safety-sensitive functions.

For drug testing an employee may be tested at any time the employee is at work for Patrick County Public Schools.

- *Reasonable Suspicion Testing:*

Any employee, who is subject to this policy, while Patrick County Public Schools property, while operating a Patrick County Public Schools vehicle, or while engaging in Patrick County Public Schools business that acts in an abnormal manner sufficient to cause reasonable suspicion that he/she has violated this policy will be required to submit to an alcohol and/or a controlled substance test upon the approval and direction of two (2) trained supervisors of Patrick County Public Schools. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol and/or controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Decisions to request a Reasonable Suspicion Test will be made by supervisors trained per the requirements of FMCSR Part 382.603.

- *Return-to-duty Testing:*

Any employee who is subject to this policy that, based on Patrick County Public Schools approval, is allowed to return-to-duty following referral, evaluation, and treatment as a result of a positive alcohol and/or drug test will be required to submit to a return-to-duty alcohol and/or controlled substance test. This test cannot occur until after the SAP has determined that the employee has successfully complied with prescribed education and/or treatment. An alcohol concentration of less than 0.02 and a negative drug test will be required before a return-to-duty decision is made. All return–to-duty drug screen collections will be directly observed.

- *Follow-up Testing:*

In the event an employee is allowed to return to duty following referral, evaluation, and treatment, a minimum of 6 unannounced alcohol and/or drug tests will be required during the next 12 months of employment. Follow-up testing may continue for up to 60 months following return to duty at Patrick County Public School's discretion, based on recommendations from the SAP. All follow-up testing will be directly observed.

- All alcohol testing will be done immediately before, during, or immediately after performing safety sensitive functions.
- Controlled substance testing may be performed at any time the employee is at work for Patrick County Public Schools.

V. ALCOHOL TESTING:

Alcohol Technicians – Breath Alcohol Technician (BAT)/ Screening Test Technician (STT)

Alcohol testing will only be performed by a certified Breath Alcohol Technician (BAT) trained and certified in the principles of Evidential Breath Testing Devices (EBT) methodology, operation, and calibration checks; the fundamentals of breath analysis for alcohol content; and the procedures required for obtaining a breath sample, and interpreting and recording EBT results OR a certified Screening Test Technician (STT) trained and certified in the principles of Alcohol Screening Devices (ASD) methodology, operation, and quality control; the procedures required for obtaining a breath or saliva sample and interpreting and recording ASD results. NOTE: The use of a STT requires that a certified BAT and EBT be available for confirmation testing within 30 minutes of a positive test result on an ASD.

Evidential Breath Testing Devices (EBT)/ Alcohol Screening Devices (ASD)

Alcohol testing will only be performed using EBT's and/or ASD's on the Conforming Products Lists (CPL) approved by the National Highway Traffic Safety Administration (NHTSA).

Alcohol testing must be either performed by a Certified BAT/STT employed by Patrick County Public Schools or an outside BAT/STT. All alcohol testing will be conducted in a location that affords visual and aural privacy to the individual being tested. Unauthorized persons will not be permitted access to the testing location when a test is in progress. Alcohol testing will be performed using only the U.S. Department of Transportation Alcohol Testing Form (ATF).

Alcohol Testing Methodology

Using the EBT, the certified BAT will open an individually sealed mouthpiece and attach it to the EBT. The employee will be instructed to blow into the mouthpiece forcefully until an adequate amount of breath has been obtained. The EBT will record the result, display it on the device, and print the result immediately. The result will be recorded on the ATF and attached to the form with tamper proof tape and transmitted to the DER.

The STT will open a sealed ASD, showing the employee the Lot # and Expiration Date. The STT will instruct the employee to provide a sufficient breath or saliva sample per the manufacturer's instructions.

When the result is less than 0.02 no further testing is required. The results will be transmitted to Patrick County Public Schools in a confidential manner and will be stored to ensure confidentiality is maintained.

When the result is 0.02 or greater, a confirmation test must be performed to verify the initial test. The confirmation test will be conducted no less than 15 minutes and no more than 30 minutes after the initial test. In the event the initial and confirmation test results are different, the confirmation test result is deemed to be the final result upon which any action under the terms of this policy shall be based.

NOTE: Should an ASD device indicate the presence of alcohol in a breath or saliva specimen at an 0.02 level or above, the STT will immediately contact the DER and make arrangements for a confirmation test on an EBT within 30 minutes. The confirmation test result is deemed to be the final result upon which any action under the terms of this policy shall be based.

Following the completion of the test, the BAT/STT will date the form and sign the certification on the form. The employee will sign the certification and fill in the date on the form. This ensures that each employee is attesting to the fact that the reported result is specific to the employee and is evidence of employee's consent.

Refusal to test will be treated the same as if the result is 0.04 or greater. Problems with testing and Refusals to test will be reported to the DER by the BAT/STT immediately.

VI. RECORDKEEPING:

Patrick County Public Schools will maintain alcohol and drug test results in a secure and confidential manner, so that disclosure of information to unauthorized persons does not occur. Employee information shall only be released as required by law or as expressly authorized. Part 40 requires that Patrick County Public Schools keep all verified negatives for at least one year and that they keep all verified positives for at least 5 years.

- An employee shall have access to any of his/her alcohol and drug testing records upon written request.
- Patrick County Public Schools must allow any DOT authorized agency access to facilities and records in connection with the Patrick County Public Schools' alcohol misuse and drug abuse prevention program.
- When requested, Patrick County Public Schools shall disclose post-accident testing information to the National Transportation Safety Board (NTSB) as part of an accident investigation.
- Patrick County Public Schools will make records available to a subsequent employer upon receipt of a written request from the employee and as required by 49 CFR, Part 40.25.
- Patrick County Public Schools may disclose information to the employee or to the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual. This may include workers' compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.

VII. INSUFFICENT SPECIMENS AND PROBLEMS IN TESTING:

Insufficient Specimens

If an employee attempts but fails to provide an adequate amount of breath, saliva or urine, Patrick County Public Schools will be immediately notified and will direct the employee to obtain, as soon as practical, an evaluation from a licensed physician who is acceptable to Patrick County Public Schools concerning the employee's medical ability to provide an adequate amount of breath, saliva or urine. If the physician determines that there is a medical reason that prevents the employee from providing an adequate amount of breath, saliva or urine, he/she will provide Patrick County Public Schools with a written statement of the basis for his/ her conclusion.

If the physician determines there is no medical reason to prevent the employee from providing an adequate amount of breath, saliva or urine, he/she will provide Patrick County Public Schools with a written statement of the basis for his/her conclusion and it will be regarded as a refusal to take the test. The terms of this policy for positive test results will then be administered.

Problems in Testing

Should a specimen be canceled due to a correctable or fatal flaw, the employee may be asked for a re-test, if applicable, by the MRO, BAT, STT or DER. Test results reported as "Positive Dilute" will be handled as a verified positive test. Test results reported as "Negative Dilute" may be asked for a re-test, in which case, the specimen will be collected via DOT's Direct Observation Procedures.

VIII. REFUSALS TO TEST

The following circumstances are considered a refusal to test under 49 CFR Part 40:

Drug Test Refusals

(1) Failure to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by Patrick County Public Schools . This includes the failure of an employee (including an owner-operator) to appear for a test when called by a Consortium/Third Party Administrator (C/TPA) (see §40.61(a));

(2) Failure to remain at the testing site until the testing process is complete; provided, that an employee who leaves the testing site before the testing process commences (see §40.63 (c)) for a pre-employment test is not deemed to have refused to test;

(3) Failure to provide a urine specimen for any drug test required by this part or DOT agency regulations; provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see §40.63 (c)) for a pre-employment test is not deemed to have refused to test;

(4) In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of your provision of a specimen (see §40.67(l) and §40.69(g));

(5) Failure to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see §40.193(d) (2));

(6) Failure or decline to take an additional drug test Patrick County Public Schools or collector has directed you to take (see §40.197(b));

(7) Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under §40.193(d). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment. If there was no contingent offer of employment, the MRO will cancel the test;

(8) Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, failure to wash hands after being directed to do so by the collector);

(9) For an observed collection, failure to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;

(10) Possess or wear a prosthetic or other device that could be used to interfere with the collection process;

(11) Admit to the collector or MRO that you adulterated or substituted the specimen;

(12) As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test;

(13) As an employee, if you refuse to take a drug test, you incur the consequences specified under DOT agency regulations for an MRO verified positive drug test;

Alcohol Testing Refusals

(1) Failure to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by Patrick County Public Schools . This includes the failure of an

employee (including an owner-operator) to appear for a test when called by a C/TPA (see §40.241(a));

(2) Failure to remain at the testing site until the testing process is complete; provided, that an employee who leaves the testing site before the testing process commences (see §40.243(a)) for a pre-employment test is not deemed to have refused to test;

(3) Failure to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations; provided, that an employee who does not provide an adequate amount of breath or saliva because he or she has left the testing site before the testing process commences (see §40.243(a)) for a pre-employment test is not deemed to have refused to test;

(4) Failure to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see §40.265(c));

(5) Failure to undergo a medical examination or evaluation, as directed by Patrick County Public Schools as part of the insufficient breath procedures see (§40.265(c));

(6) Failure to sign the certification at Step 2 of the ATF (see §40.241(g) and §40.251(d));

(7) Failure to cooperate with any part of the testing process;

(8) As an employee, if you refuse to take an alcohol test, you incur the same consequences specified under DOT agency regulations for confirmed alcohol test results of 0.04 or greater.

IX. SPECIMEN COLLECTION PROCEDURES:

- Urine specimens for the purposes of all required DOT drug tests will be obtained by collectors trained and certified as required by 49 CFR Part 40. Specific guidelines will be followed in urine specimen collections for the purpose of drug testing. In accordance with the Department of Health and Human Services (DHHS) guidelines, clear and well documented procedures for collection, shipment and accession of urine specimens from the collector to the laboratory will be followed. These procedures will account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen.
- Patrick County Public Schools may choose to do urine specimen collections in-house or utilize the services of an outside source, which may be a doctor's office, clinic, hospital or other facility that meets security requirements as specified by DHHS guidelines. The collection site will be a secure location to allow for maximum privacy, which includes a full- length privacy door for completion of urination, a source of water for washing hands and, where practicable, excluded

from the area provided for urination. Cleansing agents such as moist towelettes may be used.

- No other person will be present or gain access to the collection area during the collection process. All specimens must remain in the direct control of the collection site person. No one other than the collection site person may handle specimens prior to their being placed securely in the mailing container.
- When reporting to a collection site for specimen collection each employee will be required to provide photo identification (ID). Employees will be asked to remove all unnecessary outer garments (i.e., coat or jacket), and secure all personal belongings (individual may retain his/her wallet).
- Employees will be allowed to provide his/her specimen in the privacy of a stall. A split sample method of collection will be used. At least 45 ml of urine must be collected, 30 ml to be used as the primary specimen and 15 ml to be used as the split specimen. Both bottles will be shipped in a single container.
- The employee will be allowed up to 3 hours to provide a 45 ml specimen in the event he/she is unable to provide 45 ml upon the first attempt as instructed by the collector. During this period, the employee will be allowed to consume no more than 40 fluid ounces spread reasonably over throughout the 3-hour period.
- If the collection site person believes tampering or adulteration has occurred, a second specimen shall be collected immediately under the direct observation of a same gender collection site person. Both samples will be sent to the lab.
- Refusal to test will be handled the same as a verified positive result.
- In all cases the employee and the collection site person shall keep the specimen in view at all times prior to being sealed and labeled. The specimen will be labeled with tamperproof seals and the employee will sign appropriate places on the Chain of Custody and initial the seal on the bottle attesting to the fact that the specimen is specific to the individual providing the sample.

NOTE: Problems with the collection and refusals to test will be reported immediately to the DER by the collector.

X. TESTING METHODOLOGY:

Only laboratories certified by the DHHS will be used for drug urinalysis. Patrick County Public Schools utilizes a SAMHSA approved laboratory.

Every specimen is required to undergo an initial Enzyme Multiplied Immunoassay Technique (EMIT) screen followed by Gas Chromatography Mass Spectroscopy (GCMS) confirmation of all positive screen results. This screen-confirmation process utilizes highly sophisticated techniques to detect minute levels of prohibited substances in urine.

Reporting of Results:

The laboratory is required to report the test results directly to Patrick County Public Schools' MRO within 5 working days. Patrick County Public Schools utilizes the

services of *Dr. Jerome Cooper, MD, NTA, Inc 772, N Broad St, Mooresville NC 1-800-452-0030.* The report shall indicate the drug/metabolites tested for, whether the results are positive or negative, the specimen number assigned by Patrick County Public Schools and the drug testing laboratory identification number.

XI. REVIEW OF RESULTS/MRO:

The MRO is a licensed physician and possesses knowledge of drug abuse disorders. The MRO may be an employee of Patrick County Public Schools or one contracted to provide the services required. The MRO will review and interpret positive results obtained from the laboratory.

The MRO through a verification process will assess and determine whether alternate medical explanations could account for the positive test results. The MRO may conduct medical interviews of the employee, review the employee's medical history and review any other relevant bio-medical factors. The MRO may direct that a medical examination be conducted as part of the review process. Additionally, the MRO will examine all medical records and data made available by the tested individual, such as evidence of prescribed medications.

The MRO will give the individual testing positive an opportunity to discuss the test results prior to making a final decision. After the final decision is made, the MRO will notify Patrick County Public Schools as prescribed below.

If during the course of an interview with an employee who has tested positive, the MRO learns of a medical condition, which could, in the MRO's reasonable medical judgment, pose a risk to safety, the MRO may report that information to the DOT or to Patrick County Public Schools

The MRO will notify each employee who has a confirmed positive test that the employee has 72 hours in which to request a test of the split specimen.

If the employee makes such a request, the MRO will direct, in writing, the laboratory to provide the split specimen to another certified laboratory for analysis. If the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or if the split specimen is unavailable, inadequate for testing or intestable, the MRO will cancel the test and report cancellation and the reasons for it to the DOT, Patrick County Public Schools, and the employee.

If the MRO, after making and documenting all reasonable efforts is unable to contact the tested person, the MRO will contact the DER of Patrick County Public Schools to arrange for the employee to contact the MRO prior to going on duty.

Within 5 days after a documented contact from the DER of Patrick County Public Schools instructing the employee to contact the MRO, the employee has not done so, the MRO will verify the test positive and report it to Patrick County Public Schools.

XII. DISCIPLINE AND CONSEQUENCES:

- **Pre-Employment/Pre-duty**:

An applicant for part-time, full-time or transfer from non safety sensitive to a safety sensitive position with a verified positive controlled substance test result will be denied employment in the safety sensitive function. In the event the employee is transferring from a non-DOT position to a FMCSA defined safety sensitive function and has a verified positive DOT pre-employment test, the employee will then be subject to disciplinary action as set forth in Patrick County Public Schools DFWP policy.

- **Reasonable Cause:**

Any employee of Patrick County Public Schools subject to the terms of this policy, as a result of reasonable cause testing, with a verified positive controlled substance test result and/or an alcohol breath test with a confirmed test result of 0.04 or greater will be immediately subject to disciplinary action and referred to a qualified SAP for assessment and evaluation and terminated. Any recommended treatment must be completed prior to resuming safety sensitive functions for this or any other motor carrier.

If the confirmed alcohol breath test result is 0.02 or greater but less than 0.04 the employee will be removed immediately from the safety sensitive function and be subject to disciplinary action including, but not necessarily limited to, a twenty-four hour suspension without pay followed by a retest of the employee's Breath Alcohol Content (BAC) at his or her expense.

- **Post-Accident:**

Any employee of Patrick County Public Schools subject to the terms of this policy, as a result of a post-accident test, with a verified positive controlled substance test result and/or a confirmed alcohol breath test with a confirmed test result of 0.04 or greater will be immediately subject to disciplinary action and referred to a qualified SAP for assessment and evaluation and terminated. Any recommended treatment must be completed prior to resuming safety sensitive functions for this or any other motor carrier.

If the confirmed alcohol breath test result is 0.02 or greater but less than 0.04 the employee will be removed immediately from the safety-sensitive function and be subject to disciplinary action including, but not necessarily limited to, a twenty-four hour suspension without pay followed by a retest of the employee's BAC at his or her expense.

- **Random:**

Any employee of Patrick County Public Schools subject to the terms of this policy, as a result of a random test, with a verified positive controlled substance test result and/or a confirmed alcohol breath test with a confirmed test result of 0.04 or greater will be

immediately subject to disciplinary action and referred to a qualified SAP for assessment and evaluation and terminated. Any recommended treatment must be completed prior to resuming safety sensitive functions for this or any other motor carrier.

If the confirmed alcohol breath test result is 0.02 or greater but less than 0.04 the employee will be subject to disciplinary action including, but not necessarily limited to a twenty- four- hour suspension followed by a retest of the employee's BAC at his or her expense.

- **Return- to -Duty/Follow- Up Testing:**

Upon returning to work for Patrick County Public Schools or any other motor carrier following substance abuse treatment, the employee will be subject to a Return- to -Duty test and at least 6 unannounced Follow- Up tests during the first 12 months back at work. Return- to- Duty tests and Follow- Up tests will be conducted per 49 CFR Part 40 "DOT's Direct Observation Procedures". All RTD and Follow Up tests must be negative.

ATTENTION: Upon notification to the DER of a verified positive DOT controlled substance test by the MRO and/or a confirmed positive DOT alcohol test with a result of 0.04 or greater by a DOT BAT, the employee will be immediately removed from safety sensitive functions, terminated and referred to a qualified SAP. The SAP will determine what type of treatment is needed. The employee must complete all recommended treatment before returning to work at any other motor carrier.

Upon completion of treatment, the SAP will issue a letter of clearance with instructions for Return- to- Duty and Follow- up Testing. The employee must submit to a Return- to -Duty test, directly observed. The result must be reported as negative to the DER before the employee may resume safety sensitive functions at any other motor carrier.

The employee must submit to at least 6 unannounced Follow- Up tests, directly observed, during the first 12 months after returning to duty for any other motor carrier. The SAP may direct more than 6 Follow- Up tests.

Costs of SAP assessments, evaluations and treatment will be the responsibility of the employee.

XIII. SUBSTANCE ABUSE PROFESSIONAL (SAP) REFERRALS

In all cases with a verified positive controlled substance test result and/or a confirmed alcohol breath test result the employee will be referred to an SAP for evaluation, referral and treatment.

TO LOCATE A QUALIFIED DOT SUBSTANCE ABUSE PROFESSIONAL IN AN EMPLOYEE'S GEOGRAPHICAL AREA, PLEASE CONTACT NTA, INC AT 1-800-452-0030 OR GO TO WWW.SAPLIST.COM.

XIV. FMCSA DRUG AND ALCOHOL CLEARINGHOUSE

Effective January 6, 2020, FMCSA will require that commercial drivers that commit violations of 49 CFR Part 382, Subpart B, be reported into a national FMCSA database called “”FMCSA Drug and Alcohol Clearinghouse” The clearinghouse will contain records of violations of drug and alcohol prohibitions as outlined in 49 CFR Part 382, Subpart B including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty process and follow-up testing plan, this information will also be recorded in the Clearinghouse.

The following information will be reported and included in the clearinghouse:

- A verified positive, adulterated, or substituted drug test result.
- An alcohol confirmation test with a concentration of 0.04 or higher.
- A refusal to submit to any test required by subpart C of this part.
- An employer's report of *actual knowledge*, as defined in FMCSR Part 382.107. *Actual knowledge* for the purpose this part, means *actual knowledge* by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
- On duty alcohol use pursuant to FMCSR Part 382.205, which states that no driver shall use alcohol while performing safety-sensitive functions. No employer having *actual knowledge* that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.
- Pre-duty alcohol use pursuant to FMCSR Part 382.207, which states that no driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having *actual knowledge* that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.
- Alcohol use following an accident pursuant to FMCSR Part 382.209, which states that if a driver is required to take a post-accident alcohol test under FMCSR Part 382.303, then that driver shall not use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
- Controlled substance use pursuant to FMCSR Part 382.213 which states that:

  (a) No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drug or substance identified in 21 CFR 1308.11 Schedule I.

(b) No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR Part 1308 except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in FMCSR Part 382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV.

(c) No employer having *actual knowledge* that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety sensitive function.

(d) An employer may require a driver to inform the employer of any therapeutic drug use. If the driver fails to report this to Patrick County Public Schools, it is a violation.

- An SAP report of the successful completion of the return-to-duty process.
- A negative return-to-duty.
- An employer's report of completion of follow-up testing.

Drivers will be provided with instructions and information on how to register in the FMCSA clearinghouse electronically and will be encouraged to check their data on a regular basis for accuracy. Drivers will be provided with information on how to request corrections in the clearinghouse. Drivers will be provided with educational materials on the clearinghouse.

Patrick County Public Schools will conduct a Full Query on CDL licensed operators upon hire and will conduct a Limited Query annually. A Full Query will be conducted if the Limited Query shows any violations. The required driver consents will be obtained prior to conducting any queries.

XIV. OTHER

- Reasonable Suspicion Training will be provided to all supervisors and employees as required by FMCSR Part 382.603.
- Educational materials and a copy of Patrick County Public Schools substance abuse policy as required by FMCSR Part 382.601 will be provided to all employees who are subject to this policy.

Patrick County Public Schools official designated to answer questions about this policy: Derick Smith, Director of Transportation 276-694-5005

Revised: August 8, 2019
December 12, 2019

Driver Receipt of FMCSA Substance Abuse Policy

Patrick County Public Schools

(Revised 2019)

I, the undersigned, do hereby attest that I have read, understand and will comply with the terms in this policy as required by FMCSR Part 382 and 49CFR, Part 40.

_____ _____

Name (Print) Date

_____

Name (Signature)

INSTRUCTIONAL GOALS AND OBJECTIVES

The Patrick County School Board develops and implements a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning established by the Board of Education and that meets or exceeds the requirements of the Board of Education. The program of instruction emphasizes reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

The School Board also implements:

1. programs in grades kindergarten through three that emphasize developmentally appropriate learning to enhance success

2. programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school; such programs shall include components that are research-based

3. career and technical education programs incorporated into the kindergarten through grade 12 curricula

4. educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to Va. Code § 22.1-200.03

5. early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law

6. early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs

7. educational alternatives for students whose needs are not met in programs prescribed elsewhere in the Standards of Learning

8. adult education programs for individuals functioning below the high school completion level

9. a plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students

10. an agreement for postsecondary degree attainment with a community college in Virginia specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma; such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher

11. a plan to notify students and their parents of the availability of dual enrollment and Advanced Placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program, and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs and experiences; and the availability of financial assistance to low-income and needy students to take the Advanced Placement and International Baccalaureate examinations; this plan shall include notification to students and parents of the agreement with a community college in Virginia to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma

12. identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language

13. early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students

14. incorporation of art, music, and physical education as a part of the instructional program at the elementary school level

15. a program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year; such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the School Board

16. a program of student services for grades kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development

17. the collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program

18. a program of instruction in each government course in the school division on all information and concepts in the civics portion of the U.S. Naturalization test

Timely written notification is provided to the parents of any student who:

- undergoes literacy and Response to Intervention screening and services; or
- does not meet the benchmark on any assessment used to determine at-risk learners in preschool through grade 12, which notification includes all such assessment scores and subscores and any intervention plan that results from such assessment scores or subscores.

Adopted: September 11, 2000
Revised: March 14, 2013
June 23, 2016
June 8, 2017
July 12, 2018
June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-215.2, 22.1-253.13:1.

Cross Refs.:

IGAD	Career and Technical Education
IGBE	Remedial and Summer Instructional Program
IGBI	Advanced Placement Classes and Special Programs
JHCF	Student Wellness

NOTIFICATION OF LEARNING OBJECTIVES

I. Annual Notice

At the beginning of each school year, each school within the Patrick County School Division provides to its students' parents or guardians information on the availability of and source for receiving:

- the learning objectives developed in accordance with the Standards of Accreditation to be achieved at their child's grade level, or, in high school, a copy of the syllabus for each of their child's courses;
- the Standards of Learning (SOLs) applicable to the child's grade or course requirements and the approximate date and potential impact of the child's next SOL testing;
- an annual notice to students in all grade levels of all requirements for Board of Education-approved diplomas; and
- the board's policies on promotion, retention and remediation.

The superintendent certifies to the Department of Education that the notice required by this policy has been given.

II. Notice of Credits Needed for Graduation and of the Right to a Free Public Education

A. The school board notifies the parents of rising eleventh and twelfth grade students of
   - the requirements for graduation pursuant to the standards for accreditation and
   - the requirements that have yet to be completed by the individual student.

B. The school board notifies the parent of students with disabilities who have an Individualized Education Program (IEP) and who fail to meet the graduation requirements of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.

C. The school board notifies the parent of students who fail to graduate or who fail to achieve graduation requirements as provided in the Standards of Accreditation and who have not reached 20 years of age on or before August 1st of the school year of the right to a free public education. If the student who does not graduate or complete such requirements is a student for whom English is a second language, the school board notifies the parent of the student's opportunity for a free public education in accordance with Va. Code § 22.1-5.

Adopted: July 9, 2001
Revised: November 10, 2004
May 11, 2006
July 12, 2012

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June 23, 2016
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:4.

8 VAC 20-131-270.

Cross Refs.:	IGBC	Parental Involvement
	IKF	The Virginia Assessment Program and Graduation Requirements

ACADEMIC FREEDOM

The school board seeks to educate young people in the democratic tradition, to foster a recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Freedom of individual conscience, association, and expression are encouraged and fairness in procedures is observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate examples the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth of Virginia.

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Such home and classroom work is evaluated by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school.

Adopted: September 8, 1997
Revised: June 23, 2008
May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-203.3.

Cross Ref.: IKB Homework
INDC Religion in the Schools

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SCHOOL YEAR/SCHOOL DAY

School Year

The length of the school year is at least 180 teaching days or 990 teaching hours. Days on which a school or schools or all the schools in the division are closed due to severe weather or other emergencies are made up as provided below if necessary to meet these requirements.

Students are provided a minimum of 680 hours of instructional time in elementary school, except for students in half-day kindergarten, in the four academic disciplines of English, mathematics, science, and history and social science and a minimum of 375 hours of instructional time in half-day kindergarten in the four academic disciplines of English, mathematics, science, and history and social science.

Unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness may be included in the calculation of total instructional time or teaching hours for elementary school, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours.

Make Up Days

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division for

- five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day;
- six days or more, the first five days plus one day for each two days missed in excess of the first five are made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any school in the school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement.

The Board of Education may waive the requirement that the school division provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency or severe weather conditions or other emergency situations under certain circumstances. If the School Board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chairman of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

The Board of Education waives the requirement that school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from an evacuation directed and compelled by the Governor pursuant to Va. Code § 44-146.17 for up to five teaching days. If the School Board desires such a waiver, it notifies the Board of Education and provides evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chair of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted. After receiving such notification, the Board of Education grants the waiver and there is no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund. Further, the local appropriations for educational purposes necessary to fund 180 teaching days or 990 teaching hours shall not be proportionally reduced by the local appropriating body due to any reduction in the length of the term of any school or the schools in a school division permitted by such waiver.

School Calendar

The School Board establishes the division's calendar in accordance with state law. The School Board establishes teaching contracts in accordance with applicable regulations of the Board of Education to include contingencies for making up teaching days and teaching hours missed for emergency situations.

An advisory committee composed of teachers, parents and school administration may be utilized to recommend a proposed calendar to the superintendent. The recommendation of this committee is advisory.

School Day

The standard school day for students in grades 1 through 12 averages at least 5-1/2 instructional hours excluding breaks for meals and recess. The standard school day for kindergarten is a minimum of three instructional hours.

All students in grades 1 through 12 maintain a full day schedule of classes (5-1/2 hours) unless a waiver is granted in accordance with policies defined by the School Board.

Each elementary school provides students with a daily recess during the regular school year, as determined appropriate by the school.

The secondary school class schedule contains a minimum of 140 clock hours for each unit of credit. When credit is awarded in less than whole units, the increment awarded is no greater than the fractional part of the 140 hours of instruction provided.

The time for opening and closing schools is established by the School Board upon recommendation of the superintendent, provided that the daily program for students in grades 1 through 12 averages at least 5 ½ hours, not including meal intermissions. If the required program length is maintained, the School Board may

approve occasional shortened days for staff development, conferences, planning and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours. The daily program for kindergarten is at least three hours, not including meal intermissions.

When exceptions in the length of the daily program are necessary, the Board requests approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are requested.

The length of the work day for employees is determined by the School Board. It is of sufficient length to allow for the daily program for students and additional time as may be necessary for such activities as planning, preparation, meetings, workshops, conferences, meal intermissions or other contractual obligations.

Joint or Regional Schools

School boards operating joint or regional high schools, including regional charter schools, offering a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree may, by agreement, establish alternative schedules for the delivery of instruction. Those schedules may include alternatives to standard school day and year requirements, subject to the issuance of any necessary waivers by the Board of Education and relevant Board of Education regulations.

Certification

The superintendent and School Board chair certify the total number of teaching days and teaching hours each year as part of the annual report to the Board of Education.

Adopted: July 9, 2001
Revised: April 13, 2003
August 10, 2006
June 23, 2008
March 12, 2015
June 4, 2015
July 12, 2018
August 8, 2019
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended §§ 22.1-26, 22.1-79.1, 22.1-98, 22.1-200.2.

Acts 2019, cc. 569, 570 and 637.

8 VAC 20-131-150.

8 VAC 20-131-200.

8 VAC 20-490-30.

Cross Ref.:	BCF	Advisory Committees to the School Board
	DL	Payroll Procedures
	GAA	Staff Time Schedules
	IKF	The Virginia Assessment Program and Graduation Requirements

EXTRACURRICULAR ACTIVITIES

A. Generally

Student activities are extracurricular and supplement the regular school curriculum. Student activities are voluntary and do not carry credit toward graduation. They take the form of special interest groups, honor societies, athletic teams and other extensions of classroom work. All extracurricular activities are designed to promote character, building qualities of participation and leadership ability. Extracurricular activities and the eligibility requirements shall be approved by the superintendent or his designee as required by state accreditation standards, Virginia High School League guidelines, or other recognized state and/or national organizations that are affiliated with the activity. All student organizations and activities shall be under the direct supervision of the school principal or a designee and shall supplement the regular program of the school. They should be evaluated periodically to ensure that interruptions of the instructional programs are avoided. Students should not be permitted to engage in such organizations and activities to the detriment of their classroom work.

Categories

Extracurricular activities are divided into four general categories:

1. Interscholastic and intramural athletics.

2. Activities stemming directly from classroom studies. Examples are (but not limited to) career-technical, student government (including graduating classes), band, musical productions, dramatics, debate, the school newspaper and literary publications.

3. Activities designed to promote interest in academic achievement and/or specific subject areas. Examples are the BETA Club and subject matter organizations.

4. Service and special interest clubs.

B. Access to Extracurricular Activities

Access to and participation in extracurricular activities shall be open to all students as provided in state and federal regulations, and school board policy.

C. Supervision

The administration shall appoint qualified members of the faculty, or in the absence of qualified faculty members, may appoint qualified community members as sponsors for each activity. The sponsor shall be responsible for the guidance and general supervision of the activity and shall ensure that all actions conform to school policies and regulations.

D. Financial Support

The school sponsored extracurricular activities named in Section A-1 and A-2 may receive partial financial support. Transportation may be provided, or the cost of transportation may be paid from appropriated funds.

The school sponsored extracurricular activities covered in Sections A-3 and A-4 are to be financially self-supporting. School transportation for these activities, however, may be requested. If it cannot be

provided, then vehicular transportation may be by commercial means, or by private car under regulations established for such use.

E. Permission by School Principal

The actions and activities of each organization must be approved by the school principal.

F. Parental Permission

In each instance when an organization schedules an activity away from school, parents will be notified and written permission obtained when appropriate.

G. Evaluation and Approval

The division superintendent and/or a designee shall periodically evaluate the school sponsored extracurricular activities program to ensure compliance with state and federal regulations, and school board policy.

H. Fraternities and/or Sororities

Fraternities, sororities or any clandestine organization shall not be permitted in the school division. Principals shall inform students that activities associated with such organizations shall be prohibited at school.

I. Initiating a Student Activities Program

At various times students may wish to initiate a student activity/club. If a student wishes to propose an activity that qualifies under sections A-3 and A-4, the following guidelines must be met before Superintendent will make a recommendation to the School Board for final approval or disapproval:

A. A proposal must be submitted that contains the following:

1. Name of the proposed club/activity
2. Description of Club's purpose
3. Description of proposed leadership structure
4. Description of club rules/activities
5. Letter from a qualifying advisor who will agree to supervise the activity
6. A petition from 10% of the student body of the school where the activity is to be proposed.

Proposed activities that qualify under Sections A-1 and A-2 may be proposed by faculty and this proposal must contain the items 1-5 listed above. The school division's Director of Activities will then review the application and approve or disapprove the application within thirty days of submission, stating the reasons why. Individuals may appeal to the principal within five days and if this appeal is not approved, then individuals may appeal to the Superintendent within five days. All clubs, activities, and organizations at the schools as of the date of adoption of this policy shall be exempt from Section I and will be listed with this policy.

J. Deactivation of Recognized Organization

An activity/club will be deemed inactive if the organization has no qualifying advisor and/or does not meet as a group at least once within the last 12 months. In order for the inactive club to become reactivated, student organizers must complete the process outlined in Section I of this policy.

Adopted: January 20, 2011

Legal Reference:

Virginia Board of Education Regulations, Accreditation of Public Schools in Virginia (January 1993)

U.S. Department of Health, Education, and Welfare/Office for Civil Rights, Final Title IX Regulation Implementing Education Amendments of 1972 Prohibiting Sex Discrimination in Education (effective date: July 21, 1975). § 86-41. Athletics. (Effective dates: elementary schools, July 21, 1976; secondary schools, July 21, 1978.)

U.S. Department of Health Education and Welfare/Office of Education, Final Regulation Implementing Amendments to Part B of the Education for All Handicapped Children Act of 1975. See also Federal Register, Vol. 42, No. 163, August 23, 1977. (Effective date: October 1, 1977.) 121a. 306. Nonacademic services.

SCHOOL YEAR/SCHOOL DAY

School Year

The length of the school year is at least 180 teaching days or 990 teaching hours. Days on which a school or schools or all the schools in the division are closed due to severe weather or other emergencies are made up as provided below if necessary to meet these requirements.

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Unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness may be included in the calculation of total instructional time or teaching hours for elementary school, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours.

Make Up Days

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division for

- five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day;
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When exceptions in the length of the daily program are necessary, the Board requests approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are requested.

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Adopted: July 9, 2001
Revised: April 13, 2003
August 10, 2006
June 23, 2008
March 12, 2015
June 4, 2015
July 12, 2018
August 8, 2019
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended §§ 22.1-26, 22.1-79.1, 22.1-98, 22.1-200.2.

Acts 2019, cc. 569, 570 and 637.

8 VAC 20-131-150.

8 VAC 20-131-200.

8 VAC 20-490-30.

Cross Ref.:	BCF	Advisory Committees to the School Board
	DL	Payroll Procedures
	GAA	Staff Time Schedules
	IKF	The Virginia Assessment Program and Graduation Requirements

MOMENT OF SILENCE

The Patrick County School Board recognizes that a moment of silence before each school day prepares students and staff for their respective work or school days. Therefore, each teacher shall observe a moment of silence at the beginning of the first class of each school day.

The teacher responsible for each class shall make sure that each student: (1) remains seated and silent and (2) does not disrupt or distract other students during the moment of silence. The moment may be used for any lawful silent activity, including personal reflection, prayer and meditation. Teachers shall not influence, in any way, students to pray or meditate or not to pray or meditate during the moment of silence.

Adopted: July 10, 2000
Revised: March 14, 2013

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-203

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance, as established in 4 U.S.C. § 4, shall be recited daily in each classroom of the Patrick County school division.

During the recitation of the Pledge, students shall stand and recite the Pledge while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform.

No student shall be compelled to recite the Pledge if he, his parent or legal guardian objects on religious, philosophical, or other grounds to his participating in this exercise. Students who are exempt from reciting the Pledge shall quietly stand or sit at their desks while others recite the Pledge and shall make no display that disrupts or distracts those who are reciting the Pledge.

Appropriate accommodations shall be made for students who are unable to comply with the procedures described herein due to disability.

Adopted: April 14, 2003
Revised: April 12, 2012

Legal Refs: Code of Virginia, 1950, as amended, § 22.1-202.

4 U.S.C. § 4.

Cross Refs.:

JFC	Student Conduct
JFC-R	Standards of Student Conduct

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NATIONAL MOTTO

The statement "'In God We Trust,' the National Motto, enacted by Congress in 1956" is posted in a conspicuous place in each school for all students to read.

Adopted: April 14, 2003
Revised: June 25, 2020

Legal Ref: Acts 2003, c. 902.

BILL OF RIGHTS OF THE CONSTITUTION OF THE UNITED STATES

The Bill of Rights of the Constitution of the United States shall be posted in a conspicuous place in each school for all students to read.

Adopted: February 11, 2004

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_____

Legal Ref: Acts 2003, c. 902.

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CURRICULUM DEVELOPMENT AND ADOPTION

The curriculum is a coherent and comprehensive plan for teaching and learning built upon a framework that promotes continuity and the cumulative acquisition and application of skills. The curriculum shall state clearly and specifically what students are expected to know and be able to do by grade level and course. Patrick County School Board curricula shall meet or exceed the requirements of the Code of Virginia and regulations of the Virginia Board of Education and, at a minimum, shall be aligned to the Standards of Learning.

Adopted: September 8, 1997
Revised: April 14, 2005
June 23, 2008
March 14, 2013

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

Cross Ref.: AF Comprehensive Plan

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BASIC INSTRUCTIONAL PROGRAM

Because education is a lifelong process, the educational program shall provide both formal studies to meet the general academic needs of all students, and opportunities for individual students to develop specific talents and interests in career and technical and other specialized fields and grow toward independent learning.

The various instructional programs shall be developed with the view toward maintaining balanced, integrated, and sequentially articulated curricula which shall serve the educational needs of all school-aged children in the division.

The Patrick County School Board subscribes to the philosophy that well-developed reading and other basic skills, including the ability to spell, speak, and write intelligently are essential in society. It shall adopt specific requirements to ensure that high school graduates are sufficiently competent in these essential skills.

At all levels, provisions shall be made for a wide range of individual differences in student abilities and learning rates through uses of a variety of materials, adjustments in programs, and courses adapted to special needs of students.

The curriculum shall meet or exceed those requirements established by the Code of Virginia, the State Department of Education, and the State Board of Education. The curriculum will be aligned to the Standards of Learning.

Adopted: September 8, 1997
Revised: August 4, 2005

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1 et seq.

8 VAC 20-131-10 et seq.

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CAREER AND TECHNICAL EDUCATION

The Patrick County School Board provides career and technical educational programs incorporated into the kindergarten through twelfth grade curricula that include

- knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
- career exploration opportunities in the middle school grades; and
- competency-based career and technical education programs which integrate academic outcomes, career guidance and job-seeking skills for all secondary students based on labor market needs and student interest. Career guidance includes counseling about available employment opportunities and placement services for students exiting school; and
- annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce center.

The School Board develops and implements a plan to ensure compliance with this Policy. This plan is developed with the input of area business and industry representatives and local comprehensive community colleges and is submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

The School Board may establish High School to Work Partnerships or delegate the authority to establish High School to Work Partnerships to the division's career and technical education administrator or the administrator's designee, in collaboration with the school counselor office of each high school in the school division, and educate high school students about opportunities available through High School to Work Partnerships.

The School Board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, referred to as College and Career Access Pathways Partnerships, with comprehensive community colleges or other public institutions of higher education or educational institutions that offer a career and technical education curriculum. College and Career Access Pathways Partnerships specify

- the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma;
- the credit, credentials, certifications, or licenses available for such courses; and

- available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

Adopted: July 9, 2001
Revised: April 14, 2003
November 10, 2004
September 13, 2007
July 12, 2012
June 8, 2017
July 12, 2018
August 8, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-227.1, 22.1-253.13:1.

Cross Ref.: IJ Guidance and Counseling Program

HEALTH EDUCATION/PHYSICAL EDUCATION

Students receive health instruction and physical training as prescribed by the Board of Education and approved by the Board of Health.

Such health instruction

- incorporates standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being and human dignity, and
- may include an age-appropriate program of instruction on the safe use of and risks of abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board of Education and approved by the Board of Health.

The Patrick County school division provides a program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular athletics, recess or other programs and physical activities.

Adopted: September 8, 1997
Revised: April 14, 2003
June 23, 2008
March 12, 2015
July 12, 2018
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207, 22.1-253.13:1.

Cross Refs.:	IC/ID	School Year/School Day
	IGAG	Teaching About Drugs, Alcohol, and Tobacco
	JHCA	Physical Examinations of Students
	JHCF	Student Wellness
	JO	Student Records

File: IGAG – R

TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

Drug Education

A. Staff

Each school is responsible for continuous updating the staff on drug education.

B. Students

Students will receive formal education on drugs and drug abuse at the fifth and eighth grade physical educational courses. Teachers at other levels will be encouraged to inform students concerning drugs as the opportunity presents itself within the framework of the course they are teaching.

C. Parents

The principals should send a letter to parents explaining steps and punitive measures that will affect students should they be involved with drugs.

Adopted: September 8, 1997

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FAMILY LIFE EDUCATION (FLE)

Generally

The Patrick County School Board provides Family Life Education (FLE) based on the FLE Standards of Learning (SOL) and curriculum guidelines developed by the Board of Education. The SOL objectives related to dating violence and the characteristics of abusive relationships are taught at least once in middle school and at least twice in high school. The high school FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and sexual violence, human trafficking, and the law and meaning of consent. Such age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence may include instruction that increases student awareness of the fact that consent is required before sexual activity. The FLE curriculum offered in any school incorporates age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals. The FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation; associated criminal penalties; and the rights of the victim, including any civil action pursuant to Va. Code § 8.01-42.5.

The FLE curriculum may incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation and child sexual abuse.

The School Board reviews its family life education curricula at least once every seven years, evaluates whether the curricula reflects contemporary community standards, and revises the curricula if necessary.

Right of Parental Review

A parent or guardian has the right to review the family life curricula, including all supplemental materials used in the program.

The School Board develops and distributes to the parents or guardians of students participating in the FLE program a summary designed to assist them in understanding the program implemented in its school division and to encourage parental guidance and involvement in the instruction of the students. Such information reflects the curricula of the program as taught in the classroom. The following statement is included on the summary: "Parents and guardians have the right to review the family life education program offered by their school division, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of family life education instruction."

Adopted: June 8, 2017
Revised: July 12, 2018
August 8, 2019
June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207.1, 22.1-207.1:1, 22.1-207.2.

Cross Refs.:		
	BCF	Advisory Committees to the School Board
	IIA	Instructional Materials
	INB	Teaching About Controversial Issues
	KLB	Public Complaints About Learning Resources

CHARACTER EDUCATION

The Patrick County School Board provides, within its existing program or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the school division, or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems and develop civic-minded students of high character. The program is cooperatively developed with students, parents and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring and citizenship.

Character education is interwoven into the school procedures and environment so as to instruct primarily by example, illustration and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program also addresses the inappropriateness of bullying, as defined in Va. Code § 22.1-276.01. Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent's right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

The character education program

- specifies those character traits to be taught, selecting from those which are common to diverse social, cultural and religious groups;
- is implemented at the elementary and secondary levels;
- provides for relevant professional development and adequate resources; and
- includes a method for program evaluation.

Character education is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500, may be taught as representative of such civic values.

Adopted: September 11, 2000
Revised: February 11, 2004

August 4, 2015
May 11, 2006
July 12. 2012

June 23, 2016
May 9, 2019
August 8, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207.2:1, 22.1-208.01.

Cross Refs.:	IKF	The Virginia Assessment Program and Graduation Requirements
	INB	Teaching About Controversial Issues
	INDC	Religion in the Schools

DRIVER EDUCATION

The Patrick County School Board offers a program of driver education in the high schools in the safe operation of motor vehicles.[1] The program includes instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, distracted driving, organ and tissue donor awareness, fuel-efficient driving practices and traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops and appropriate interactions with law-enforcement officers who initiate traffic stops.[2]

The School Board establishes fees that do not exceed the limit established by the Department of Education, for the behind-the-wheel portion of the program. The School Board may waive the fee or surcharge in whole or in part for those students it determines cannot pay the fee or surcharge.

Any student who participates in a driver education program must meet the academic requirements established by the Board of Education. No student is permitted to operate a motor vehicle without a learner's permit or a license. Necessary certification of students' academic standing and compliance with compulsory attendance laws is provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

Driver education instructors possess valid driver's licenses and maintain satisfactory driving records. Any teacher of behind-the-wheel instruction who receives six or more demerit points in a 12-month period will be suspended from teaching driver education for 24 months[3].

At the beginning of each school year and thereafter as necessary, the superintendent reports to the Department of Motor Vehicles the name and driver's license number of all persons providing instruction in driver education for the school division.

Adopted: September 11, 2000
Revised: April 14, 2003
August 9, 2007
July 16, 2009
June 23, 2011
March 12, 2015
June 4, 2015
June 8, 2017

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-205, 46.2-334, 46.2-340.

8 VAC 20-340-10.

8 VAC 20-720-80.

Cross Ref.:	JED	Student Absences/Excuses/Dismissals
	JFC-R	Standards of Student Conduct
	JN	Student Fees, Fines, and Charges

ALTERNATIVES TO ANIMAL DISSECTION

The Patrick County School Board provides one or more alternatives to animal dissection for students enrolled in classes that incorporate dissection exercises. The superintendent is responsible for implementing such alternatives. The superintendent considers the Virginia Board of Education Guidelines Alternatives to Animal Dissection in implementing the alternatives.

Adopted: April 7, 2005
Revised: May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-200.01.

Virginia Board of Education Guidelines Alternatives to Animal Dissection (Attachment to Virginia Department of Education Superintendent's Memo #161 (Aug. 6, 2004)).

PROGRAMS FOR STUDENTS WITH DISABILITIES

Generally

The Patrick County School Board provides a free, appropriate public education for all children and youth with disabilities, ages 2 through 21, inclusive, who are residents of Patrick County or who are not residents of Patrick County but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the Board. To the maximum extent appropriate, students with disabilities are educated with children who are not disabled.

An Individualized Education Program (IEP) is developed and maintained for each child with a disability served by the Patrick County School Board. The program is developed in a meeting of the child's IEP team, which includes the child's teachers, parent(s), the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parents or school division in accordance with State and federal law and regulations. This IEP is reviewed at least annually.

The IEP includes areas specified by state and federal statutes and regulations.

Explanation of Procedural Safeguards

A copy of the procedural safeguards available to the parent(s) of a child with a disability is given to the parent(s). The procedural safeguards notice includes a full explanation of all the procedural safeguards available.

Child Find

The Patrick County School Board maintains an active and continuing child find program designed to identify, locate and evaluate those children residing in the division who are birth to 21 inclusive who are in need of special education and related services

The School Board provides all applicable procedural safeguards including written notice to the parents of the scheduled screening and, if the child fails the screening, the results of the screening, confidentiality and maintenance of the student's scholastic record.

Adopted: September 8, 1997
Revised: April 14, 2003
June 23, 2008
June 5, 2014

Legal Refs.: 20 U.S.C. § 1400 et seq.

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29 U.S.C. § 701 et seq.

42 U.S.C. § 12101 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-213, 22.1-215.

8 VAC 20-81-50.

8 VAC 20-81-80.

8 VAC 20-81-100.

8 VAC 20-81-110.

8 VAC 20-81-130.

8 VAC 20-81-170.

PROGRAMS FOR GIFTED STUDENTS

The Patrick County School Board shall approve a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. The plan for the education of gifted students shall be accessible through the division's website and the division will ensure that printed copies of the plan are available to citizens who do not have online access.

The school division has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual or specific academic aptitude.

The school division will provide written notification to and seek written consent from parents and legal guardians to conduct any required assessment to determine a referred student's eligibility for the division's gifted education program, and provide services for an identified gifted student in the division's gifted education program.

The School Board may establish a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the school division. If established, the committee will annually review the division's plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the division superintendent and the School Board.

Adopted: September 11, 2000
Revised: April 7, 2001
April 14, 2003
November 10, 2004
June 23, 2008
April 14, 2011
July 12, 2012

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-18.1, 22.1-253.13:1.D.6.

8 VAC 20-40-40.

8 VAC 20-40-55.

8 VAC 20-40-60.

Cross Refs.:

BCF	Advisory Committees to the School Board
IKEB	Acceleration

PARENT AND FAMILY ENGAGEMENT

Generally

The Patrick County School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The Patrick County School Board endorses the parent and family engagement goals of Title I (20 U.S.C. § 6318)) and encourages the regular participation by parents and family members of all children including those eligible for Title I and English learner programs in all aspects of those programs.

In keeping with these beliefs, the Patrick County School Board cultivates and supports active parent and family engagement in student learning. The Patrick County School Board:

- provides activities that educate parents regarding the intellectual and developmental needs of their children. These activities promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups, the Head Start program, the Reading First program, Early Reading First program, Even Start program, and Parents as Teachers program) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development
- implements strategies to involve parents in the educational process, including:
    - keeping families informed of opportunities for involvement and encouraging participation in various programs
    - providing access to educational resources for parents and families to use with their children
    - keeping families informed of the objectives of division educational programs as well as of their child's participation and progress with these programs
- enables families to participate in the education of their children through a variety of roles. For example, family members may
    - provide input into division policies
    - volunteer time within the classroom and school program
- provides professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies
- performs regular evaluations of parent involvement at each school and in the division
- provides access, upon request, to any instructional material used as part of the educational curriculum
- if practicable, provides information in a language understandable to parents

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In addition, for parents of students eligible for English learner programs, the School Board informs such parents of how they can be active participants in assisting their children

- to learn English;
- to achieve at high levels in core academic subjects; and
- to meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

Parental Involvement in Title I Plan

The Patrick County School Board encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the Board's Title I plan. Parents may participate by serving on school-level and division-level committees, attending family sessions at schools, reviewing information on the division webpage, and providing feedback by visiting the school, calling the principal, attending meetings, or corresponding electronically.

Parental Involvement in School Review and Improvement

The Patrick County School Division encourages parents of children eligible to participate in Title I, Part A, and English learner programs to participate in the process of school review and, if applicable, the development of support and improvement plans under 20 U.S.C. § 6311(d)(1) and (2). Parents may participate by serving on school-level and division-level committees, attending family sessions at schools, reviewing information on the division webpage, and providing feedback by visiting the school, calling the principal, attending meetings, or corresponding electronically.

Division Responsibilities

The Patrick County School Division, and each school which receives Title I, Part A, funds

- provides assistance to parents of children served by the school or division, as applicable, in understanding topics such as Virginia's challenging academic standards, state and local academic assessments and how to monitor a child's progress and work with educators to improve the achievement of their children
- provides materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement
- educates teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school

- to the extent feasible and appropriate coordinates and integrates parental involvement programs and activities with other federal, state and local programs, including public preschool and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children
- ensures that information related to school and parent programs, meetings and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand
- provides such other reasonable support for parental involvement activities as parents may request

The Patrick County School Division, and each school which receives Title I, Part A, funds, **MAY**:

- involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- provide necessary literacy training from Title I funds if the division has exhausted all other reasonably available sources of funding for such training
- pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions
- train parents to enhance the involvement of other parents
- arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation
- adopt and implement model approaches to improving parental involvement
- establish a division wide parent advisory council to provide advice on all matters related to parental involvement in programs supported by Title I
- develop appropriate roles for community-based organizations and businesses in parental involvement activities

School Parent and Family Engagement Policies

Each school served under Title I, Part A, jointly develops with and distributes to parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that describes the means for carrying out the following:

- convening an annual meeting, at a convenient time, to which all parents of participating children are invited and encouraged to attend, to inform

parents of their school's participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved

- offering a flexible number of meetings, such as meetings in the morning or evening. Schools may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement
- involving parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parent and family engagement policy and the joint development of the schoolwide program plan under 20 U.S.C. § 6314(b), except that if a school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children
- providing parents of participating children:
  - timely information about Title I, Part A, programs;
  - a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels~~,~~ of the challenging state academic standards; and
  - if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and responding to any such suggestions as soon as practicably possible
- if the school wide program plan under 20 U.S.C. §~~)~~ 6314(b) is not satisfactory to the parents of participating children, submitting any parent comments on the plan when the school makes the plan available to the School Board

Parent and Family Involvement in Allocation of Funding

Parents and family members of children receiving services under Title I, Part A, are involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

Policy Review

The School Board conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of all schools served under Title 1, Part A, including identifying

- barriers to greater participation by parents (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy or are of any racial or ethnic minority background);

- the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
- strategies to support successful school and family interactions.

Adopted: September 8, 1997
Revised: April 14, 2003
November 10, 2004
April 12, 2007
March 14, 2013
June 8, 2017
February 8, 2018

Legal Refs.: 20 U.S.C. §§ 6312, 6318.

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

Cross Refs.:	AD	Educational Philosophy
	BCF	Advisory Committees to the School Board
	IAA	Notification of Learning Objectives
	IKA	Parental Assistance with Instruction

REMEDIAL AND SUMMER INSTRUCTION PROGRAM

Generally

The School Board develops and implements programs of prevention, intervention, or remediation for students who are educationally at risk, including but not limited to those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit is required to attend a remediation program or to participate in another form of remediation. The superintendent requires such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs.

Remediation programs include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation are chosen by the superintendent to be appropriate to the academic needs of the student.

Students who are required to attend such summer school programs or to participate in another form of remediation are not charged tuition.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the superintendent or superintendent’s designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the superintendent. The costs of such private school remediation program or other special remediation program are borne by the student's parent.

Targeted mathematics remediation and intervention are provided to students in grades six through eight who show computational deficiencies as demonstrated by their

individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

The School Board annually evaluates and modifies, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

Summer School

The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate.

Summer school instruction at any level which is provided as part of a state-funded remedial program is designed to improve specific identified student deficiencies.

Compulsory Attendance

When a student is required to participate in a remediation program pursuant to this policy, the superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student's attendance, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student's attendance, have failed and the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the remediation program.

Adopted: September 11, 2000
Revised: April 14, 2003
February 11, 2004
November 10, 2004
August 10, 2004
August 9, 2007
July 12, 2012
July 11, 2013
May 10, 2018

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:3, 22.1-254, 22.1-254.01.

8 VAC 20-131-120.

8 VAC 20-630-40.

Cross Refs.:	BCF	Advisory Committees To The School Board
	IKG	Remediation Recovery Program

HIGH SCHOOL CREDIT RECOVERY PROGRAM

Patrick County Public Schools offers a wide variety of online courses for credit recovery and credit accrual. All courses offered by PCPS are aligned to the Virginia Standards of Learning provided by the Virginia Department of Education or Advance Placement approved classes that will count for credit toward a Virginia high school diploma. Courses are offered at no cost to students during the regular school year. Students should consult their school counselor to determine if and which online options are most appropriate for their academic plan.

The Credit Recovery Program serves students who have not successfully earned credit in the traditional classroom setting. This format allows for repeat instruction to be provided in half the instructional hours as a new credit course. More specifically, semester courses awarding 1.0 unit of credit must provide no less than 140 clock hours of instruction; however, the same course as a repeat course under the credit recovery format meets for no less than 70 hours. Only students who have previously failed a course, and have had that failure reflected on his/her academic record, are eligible to enroll in a repeat course under the credit recovery format.

Students enrolled in the program will take online, core content classes in the areas of English, mathematics, science, and social studies and/or select elective offerings through a Web-based instructional program. Students have the opportunity to proceed at his or her own pace until the student reaches the pre-established completion date.

Online courses are monitored by a licensed teacher. Online courses can often be accelerated because the instruction and assignments are accessible to students 24 hours a day, 7 days a week. The program enables students who may not have been successful in traditional classroom settings to achieve academic success using an online instructional delivery model.

Students who are referred or apply for admission and are accepted into Credit Recovery must adhere to a contract that is collaboratively reviewed and signed by the student, parent/guardian, counselor, and principal. The contract outlines the guidelines for participation in Credit Recovery.

Students who register for repeat courses under the credit recovery format are taking those courses officially for credit. If a student fails such a course, that student will earn an “F,” (69 numerical grade), and it will be reflected on the student’s academic record.

The summer high school program may offer a Credit Recovery Program that allows a student to earn a credit in a course that the student has previously failed. Students will not be allowed to enroll in more than one course at a time during the summer session.

Guidelines for Credit Recovery Program Participation

Due to the nature of independent work and computer usage required for participation in credit recovery, students shall be required to sign a behavior contract and adhere to the rules and regulations of Patrick County Public Schools (PCPS) "Code of Student Conduct."

An online, approved instructional program that is aligned to the Virginia Standards of Learning (SOL) Tests to deliver instruction will be utilized. Students may earn credit in classes in all four core content areas and select elective offerings. Teacher/facilitators, certified in the content/elective area, shall be available to provide direction and guidance. It is the responsibility of the building/summer principal to certify that the PCPS High School Online Credit Recovery Program Handbook guidelines are implemented within the parameters set forth in this regulation.

A diagnostic assessment is administered and a prescribed, individualized program is provided for each student who participates in the program. A 75% pass rate must be achieved to meet mastery level and is required to receive credit for the course.

In addition, if the course has a corresponding SOL end-of-course test, the student must receive a "pass" or pass/advanced" score to receive a verified credit for the course. For courses in science and social studies, the student may be considered as receiving a passing score if he/she meets the test score requirements for a Locally Awarded Verified Unit (attempting the test twice and scoring between 375-399 on one attempt). The only exception to the SOL end-of-course test requirement will be for those students that have Individualized Education Plans, and are pursuing a Modified Standard Diploma, in which the SOL end-of-course tests are not required for graduation.

Grading
Upon successful completion of the course, students are awarded credit. The previously failed course grade will not be removed from the transcript or changed. Students receive a pass (85 numerical grade) or a fail (69 numerical grade) for the recovery course.

Process for Recording the Grade
Schools shall enter a repeat tag that awards a credit for the completed course. The student's grade-point average will not be affected. The school enters the repeated class in course history and selects a repeat tag.

Virginia High School League (VHSL) Eligibility
Students may use credits earned in the Credit Recovery Program to determine or change eligibility for VHSL sponsored activities.

Implementation and Monitoring
The Director of Instruction is responsible for monitoring the implementation of this regulation. The Director of Instruction is responsible for reviewing this regulation and the PCPS High School Online Credit Recovery Program Handbook annually.

ENGLISH LEARNERS

Generally

The Patrick County School Board provides programs to improve the education of English learners by assisting the children to learn English and meet Virginia's challenging academic content and student academic achievement standards.

The School Board accepts and provides programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year. No tuition is charged such students, if state funding is provided for such programs.

Assessments

The School Board annually assesses the English proficiency of all English learners.

Notification of Programs for English Learners

The School Board, not later than 30 days after the beginning of the school year, informs a parent or the parents of an English learner identified for participation in, or participating in, a program for English learners, of

- the reasons for the identification of their child as an English learner and in need of placement in a language instruction education program;
- the child's level of English proficiency, how that level was assessed and the status of the child's academic achievement;
- the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- how the program in which their child is, or will be, participating will meet the educational strengths and needs of the child;
- how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program);
- in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- information pertaining to parental rights that includes written guidance
    - detailing the right that parents have to have their child immediately removed from such program upon their request and the options that

parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
- assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.

For a child who has not been identified as an English learner prior to the beginning of the school year but is identified as an English learner during the school year, the School Board provides the notice detailed above within 2 weeks of the child being placed in the program.

The information described above is provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

Notification of Availability of Testing Accommodations

Each high school principal or principal's designee notifies each English learner of the availability of testing accommodations available for industry certifications, state licensure examinations, national occupational competency assessments, the Armed Services Vocational Aptitude Battery and the Virginia workplace readiness skills assessment prior to the student's participation in any such certification, examination, assessment, or battery.

Adopted: September 8, 1997
Revised: April 9, 2001
April 14, 2004
June 23, 2011
June 8, 2017
August 8, 2019

Legal Ref.: 20 U.S.C. §§ 6311, 6312, 6825.

Code of Virginia, 1950, as amended, §§ 22.1-5, 22.1-253.13:4.

Cross Ref.: IA Instructional Goals and Objectives
IGBC Parent and Family Engagement

OFF-SITE INSTRUCTION AND VIRTUAL COURSES

Homebound Instruction

The School Board maintains a program of homebound instruction for students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, nurse practitioner, or clinical psychologist.

Credit for the work is awarded when it is done under the supervision of a licensed teacher qualified in the relevant subject areas and employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the School Board have been met.

Virtual Courses

Students may enroll in and receive a standard and verified unit of credit for supervised virtual courses with prior approval of the principal. The superintendent is responsible for developing regulations governing this method of delivery of instruction that include the provisions of 8 VAC 20-131-110 and the administration of required Standards of Learning tests prescribed by 8 VAC 20-131-30. For courses offered for possible high school credit, standard units of credit are awarded for successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher qualified in the relevant subject areas. A verified unit of credit may be earned when the student has successfully completed the requirements specified in 8 VAC 20-131-110.

Adopted: July 9, 2001
Revised: August 4, 2005
June 23, 2011
July 11, 2013
June 23, 2016
July 12, 2018

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:3, 54.1-2952.2, 54.1-2957.02.

8 VAC 20-131-180.

Cross Ref.: IGBGA Online Courses and Virtual School Programs
IKFD Alternative Paths to Attaining Standard Units of Credit

ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS

The Patrick County School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts are exempt from the Virginia Public Procurement Act.

Information regarding online courses and programs that are available through the school division is posted on the division's website. The information includes the types of online courses and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

Any student enrolled in any online course or virtual program offered by the school division must be enrolled in a public school in Virginia as provided in Va. Code § 22.1-3.1. The student's parent or guardian must give written permission prior to the enrollment of the student in any full-time virtual program offered by the school division.

A student who resides in Patrick County school division is not charged tuition for enrolling in any online course or virtual program offered by the school division. However, tuition may be charged to students, except children with disabilities who are enrolled in the division's full-time virtual school program, who do not reside within the boundaries of the school division.

Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect.

The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

For purposes of this policy, the following definitions apply.

"Multidivision online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school

divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management.

Adopted: July 12, 2012

Revised: June 5, 2014
August 8, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-215, 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Cross Refs.:

DJF	Purchasing Procedures
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
IGBA	Programs for Students with Disabilities
IGBG	Off-Site Instruction and Virtual Courses

In order to meet remedial and enrichment needs of all students, Patrick County Public Schools is encouraged to pursue alternative means to deliver instruction and award credit through emerging technologies and other similar means to be determined by the high school Principal.

I. Correspondence Courses Criteria:

1. Prior to enrolling in a correspondence course, the student will make a written request to the principal for approval. Students shall not be awarded credit toward graduation if approval was not granted prior to enrollment.
2. Correspondence course content is the equivalent to that offered in the regular school curriculum, and meets the program requirements of a regionally approved program as defined by the United States Department of Education and/or a program approved by the Virginia Department of Education.
3. Official transcripts that report completion of the correspondence course for graduating seniors must be in the guidance office within 30 calendar days of the graduation date.
4. The student, parent or legal guardian will be responsible for any tuition, fees, supplies and materials needed for the course.
5. Correspondence courses will be listed as a transfer credit on the student's transcript.

The decision to provide and accept correspondence courses as an option for students to recover and accrue credits will be made by the Principal based on the individual needs of the student and the circumstances involved.

II. High School Online Credit Accrual Program

Patrick County Public Schools offers a wide variety of online courses for credit recovery and credit accrual. All courses offered by PCPS are aligned to the Virginia Standards of Learning provided by the Virginia Department of Education or Advance Placement approved classes that will count for credit toward a Virginia high school diploma. Courses are offered at no cost to students during the regular school year. Students should consult their school counselor to determine if and which online options are most appropriate for their academic plan.

In comparison to credit recovery, credit accrual also referred to as credit retrieval describes the first time acquisition of a course. A student may take a course for the first time online pending administrative approval. However, a different course code extension will apply when scheduling the student to accurately reflect course *and* the instructional delivery method on the academic transcript.

Students may enroll in online courses through a Web-based instructional program. Students have the opportunity to proceed at his or her own pace until the student reaches the pre-established completion date. Online courses are monitored by a licensed teacher. Online courses can often be accelerated because the instruction and assignments are accessible to students 24 hours a day, 7 days a week.

Students who enroll in an online course must adhere to a contract that is collaboratively reviewed and signed by the student, parent/guardian, counselor, and principal. The contract outlines the guidelines for participation in the online program.

Guidelines for Correspondence Course & Online Credit Accrual

An online, approved instructional program that is aligned to the Virginia Standards of Learning (SOL) Tests to deliver instruction will be utilized. Students may earn credit in classes in all four core content areas and select elective offerings.

A diagnostic assessment is administered and a prescribed, individualized program is provided for each student who participates in the program. A 70% pass rate must be achieved to meet mastery level and is required to receive credit for the course.

In addition, if the course has a corresponding SOL end-of-course test, the student must receive a "pass" or pass/advanced" score to receive a verified credit for the course. For courses in science and social studies, the student may be considered as receiving a passing score if he/she meets the test score requirements for a Locally Awarded Verified Unit (attempting the test twice and scoring between 375-399 on one attempt).

Grading

Upon completion of the course, students are awarded the numerical grade earned and course credit, and/or local verified credit. The Principal will award credit based on the student's successful completion of course content and additional assignments necessary to successfully meet required course objectives.

ALTERNATIVE SCHOOL PROGRAMS

The Patrick County School Board will establish alternative educational programs within existing schools or at separate sites as needed. No person of school age meeting the residency requirements of § 22.1-3 may be charged tuition for enrollment in an alternative program offered as a regional or divisionwide initiative by the School Board.

Proposals for alternative school programs shall be developed by the superintendent or his/her designee and will be submitted to the Board for review and endorsement prior to implementation. Proposals shall include~~:~~

1. a statement of justification for the alternative program explaining how it will meet the special needs or expectations of the target population and the community;

2. a plan which delineates the proposed organizational structure of the program as it relates to staffing and the scope and structure of the total instructional program;

3. a statement of financial impact identifying all costs, including administration, staffing, equipping, supplying, transportation, support services, and maintaining the program;

4. a statement of related impact explaining how the proposed program will affect and interrelate with other programs and populations served in existing programs and facilities;

5. a statement verifying that all aspects of the program are in compliance with all applicable federal, state, and local laws and regulations, and accreditation requirements;

6. if the proposal presents a potential conflict with existing regulations of the State Department of Education, evidence of authorization from the State Department of Education must accompany the proposal; and

7. a plan for evaluation that defines anticipated outcomes and establishes criteria and procedures for evaluating achieved outcomes.

Adopted: September 8, 1997
Revised: April 7, 2001
April 12, 2012

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-5, 22.1-253.13:1.

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ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS

Students and their parents are notified of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Students and their parents are also notified of the program with a community college to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma. The superintendent promulgates regulations to implement this policy, which ensure the provision of timely and adequate notice to students and their parents.

Adopted: April 9, 2001
Revised: November 10, 2004
July 12, 2012
June 8, 2017
July 12, 2018

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

Cross Ref.: IGAD Career and Technical Education
LEB Advanced/Alternative Courses for Credit

SUMMER SCHOOLS

Generally

The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate.

Credit for repeated work will ordinarily be granted on the same basis as that for new work. With prior approval of the principal, however, students may be allowed to enroll in repeat courses to be completed in not less than 70 clock hours of instruction per unit of credit. Students must meet the requirements for SOL testing if appropriate.

Eligibility

The division superintendent may require students who are educationally at risk to take special programs of prevention, intervention, or remediation in summer school if the superintendent determines that remediation of the student's poor academic performance, performance on the Standards of Learning assessments in grades three through eight, or promotion necessitate the student's attendance in summer school.

Any student who passes one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend summer school.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a summer school or to participate in another form of remediation. The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or special program shall be borne by the student's parent.

Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

Compulsory Attendance

The division superintendent may seek immediate compliance with the compulsory school attendance law as set forth in Va. Code § 22.1-254 after a reasonable effort to seek the student's attendance in the summer school program has failed, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student's attendance, when:

- a student is required to take a special program of prevention, intervention, or remediation in a public summer school; and
- the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the summer school program.

Fees

Students required to attend a division summer school program shall not be charged tuition.

Reporting

School divisions must report to the Board of Education the number of students who successfully complete the objectives of remedial programs which they attended due to their performance on the Standards of Learning assessments.

Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ ~~22.1-199.2,~~ 22.1-211, 22.1-253.13:1, 22.1-254, 22.1-254.01.

8 VAC 20-131-120.

Cross Refs.: IGBE Remedial Instruction Program

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File: IGCA – R

SUMMER SCHOOLS

High school summer school will be offered for new and repeat courses provided sufficient enrollment warrants a specific course. Each enrolled student will be required to pay a tuition fee as established annually by the school board and will be required to provide his/her own transportation to and from the summer school site.

Attendance guidelines and requirements will be implemented for summer school courses and these guidelines will be communicated, in writing, to students and parents.

The rules governing student conduct for summer school will be the same rules as those implemented during the regular school session.

Adopted: September 8, 1997

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STUDENT ORGANIZATIONS

Generally

Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum-related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations should bear a clear relationship to the regular curriculum.

Secondary school students may organize and conduct meetings of noncurriculum-related groups. Any secondary school which permits one or more noncurriculum-related student group to meet on school premises during noninstructional time will provide equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

Noncurriculum-related student groups may use school facilities provided that

- the group's meetings are voluntary and student-initiated;
- the group is not sponsored by the school, the government, or any government agent or employee;
- agents or employees of the school or government are present at religious meetings only in a nonparticipatory capacity;
- meetings do not materially and substantially interfere with the orderly conduct of educational activities at the school; and
- nonschool persons do not direct, conduct, control, or regularly attend activities of the group.

Meetings of Student Organizations

The principal of each school will determine the times and places which are available for the meetings of student organizations. The principal will also develop procedures for scheduling meetings of student organizations. Meeting times will be limited to non-instructional time.

Faculty Involvement

Curriculum-related student organizations must be sponsored and supervised by one or more school faculty members and approved by the principal. Faculty sponsors will participate in the supervision and direction of all activities of the organization and will attend all meetings and activities.

Noncurriculum-related student organizations do not have a faculty sponsor. However, a member of the school's staff shall attend every meeting or activity of such organizations in a nonparticipatory capacity for purposes of general supervision. The organization is responsible for assuring the presence of a staff member for its meetings.

No school employee will be compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee.

Compliance with Law and Policy

Student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action.

Adopted: July 9, 1998
Revised: July 12, 2012

Legal Refs.: 20 U.S.C. § 4071

Cross Refs.: KF Distribution of Information/Materials
KG Community Use of School Facilities

ADULT EDUCATION

Adult education programs are offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program, including adult basic education, credit programs, cultural adult education, external diploma programs, general adult education, and high school equivalency programs, and who are functioning below the high school completion level. The School Board seeks to ensure that every individual participating in such a program has the opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other school boards or agencies. Credits and diplomas are awarded in accordance with regulations established by the Board of Education. Additional educational programs for individuals over the age of compulsory attendance also may be offered. Tuition and fees are established by the School Board.

Adopted: August 4, 2005
Revised: August 10, 2006
March 13, 2014
June 5, 2014
July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-210, 22.1-223, 22.1-225, 22.1-253.13:1, 22.1-253.13:4.

8 VAC 20-30-20.

Cross Refs.:	JEA	Compulsory Attendance
	JEG	Exclusions and Exemptions from School Attendance
	JN	Student Fines, Fees and Charges
	IKF	The Virginia Assessment Program and Graduation Requirements

GROUPING FOR INSTRUCTION

The Patrick County School Board recognizes the different educational needs of students and endorses the use of flexible assignment of students for instruction.

The grouping of students within individual schools for instructional purposes will be designed so each student will receive the maximum instructional benefit and will be based on:

1. the best interests of the student,
2. the educational level, or achievement level, of the student,
3. the availability of space,
4. the best educational climate for learning,
5. the student's best chance for success,
6. Standards of Learning test scores, where available, or other standardized test scores, and
7. the creation of groups that may be taught effectively.

Grouping will remain flexible in order to take advantage of the best educational research currently available. Groups will be created, modified, or disbanded to be responsive to student needs.

Adopted: September 8, 1997
Revised: April 12, 2012

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

Cross Ref.: IA Instructional Goals and Objectives

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CLASS SIZE

The Patrick County School Board assigns licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors and librarians, that are not greater than the following ratios:

- 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide will be assigned to the class;

- 24 to one in grades one, two and three with no class being larger than 30 students;

- 25 to one in grades four through six with no class being larger than 35 students; and

- 24 to one in English classes in grades six through 12.

After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this policy, the school division will notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. The notification shall state the reason that the class size exceeds the class size limit and describe the measures that the school division will take to reduce the class size to comply with this policy.

In addition, the Patrick County School Board assigns instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools.

When determining the assignment of instructional and other licensed personnel for purposes of this policy, full-time students of approved virtual school programs are not included.

Adopted: September 8, 1997
Revised: April 14, 2003
November 10, 2004
June 23, 2016

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:2.

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INSTRUCTIONAL MATERIALS

The Patrick County School Board is responsible for the selection and use of instructional materials.

The superintendent or superintendent's designee creates and updates, as necessary, guidelines and procedures for the selection of instructional materials. The guidelines and procedures are designed to ensure that appropriate instructional materials are selected and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials.

Parents may inspect, on request, any instructional material used as part of their student's curriculum.

Adopted: September 8, 1997
Revised: April 14, 2003
June 23, 2008
July 16, 2009
March 13, 2014
April 11, 2019

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, § 22.1-16.

8 VAC 20-720-160.

Cross Ref.:	IGAH	Family Life Education
	IIAA	Textbook Adoption, Selection and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	KLB	Public Complaints About Learning Resources
	INB	Teaching About Controversial Issues

TEXTBOOK SELECTION, ADOPTION AND PURCHASE

Selection of Textbooks

The School Board may adopt textbooks, including print or electronic media, for student use that serve as the primary curriculum basis for a grade-level subject or course from the list of textbooks approved by the Board of Education. The School Board may also adopt books which are not on the state-adopted list in accordance with the Board of Education regulations.

In approving textbooks, the School Board

- appoints evaluation committees to review and evaluate textbooks,
- gives notice to parents that textbooks under consideration will be listed on the division's website and made available at designated locations for review by any interested citizens,
- creates opportunities for persons reviewing such textbooks to present their comments and observations to the School Board,
- creates procedures to ensure appropriate consideration of citizen comments and observations and
- establishes and makes known selection criteria.

Textbooks Approved by the Board of Education

The Patrick County School Board may either enter into written term contracts or issue purchase orders with publishers of textbooks approved by the Board of Education. Such written contracts or purchase orders are exempt from the Virginia Public Procurement Act (Va. Code § 2.2-4300 et seq.) The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States. If, subsequent to the date of any contract entered into by the School Board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in Virginia, the publisher shall grant the same reduction or terms to the School Board and give the School Board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education shall require the publisher to furnish an electronic file of the textbook in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular textbook may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS file of the textbook on or before the date of delivery of the regular text version.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. The School Board may purchase an assortment of textbooks in any of the three forms listed above.

The School Board shall order directly from the respective publishers the textbooks needed to supply the public schools in the school division. The publishers shall ship the textbooks to the School Board. The purchase price of such textbooks shall be paid directly to the publishers by the School Board.

Locally-Approved Textbooks

In approving textbooks that have not been approved by the Board of Education, the School Board will also include a correlation of the content to the Virginia Standards of Learning in the content area and an analysis of strengths and weaknesses of the textbook in terms of instructional planning and support when the textbooks pertain to Virginia Standards of Learning subjects.

The publishers of such textbooks shall

- provide the School Board with certification that the content of the textbook is accurate and
- sign an agreement with the School Board to correct all factual and editing errors found at its own expense.

The purchase of textbooks other than those approved by the Board of Education is not exempt from the Virginia Public Procurement Act.

Adopted: September 8, 1997
Revised: April 14, 2003
June 23, 2008
July 16, 2009
March 13, 2014
April 14, 2016

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-241.

8 VAC 20-720-170.

Cross Refs.:	DJF	Purchasing Procedures
	IIA	Instructional Materials
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

Materials used by students under the guidance of teachers to extend, expand, and supplement basal materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, film strips, and games. Materials selected for supplemental use relate directly to the established objectives of the course or content area in which they are used.

The school board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms.

Adopted: September 8, 1997
Revised: April 14, 2003
June 23, 2008
March 13, 2014
May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-16, 22.1-78.

8 VAC 20-720-160.

Cross Refs.:

IIA	Instructional Materials
IIAA	Textbook Selection, Adoption and Purchase
KLB	Public Complaints About Learning Resources
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

INNOVATIVE OR EXPERIMENTAL PROGRAMS

Experimental and innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board of Education are submitted to the Board of Education for approval prior to implementation.

Adopted: July 9, 1998
Revised: April 12, 2012
May 10, 2018

Legal Refs: Code of Virginia, 1950, as amended, § 22.1-78
8 VAC 20-131-420.

Cross Ref.: IKF The Virginia Assessment Program and Graduation Requirements

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GUIDELINS FOR SELECTION, PURCHASE AND USE OF INSTRUCTIONAL MATERIALS IN THE CLASSROOM

Factors to be considered by the classroom teacher:

1. Curriculum of the course
2. Present materials available for classroom use
3. Present library collections
4. Budget
5. Characteristics and needs of students and community
6. Potential use

CRITERIA FOR SELECTION OF CLASSROOM MATERIALS

A. Authority
   1. Qualifications and reputation of author, publisher and producer
   2. Materials characterized by appropriate research, experience, and reliance on authentic Sources of information

B. Appropriateness and Reliability
   1. Contribution to the school's educational goals
   2. Date of publication or production
   3. Stated purposes of author or producer are accomplished
   4. Factual information is accurate on up-to-date
   5. Comprehensive, not superficial
   6. Relates to needs of students
   7. Materials rated "R" are considered inappropriate for the regular curriculum below grade 12
   8. When a piece of recommended material is rated "R", the same material with a lessor rating shall be sought. If no other material can be found to replace the original recommended for "R" rated material, the administration and/or designee shall view the material in question and make a recommendation as to its appropriateness to the Superintendent of Schools. The principal has the discretion to ask the Library Advisory Committee to make a recommendation relative to the material in question. The Superintendent of Schools will take the recommendation to the school board for action. The request for action on "R" rated material shall be made at least six weeks prior to its use in the classroom.

9. In the event a piece of "R" rated material is approved by the school board, it becomes the responsibility of the teacher to inform parents in writing of the intent of the presentation. The rating will be written in the letter of permission. Written permission from the parent/guardian will be required before the material is presented to the student. (See Appendix G). The student will not be penalized if he/she does not participate in this activity and will be given an alternate assignment during the period of time the material is being presented.

C. Treatment of Instructional Material
   1. Fair and free of bias or prejudice
   2. Critical reading and thinking are encouraged
   3. Stimulates growth in factual knowledge, literary appreciation
   4. Presentation is tasteful, dignified, and avoids the sensational, distorted, and crude
   5. Style is conducive to logical and realistic development of the content

D. Readability and Subject Interest
   1. Vocabulary appropriate to reader interest and ability
   2. Concepts and presentation suitable to maturity level of intended audience
   3. Stimulates imagination, and creativity
   4. Logical, useful arrangement of facts and ideas
   5. Helpful and necessary features like illustrations, table of contents, index, bibliography, etc.
   6. Element of humor, human interest, interesting descriptive details

E. Formal/Technical Qualities
   1. Quality of the writing and production is good
   2. Clear, legible print and size suitable to reading level of intended audience
   3. Illustrations and visuals appropriate to the material and artistically done and reproduced
   4. Product is durable and attractive
   5. Material free of obvious mechanical errors

F. Potential Use
   1. Offers significant contribution to the school's educational goals, enriching and supporting the school's instructional programs

2. Covers subject more accurately or in more detail than in other materials held, ore represents new information/a new dimension
3. Appealing to certain groups of students (i.e., slow readers and others with special needs, including superior students)

G. Cost Accountability
1. Value commensurate with cost and/or need
2. Possesses physical durability and content longevity

PROCEDURES FOR SELECTION OF CLASSROOM MATERIALS

A. General Procedures

Any materials outside the purchasing power of the school shall be cleared through the administration and/or designee prior to its use in the classroom. Lesson plans should accompany the material in question. The administration shall determine whether the material in question will be used in the classroom. Appeals to the principal's decision shall be direct to the Superintendent of Schools.

B. Selection of Aids
   1. Consult reliable, reputable, unbiased, professionally-prepared selection aids
   2. Consult textbook bibliographies, professional publications, and file of request materials

C. Preview
   1. Examine as many materials as possible, using the book exhibits, public library, and book stores
   2. Preview audiovisual materials when possible according to Criteria for Selection

D. Approval
   1. Approval of all orders by principal is required
   2. Orders must be cleared through the superintendent's office (See Appendix A)

GIFTS TO CLASSROOM TEACHERS AND SCHOOL

When gifts, materials or money (from sources such as PTA, memorial funds, community organizations, or individual) are accepted, it should be with the understanding that the materials may be used in accordance the policy as set forth in the Library Media Center Procedural Guide consultation with the administration, faculty, and/or appropriate personnel.

A. Gift materials should meet desirable standards and needs of students and/or faculty

B. Types of materials which are unacceptable and will be refused outright:

1. Unsuitable fiction – derogatory stereotyping, sensational mysteries
2. Adult books with features questionable for use by adolescents
3. Magazines or movie or true romance type
4. Instructional materials which violate copyright laws

C. Accepted gift shall be acknowledged by letter

PROCEDURES FOR RECONSIDERATION OF CLASSROOM MATERIALS

If a complaint is made relative to materials being used in the classroom, the following procedures shall be followed:

A. The person receiving the complaint will:
   1. Be courteous, but make no commitments
   2. Inform the complainant that he/she has the right to file a formal complaint of a form available from the principal's office (See Appendix B)
   3. Inform the principal of the complaint

B. The principal will:
   1. Give the complainant the form for filing a complaint indicating that the form must be completed and returned to him/her within five (5) working days (See Appendix B)
   2. Upon receipt of the written complaint, and with the exception of adopted textbooks, may temporarily withdraw the material from use pending a decision.

C. The principal and the staff member(s) using the material will:
   1. Examine the material being questioned
   2. Check general acceptance of the material by reading reviews or by other appropriate means
   3. Weigh values and faults against each other and form opinions based on the material as a whole and not on passages pulled out of context
   4. Meet to discuss the material and make recommendations relative to the use of the material
   5. Meet with the complainant to discuss the recommendations
   6. Submit a copy of the written objections, a copy of the recommendations and a summary relative to the results of the conference with the complainant to the Director of Instruction

(continued)

D. The Director of Instruction will receive the reports from the principal. If the complainant has accepted the recommendations of the principal, the report will be forwarded to the superintendent as a matter of information. If the complaint has not been resolved, the Director of Instruction will:
   1. Convene the appropriate Library Advisory Committee and serve as its chair. This committee will examine the disputed material; review the written complaint and the recommendations of the principal. The procedure to be followed shall be the same as described in the Reconsideration of Library Media Materials.
   2. Prepare a report for the superintendent based on the recommendation of the committee with any minority opinions

E. The superintendent will:
   1. Review the written complaint and the reports submitted by the Director of Instruction
   2. Submit the complaint along with the committee's and school board administration's recommendations to the school board.

F. The school board will:
   1. Take final action regarding the complaint
   2. Inform the complainant and the principal in writing of the action

APPENDIX B

Request for Reconsideration of Instructional Materials

School: _____

Please check type of material:

___ Book	___ Film	___ Record
___ Periodical	___ Filmstrip	___ Kit
___ Pamphlet	___ Cassette	___ Other

Title_____
Author _____
Publisher or Producer _____
Request initiated by _____
Telephone_____ Address_____

The following questions are to be answered after the complainant has read, viewed, or listened to the school library material in its entirety. If sufficient space is not provided, attach additional sheets. (Please sign your name to each additional attachment)

1. To what in the material do you object? (Please be specific, cite pages, frames in a filmstrip, film sequence, et cetera.)_____
   _____
   _____
2. What do you believe is the theme or purpose of this material? _____
   _____
   _____
3. What do you feel might be the result of a student using this material? _____
   _____
   _____
4. For what age group would you recommend this material?_____
   _____
   _____
5. Is there anything good in this material? Please comment.
   _____

6. What would you like your school to do about this material?

   _____ Do not assign it to any child

   _____ Withdraw it from all students as well as from my child

   _____ Send it back the school librarian's office for re-evaluation

   _____ Other _____

7. In its place, what material of equal literary quality would you recommend that would convey as valuable a picture and perspective on our civilizations?

   _____
   _____
   _____

   _____ _____
   Signature of Complaint Date

   Please return to the school principal within five (5) working days.

APPENDIX G

PERMISSION FORM FOR "R" RATED MATERIALS

_____ _____
Course Title Teacher

_____
"R" Rated Material to be Used

_____
Purpose of Materials to be Used

_____
_____
_____

Before your son/daughter can participate in the activity concerning this material, it is necessary that parental permission be acquired. Failure to receive this permission will result in your son/daughter not participating in the activity. Please be assured should your son/daughter not participate he/she will not be penalized and he/she will be given an alternate assignment during the presentation of this material.

____ Yes, I give permission for my son/daughter to participate in the activity in which the above Material is being used.

____ No, I do not give permission for my son/daughter to participate in the activity in which the above material is being used. I choose this option because of the following reason:

_____

_____ _____
Date Parents'/Guardians' Signature

_____ _____
Grade Student's Name

PATRICK COUNTY PUBLIC SCHOOLS

File: IIBD-R

CRITERIA FOR SELECTION OF LIBRARY MEDIA MATERIALS

A. Authority
   1. Qualifications and reputation of author, publisher, and producer
   2. Materials characterized by appropriate research, experience, and reliance on authentic sources of information

B. Appropriateness and Reliability
   1. Contribution to the school's educational goals
   2. Date of publication or production
   3. Stated purposes of author or producer are accomplished
   4. Factual information is accurate and up-to-date
   5. Comprehensive, not superficial
   6. Relates to needs of students
   7. Materials selected will be appropriate for the population served
   8. Selection of materials for specific instructional use in the classroom will follow the Guidelines for Selection, Purchase, and Use of Instructional Materials in the Classroom.

C. Treatment
   1. Fair and free of bias or prejudice
   2. Critical reading and thinking are encouraged
   3. Stimulates growth in factual knowledge, literary appreciation
   4. Presentation is tasteful, dignified, and avoids the sensational, distorted, and crude
   5. Style is conducive to logical and realistic development of the content

D. Readability and Subject Interest
   1. Vocabulary appropriate to reader interest and ability
   2. Concepts and presentation suitable to maturity level of intended audience
   3. Stimulates imagination and creativity
   4. Logical, useful arrangement of facts and ideas
   5. Helpful and necessary features like illustrations, table of contents, index, bibliography, etc.
   6. Element of humor, human interest, interesting descriptive details

E. Format/Technical Qualities
   1. Quality of the writing and production is good
   2. Clear, legible print and size to reading level of intended audience
   3. Illustrations and visuals appropriate to the material and artistically done and reproduced
   4. Product is durable and attractive
   5. Material is free of obvious mechanical errors

F. Potential Use
   1. Offers significant contribution to the school's educational goals, enriching and supporting the school's instructional programs
   2. Covers subject more accurately or in more detail than in other materials held, or represents new information/a new dimension
   3. Appealing to certain groups of students (I.e., slow readers and others with special needs, including superior students)

G. Cost Accountability
   1. Value commensurate with cost and/or need
   2. Possess physical durability and content longevity

PROCEDURES FOR SELECTION OF LIBRARY MEDIA MATERIALS

A. General Procedures
   1. Selection is a continuous process
   2. Keep an order file on materials to be purchased
   3. Buy special requests immediately when funds are available
   4. Any materials outside the purchasing power of the school shall be cleared through the administration and/or designee prior to its use in instruction. The administration shall determine whether the material in question will be used. Appeals to the principal's decision shall be directed to the Superintendent of Schools.

B. Selection Aids
   1. Consult reliable, reputable, unbiased, professionally-prepared selection aids
   2. Consult textbook bibliographies, professional publications, and file of requested materials

C. Preview
   1. Examine as many materials as possible, using book exhibits, public library, and book stores
   2. Preview audiovisual materials when possible according to Criteria for Selection

D. Approval
   1. Approval of all orders by principal is required
   2. Orders must be cleared through the superintendent's office (See Appendix A)

GIFTS TO THE LIBRARY MEDIA CENTER

When gifts, materials or money (from sources such as PTA, memorial funds, community organizations, or individual) are accepted for the library, it should be with the understanding that the library may use them in accordance with the Library Media Center Procedural Guide in consultation with the principal, librarian, faculty, and library committee.

A. Gift materials should beet desirable standards and needs of students and/or faculty

B. Types of materials which are unacceptable and will be refused outright:

   1. Old, outdated non-fiction
   2. Good fiction titles in poor editions that repel readers
   3. Unsuitable fiction – derogatory stereotyping, sensational mysteries
   4. Adult books with features questionable for use by adolescents
   5. Magazines of movie or true romance type
   6. Instructional materials which violate copyright laws

C. Gifts of money are more acceptable

D. Accepted gift material shall be acknowledged by letter and credit given in the library records (use book plate of gift plate)

PROCEDURES FOR RECONSIDERATION OF LIBRARY MEDIA MATERIALS

If complaint is made relative to materials in the library, the following procedures shall be followed:

A. Library Media Center Advisory Committee
Each school librarian shall, annually, establish and Advisory Committee. The advisory committee members are recommended by the librarian, with the approval of the principal. Committee members will include the principal or designee, two (2) classroom teachers, tow (2) parents, two (2) students, the librarian and two (2) community persons (non-parents). This committee will be approved by the school board on an annual basis.

The major function of this committee will be to review challenged and/or controversial materials.

B. If a complaint is made, the following procedures are to be followed:
1. Inform the complainant of the selection procedure and make no comments
2. Request the complainant to submit formal "Request for Reconsideration of Instructional Materials" within five (5) working days (See Appendix B)
3. Inform the principal of the complaint. The principal, in turn, will inform the library supervisor and the superintendent of the complaint.
4. Temporarily withdraw material pending final decision by the school board.
5. Upon receipt of the completed Request for Reconsideration of Instructional Materials" form, and within 30 working days, the Library Media Center Advisory Committee shall review the challenged material. The superintendent and library supervisor shall be informed that the challenged material is being considered.

C. The Library Media Center Advisory Committee shall review the challenged material by the following procedure. Each committee member shall:
1. Read, view, or listen to the material in its entirety
2. Check general acceptance of the material by reading reviews and consulting recommended lists
3. Determine the extent the material supports curriculum
4. Complete the "Checklist for School Media Advisory Committee's Reconsideration of Instructional Material" (See Appendix C/D)
5. Present a written recommendation of the Advisory Committee to the principal
6. Include any minority opinions with this recommendation

D. The principals and/or designee shall present his/her recommendation along with the recommendation of the Advisory Committee to the Superintendent of Schools who in turn will make the presentation to the school board.

E. The librarian with the approval of the administration and/or designee shall retain in general shelving, reserved shelving (i.e., materials for specific reasons as determined by the administration and/or designee), special shelving (i.e., materials not general use, students are informed of sensitive materials prior to checking out) or withdraw challenged material's as mandated by the decision of the school board.

F. Patrick County High School will provide an option for parents to be notified when their child has requested materials from reserved and/or special shelving. (Appendix E) This form will be on registration form.

G. Written permission is required from parent/guardian's before a student can check out materials from special shelving. (See Appendix F)

PROCEDURE FOR DISCARDING MEDIA AND EQUIPMENT

DISCARDING MEDIA

The entire collection should be examined at least once a year to find media which need to be removed from the shelves. The withdrawals fall into the following groups:

The Following media should be discarded:

- Books with pages missing
- Media on economics, science, and useful arts that are more than ten years old
- Media in bad physical condition
- Pamphlet materials when the information has been published in recent books
- Bound or unbound volumes of magazines that are no longer useful for reference
- Questionable titles

Removal of discarded medial shall be the responsibility of the maintenance department.

DISCARDING EQUIPMENT

The decision to discard/replace audio-visual equipment should be based on the following:

- The cost of repairs to the old equipment
- The cost of replacing an old machine with a new one
- The age versus life expectancy of the equipment

Budget requirements and school needs should be considered when determining whether equipment should be replaced, repaired, or discarded without replacement. It is recommended that equipment nearing or over its life expectancy should be discarded when repairs exceed one-third of the original cost of the equipment.

APPENDIX B

Request for Reconsideration of Instructional Materials
School _____
Please check type of material:

____ Book	____ Film	____ Record
____ Periodical	____ Filmstrip	____ Kit
____ Pamphlet	____ Cassette	____ Other

Title_____
Author_____
Publisher or Producer_____
Request initiated by _____
Telephone_____ Address_____

The following questions are to be answered after the complainant has read, viewed, or listened to the school library material in its entirety. If sufficient space is not provided, attach additional sheets. (Please sign your name to each additional attachment)

1. To what is the material do you object? (Please be specific, cite pages, frames in a filmstrip, film sequence, et cetera.) _____
   _____
   _____
2. What do you believe is the theme or purpose of this material?_____
   _____
   _____
3. What do you feel might be the result of a student using this material? _____
   _____
   _____
4. For what age group would you recommend this material?_____
5. Is there anything good in this material? Please comment. _____
   _____

6. What would you like your school to do about this material?
   _____ Do not assign it any child.
   _____ Withdraw it from all students as well as from my child.
   _____ Send it back to the school librarian's office for re-evaluation.
   _____ Other _____

7. In its place, what material of equal literary quality would you recommend that would convey as valuable a picture and perspective on our civilizations?

   _____
   _____
   _____
   _____

   _____ _____
   Signature of Complainant Date

   Please return to the school principal within five (5) working days.

APPENDIX C

Checklist for School Media Advisory Committee's Reconsideration of Instructional Material—Nonfiction

Title_____

Author_____

A. Purpose:
   1. What is the overall purpose of the material?_____
      _____
   2. Is the purpose accomplished? _____ Yes _____ No

B. Authenticity
   1. Is the author competent and qualified in the field? _____ Yes _____ No
   2. What is the reputation and significance of the author and publisher producer in the field?_____
   3. Is the material up to date? _____ Yes _____ No
   4. Are information sources well documented? _____ Yes _____ No
   5. Are translations and retelling faithful to the original? _____ Yes _____ No

C. Appropriateness
   1. Does the material promote the educational goals and objectives of the curriculum of Patrick County Schools? _____ Yes _____ No
   2. Is it appropriate to the level of instruction intended? _____ Yes _____ No
   3. Are the illustrations appropriate to the subject and age levels? _____ Yes _____ No

D. Reviews

Source of review_____
Favorably reviewed _____ Unfavorably reviewed _____

Does this title appear in one or more reputable selection aids? _____ Yes _____ No

_____
_____

Additional Comments

_____
_____

Recommendations of School Media Advisory Committee for Treatment of Challenged Materials

_____
_____

Date_____

Signatures of Media Advisory Review Committee

_____ _____
_____ _____
_____ _____

Final Decision of Board

_____

_____
Signature-School Superintendent

_____
Signature-Chairman of School Board

APPENDIX D

Checklist of school Media Advisory Committee's Reconsideration of Instructional Material-Fiction and Other Literary Forms

Title_____

Author_____

A. Purpose
   1. What is the purpose, theme or message of the material? How well does the author/producer/composer accomplish this purpose?
      _____
      _____
   2. If a story is fantasy, is it the type that has imaginative appeal and is suitable for children? ___ Yes ___ No If both are marked no, for what age group would you recommend? _____
   3. Will the reading and/or viewing and/or listening to material result in more compassionate understanding of human beings? _____ Yes _____ No
   4. Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems of various minority groups? _____ Yes _____ No
   5. Are any questionable elements of the story an integral part of a worthwhile theme or message? _____ Yes _____ No

B. Content
   1. Does a story about modern times give a realistic picture of life as it is not? _____ Yes _____ No
   2. Does the story avoid an oversimplified view of life, one which leaves the reader with the general feeling that life is sweet and rosy or ugly and meaningless? ___ Yes _____No
   3. When factual information is part of the story, is it presented accurately? ___ Yes ____ No
   4. Is prejudicial appeal readily identifiable by the potential reader? ____ Yes ____ No

5. Are concepts presented appropriate to the ability and maturity of the potential readers? ____ Yes ____ No
6. Do characters speak in a language true to the period and section of the county in which they live? ____ Yes ____ No
7. Does the material offend in some special way the sensibilities of women or a minority group by the way it presents either the chief character of any of the minor characters? ____ Yes ____ No
8. Is there preoccupation with sex, violence, cruelty, brutality, and aberrant behavior that would make this material inappropriate for children? ____ Yes ____ No; Young adults? _____ Yes _____ No
9. If there is use of offensive language, is it appropriate to the purpose of the text for children? ____ Yes ____ No; for young adults? ____ Yes ____ No
10. Is the material free from derisive names and epithets that would offend minority groups? ____ Yes ____ No; young adults ____ Yes ____ No
11. Is material well written or produced? ____ Yes ____ No
12. Does the story give a broader understanding of human behavior without stressing difference of class, race, color, sex, education, religion or philosophy in any adverse way? ____ Yes ____ No
13. Does the material make significant contribution to the history of literature or ideas? ____ Yes ____ No
14. Are the illustrations appropriate and in good taste? _____ Yes _____ No
15. Are the illustrations realistic in relation to the story? ____ Yes ____ No

Additional Comments:

_____

_____

_____

Recommendation by School Media Advisory Committee For Treatment of Challenged Materials

_____

_____

Date _____

Signature of Media Advisory Review Committee

_____ _____

_____ _____

_____ _____

Final Decision of Board

_____

_____

Signature-School Superintendent

_____

Signature-Chairman of School Board

APPENDIX E

PERMISSION FOR RESERVED SHELVING AT PATRICK COUNTY HIGH SCHOOL

The Patrick County High School Library has a selection of instructional materials on reserved shelving that are circulated upon request to all students. Materials on reserved shelving are of great value or may be offensive or inappropriate to certain audiences.

_____ I give permission for my child to receive books on reserved shelving.

_____ Prior to giving permission, I want to be informed when my when my child requests Book from reserved shelving.

_____ _____

Date Parents'/Guardians' Signature

_____ _____

Grade Student's Name

APPENDIX F

PERMISSION FORM FOR SPECIAL SHELVING MATERIALS

Dear Parents.

Your son/daughter has requested material(s) from special shelving in the library. This material(s) has been questioned for its story content. It is necessary that your permission be given before this material can be checked out to him/her. Please sign the form below indicating your decision.

_____
Material Requested

_____
Reason for Special Shelving

_____ Yes, I give permission for son/daughter to check out the material(s) listed above.

_____ No, I do not permission for son/daughter to check out the material(s) listed above.

_____ _____
Date Parents'/Guardians' Signature

_____ _____
Grade Student's Name

PATRICK COUNTY PUBLIC SCHOOLS

ACCEPTABLE BRING YOUR OWN DEVICE COMPUTER SYSTEM USE

Student Use of Division Computer System - Acceptable Computer Use Agreement

All use of the Patrick County Public School's computer system shall be consistent with the Patrick County School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication.

District Internet and E-mail Guidelines

Access to E-mail and the internet will enable students to explore thousands of libraries, databases, and websites while exchanging messages with internet users throughout the world. Families should be aware that some material accessible via the internet may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While the intent is to make internet access available solely to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the internet, in the form of information resources and opportunity for collaboration, exceed any disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information services. The School Division computer system is provided for students for the purposes of education, research and communication. Access to the division computer system is given to students who agree to act in a considerate and responsible manner. Access is a privilege--not a right--and entails responsibility.

Individual users of the School Division's computer system are responsible for their behavior and communications over the network. Administrators, teachers and staff will provide guidelines for acceptable use of the division computer system and will monitor and guide student use. The School Division has no duty to regulate or review off-campus internet/electronic messages, statements, postings, or acts; however, if those acts threaten violence against another student or school personnel or otherwise disrupt the learning environment or the orderly conduct of the school, the school can take action, from conferencing with parents and students to disciplinary action.

Network storage areas may be treated like school lockers. Network administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will be private.

Internet Safety

Within reason, freedom of speech and access to information will be honored; however, this must be balanced with the need to provide a safe and healthy environment for students. In accordance with the Children's Internet Protection Act (CIPA), the school division makes every reasonable effort to filter access to internet content that is

obscene, depicts pornography, is harmful to minors, or is deemed inappropriate. During school, teachers of younger students will guide them toward appropriate materials. Internet use is monitored by teachers at all grade levels. In accordance with VA Code § 22.1- 70.2, Patrick County Public Schools provides internet safety training to teachers and students in grades K-12. Teachers provide guidance and information about internet safety as part of classroom instruction when it involves the use of the internet. Students at the middle school participate in a unit on internet safety.

Cyberbullying

Cyberbullying, the use of technology to support deliberate, hostile behavior intended to frighten or harm others, is a criminal act under the VA Code § 18.2-152 .7:1. Any student who uses a school- provided device or who uses a personal device on school grounds with the intent to intimidate, harass, or coerce another person; to use obscene, profane, lewd, or lascivious language to communicate such harassment; or to threaten an illegal or immoral act shall be subject to school disciplinary action. In any instance in which cyberbullying creates a climate of fear and/or causes a disruption of the work of the school or infringes on the rights of other students, the person committing the act shall be subject to school disciplinary action.

Sexting

Sexting, youth writing sexually explicit messages, taking sexually explicit photos of themselves or others in their peer group, and transmitting those photos and/or messages to their peers, may not be criminal in intent; however, it can be construed as such under current laws. Producing, storing, or sharing lewd or explicit pictures of minors is against the law in Virginia Code §§ 18.2-374.1and 18.2-374.1:1of the criminal Code of Virginia. This applies to students merely possessing such images on their cell phones, sharing them with other students via cell phone, or producing them using their cell phones. In any instance in which a student uses division resources to engage in sexting or when sexting occurring outside of school causes a disruption of the work of the school or infringes on the rights of other students, the person committing the act shall be subject to disciplinary action and reported to proper authorities if warranted.

Student Email

Patrick County Public School's electronic mail system is owned and controlled by the School Division. The School Division ~~may~~ provide<u>s</u> electronic mail to aid students as an educational tool. Electronic mail is not private. Students' electronic mail may be restricted and/or monitored. Unauthorized access to an electronic mail account by any student is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

Use of Student-Owned Electronic Devices

Patrick County Public Schools understands that technology plays a key role in the lives of today's students. For that reason, Patrick County Public Schools provides one-to-one technology to students in grades K-12. Personal computers or other technology are not permitted. Students in grades 8-12 may bring personal mobile internet devices (cell phones) to school to use as educational tools. The use of these devices during instructional time will be at the teacher's discretion and only for instructional purposes. All use must adhere to the Acceptable Use Agreement and Guidelines for the Use of Student-owned Electronic Devices. See policy JFCZ for further information on cell phone usage and possession.

Responsibilities

1. Students are responsible for utilizing School Division technology for facilitating learning and enhancing educational information based on school division curriculum and instructional goals.
2. Students are responsible for maintaining the privacy of passwords and are prohibited from publishing or sharing passwords with other system users. Students shall not attempt to gain unauthorized access to any computer system or go beyond personal authorized access. This includes logging into the system through another person's account or attempting to bypass the internet content filter.
3. Students are responsible for maintaining appropriate use of electronic mail. School officials reserve the right to monitor any or all activity on the division's computer systems and to inspect individuals' files. Students should not expect that their communications and files on division owned computers/servers are private.
4. Students must not access, display, or transmit pornography, obscenities, or other materials deemed inappropriate for educational purposes. In accordance with the Children's Internet Protection Act (CIPA), the School Division makes every reasonable effort to filter access to internet content that is obscene, depicts pornography, is harmful to minors, or is deemed inappropriate for minors. The School Division does not guarantee that school officials will monitor or control all user access to non-filtered, inappropriate internet content or that students will not have access to such materials while using the division's technological resources.
5. Students are responsible for properly using and caring for district technology including hardware and software. Any use which damages, compromises, or jeopardizes technology resources is prohibited. Students shall not download files without system administration permission.
6. Users must adhere to copyright and trademark laws and applicable licensing agreements in the use of hardware and software and the transmitting or copying of text or files from the internet or from other network resources.

Students may be disciplined for any improper or prohibited activity, including but not limited to:

1. using a computer ID/password other than his/her own
2. using a computer to engage in any illegal act
3. using a computer to engage in "cyberbullying"
4. modifying or defacing hardware or software
5. improperly exiting established menus or applications
6. attempting to bypass the division internet content filter
7. using School Division technology without authorization
8. downloading files or installing software
9. gaining unauthorized access to any computer system or otherwise access data not intended for the user including, but not limited to, other users' files and administrative data
10. engaging in inappropriate language or activities on division networks
11. accessing the division network with personal computers or other electronic devices that obtain an IP address
12. accessing the Internet with personal computers or other mobile internet devices other than by using the division secure wireless network

Violation of any of the above rules may result in a loss of network/internet access. Additional disciplinary action may be determined at the building level in keeping with existing procedures and practices regarding inappropriate conduct. When and where applicable, law enforcement agencies may be involved.

The Patrick County School Board makes no warranties of any kind, neither expressed nor implied, for the internet access it is providing. The Division will not be responsible for any damages users suffer, including, but not limited to, loss of data resulting from delays or interruptions in service; the accuracy, nature, or quality of information stored on Division devices, hard drives, or servers; the accuracy, nature or quality of information gathered through Division-provided internet access; personal property used to access Division computers or networks or for Division-provided internet access; nor for unauthorized financial obligations resulting from Division-provided access to the internet.

Parents may choose to have their student(s) not utilize technology services by completing and returning the non-participation form.

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 and 22 .1-78.
- Guidelines and Resources for Internet Safety in Schools, Virginia Department of Education (Second Edition October 2007).
- Information Brief - Sexting: Implications for Schools, Virginia Department of Education (October 2009)

Cross Reference:

- GAB-El/llBEA-E2
- JFCZ

Adopted: August 14, 2014

Revised: November 14, 2019

ACCEPTABLE COMPUTER SYSTEM USE

The school board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

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. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy.

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

(1) a prohibition against use 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, blogs, 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 requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;

(8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

(9) 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.

Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the superintendent or superintendent's designee.

The failure of any user to follow the terms this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

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: April 7, 2005
Revised: August 10, 2006
July 16, 2009
July 16, 2013
May 9, 2019
August 8, 2019

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78.

Cross Refs.:		
	EGAA	Reproduction and Use of Copyrighted Materials
	GAB-R/IIBEA-R	Technology Use Guidelines
	GBA/JHFA	Prohibition Against Harassment and Retaliation
	GCPD	Professional Staff Discipline
	GCQB	Staff Research and Publishing
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

SAMPLE LETTER TO PARENTS:
ACCEPTABLE COMPUTER SYSTEM USE

Dear Parent/Guardian:

The Patrick County School Board offers your student the use of electronic communications through the Patrick County School Division's computer system. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the internet and other electronic information systems/networks.

Part of the school division's responsibility in educating students is to provide them access to the tools they will be using as adults. The internet is one of these tools. Through the division's computer system your student will have access to databases, libraries and computer services from all over the world. We accept the responsibility of teaching your student about network citizenship and the code of ethics involved with this community.

With this educational opportunity also comes responsibility on the part of your student. It is important that you and your student read the enclosed division policy, administrative regulation and agreement and discuss these requirements. The division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

In order for your student to take advantage of this educational opportunity, your authorization is needed. Attached to this letter are the Acceptable Computer System Use Policy IIBEA/GAB and Regulation IIBEA-R/GAB-R and the Acceptable Computer System Use Agreement IIBEA-E2/GAB-E1 which both you and your student must sign before your child may use the computer system. Please review these materials carefully with your student before signing the required agreement.

Sincerely,

© 2/19 VSBA

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each employee must sign this Agreement as a condition for using the School Division's computer system. Each student and his or her parent/guardian must sign this Agreement before being permitted to use the School Division's computer system. Read this Agreement carefully before signing.

Prior to signing this Agreement, read Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R, Acceptable Computer System Use. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Student/Employee Signature _____ Date_____

I have read this Agreement and Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R. I understand that access to the computer system is intended for educational purposes and the Patrick County School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy, and regulation with my student.

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

Parent/Guardian Signature _____Date _____

Parent/Guardian Name _____
(Please Print)

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File: IIBEA-F

Dear Parents,

Beginning on September 19, students at Patrick County High School will have the opportunity to bring their mobile electronic devices, such as cell phones, iPads, iPods, and laptops, to school to use for educational purposes.

We recognize that many of our students have these devices and understand that they may be helpful to them with their schoolwork. The calendar on these devices can be a great way for students to organize themselves to meet important deadlines. Access to the wealth of information on the internet can be valuable for research and projects. There is much educational content online that can add great value to our students' education.

PCHS is piloting the program to determine if this is a benefit for our students. Guidelines are in place to make sure that the use of these devices does not distract from the educational process. Please review the Guidelines for the Use of Student-owned Devices and the Acceptable Use Agreement with your child to make sure that he or she understands how these may be used. Also, please discuss your cellular plan with your child so he or she understands how they may use the phone without incurring additional charges.

1. Students must obtain teacher permission before using an electronic device during classroom instruction and the use must support the instructional activities happening in the classroom.
2. All use of the devices must adhere to Guidelines for Use of Student-owned Devices and the Acceptable Use Agreement.
3. Students must turn off and put away an electronic device when requested by a teacher.
4. Students may use their personal electronic device before school, at lunch, and after school in adult supervised areas only, such as the Media Center or classrooms with the teacher present, as long as it does not create a distraction or disruption for others in the area. If an adult asks a student to put his/her electronic device away, the student must comply.
5. Students are NOT permitted to use their personal electronic device to access the Internet by any manner other than connecting through the secure wireless network provided.

Please understand that the use of the devices during classroom time must be for educational purposes and not personal use. Also, a student must connect to our wireless network to access the internet rather than using the phone 3G capabilities in order to ensure that students are not accessing inappropriate content.

A student who brings their own device to school is personally responsible for it. Any damage and charges related to the use of the device is the responsibility of the individual. District technicians will not support, service, or repair any equipment that does not belong to the District.

Any violation of the Guidelines or the Acceptable Use Agreement will result in disciplinary action, including the loss of privileges.

Please make sure your child has a clear understanding of your expectations as to whether or not he or she will be allowed to bring a device to school. If you have questions or concerns, or DO NOT WANT your student to participate, please contact Mr. Kenneth Cox at kenneth.cox@patrick.k12.va.us or 276-694-7137.

TECHNOLOGY USE GUIDELINES

All use of the Patrick County School Division's computer system shall be consistent with the school board's goal of promoting 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, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and any other internal or external network. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the division or (2) for legitimate school business.

2. **Privilege.** The use of the division's computer system is a privilege, not a right.

3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:
   - using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state, or local law.
   - sending, receiving, viewing or downloading illegal material via the computer system.
   - unauthorized downloading of software.
   - using the computer system for private financial or commercial purposes.
   - wastefully using resources, such as file space.
   - gaining unauthorized access to resources or entities.
   - posting material created by another without his or her consent.
   - submitting, posting, publishing, or displaying any obscene, profane, threatening, illegal, or other inappropriate material.
   - using the computer system while access privileges are suspended or revoked.
   - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
   - intimidating, harassing, bullying, or coercing others.
   - threatening illegal or immoral acts.

4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
   - be polite.
   - users shall not forge, intercept or interfere with electronic mail messages.

- use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
- users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
- users shall respect the computer system's resource limits.
- users shall not post chain letters or download large files.
- users shall not use the computer system to disrupt others.
- users shall not modify or delete data owned by others.

5. **Liability.** The school board makes no warranties for the computer system it provides. The school board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The school division is not responsible for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the school board for any losses, costs, or damages incurred by the school board relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

7. **Vandalism.** Intentional destruction of or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

8. **Charges.** The school division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone, data, or long-distance charges.

9. **Electronic Mail.** The school division's electronic mail system is owned and controlled by the school division. The school division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the school division. All electronic mail may be archived. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users may be held responsible and personally liable for the content of any electronic message they create or that is created under their account or password. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. **Enforcement.** Software will be installed on the division's computers having internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored

manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by school board policy, or legal action.**

Adopted: April 7, 2005
Revised: July 16, 2009
July 11, 2013
March 8, 2018
May 9, 2019

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

Cross Refs:		
	GAB/IIBEA	Acceptable Computer System Use
	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

FIELD TRIPS

Field trips are off-campus instructional activities. Field trips can provide excellent educational experiences for students by enriching the curriculum and by making classroom learning experiences more meaningful. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation, and opportunities to assimilate the experience during and after the trip. Teachers will plan advance activities that prepare students for the trip and follow-up activities that assist students in summarizing, applying, and evaluating information learned on the trip.

The following factors should be considered in proposing and approving field trips:

- The value of the trip to the particular class
- The relationship of the field trip to a particular aspect of the curriculum
- The distance travelled
- The time away from the regular instructional program
- The availability of transportation

No student will be denied the opportunity to participate in a field trip because of a lack of funds.

Trips will be approved by the superintendent or designee pursuant to regulations developed by the superintendent. Approval must be obtained before commitments are made to students, parents, or commercial establishments. The superintendent will make an annual report to the School Board on field trips taken.

Trips for activities governed by the Virginia High School League do not require approval on a trip-by-trip basis. Parental permission for such trips may be obtained for the entire athletic season or school year.

The Patrick County School Board does not endorse or accept responsibility for any privately sponsored trips for students or any student trips which are not part of the instructional program. Employees are not permitted to solicit students for such trips. Employees who are involved with such trips must emphasize to any interested student/parent that such trips are strictly private enterprises.

Adopted: September 8, 1997
Revised: December 8, 2004
April 12, 2012

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-176.

Cross Ref.: JFCB Sportsmanship, Ethics and Integrity

File: IICA – E

FIELD TRIP VOLUNTEER CHAPERONE APPLICATION

Trip Destination:_____
Date of Trip: _____
Name: _____
Address: _____
Telephone Number: _____
Please provide the following information:

- Emergency contact numbers:

  _____ _____
  Name T*elephone*

  _____ _____
  Name *Telephone*

- Any medical conditions which the sponsor of the trip should be made aware:_____
  _____
  _____

Have you ever been convicted (as guilty or not innocent) of a violation of law other than a minor traffic violation? No _____ Yes _____ If yes, _____
_____

Have you been convicted (as guilty or not innocent, or a determination of abuse or neglect founded against you) of any offencse involving moral turpitude, the sexual molestation, physical or sexual abuse or rape of a child, or any like offense against an adult: No _____ Yes _____

As a chaperone for a Patrick County Public School Field Trip, I agree to follow the Patrick County ublic School System's policies and school guidelines. I understand my services support the Patrick County school division's commitment to academic excellence while maintaining a safe and effective learning environment for all students.

_____ _____
Chaperone Signature *Date*

Adopted: December 8, 2004

PATRICK COUNTY PUBLIC SCHOOLS

FIELD TRIPS

Generally

An instructional field trip is defined as an extension of a regular classroom activity that reinforces and enhances learning by exposing student to experiences outside of the school setting.

Field trips of significant recreational value may be permitted. These include trips by athletic teams and school-sponsored student organizations and shall be a minimal or no cost to the board.

The safety of the students and the proper care of school vehicles shall by the primary considerations.

Authorization

Prior approval of the board must be obtained for overnight field trips. The superintendent may approve other trips.

The superintendent may approve the extension of a field trip, including an overnight stay, in cases of emergency or when the safety of the students is threatened.

Transportation

School-owned buses shall be used to transport student of field trips. The superintendent may approve the use of chartered buses when funds are available and the safety and comfort of the student would be improved on long trips.

The use of privately owned vehicles for transporting a small group of students may be approved by the superintendent when an adult is the driver and the vehicle is adequately insured.

Privately Sponsored Trips

The board does not endorse any student trips that are privately sponsored or that are not a part of the instructional or approved extra curriculum program. The superintendent shall

Emphasize to any interested students and parents that trips of this nature are strictly private enterprises.

During the school day, employees of the board shall not influence students to participate in excursions, tours, or field trips not sponsored by the school division. Employees are prohibited from using their professional relationships with students for personal gain or financial advantage. Therefore, an employee shall not promote any activity, e.g., trips, tours, dramatic productions, etc., to division students wherein the employee will benefit financially either directly or indirectly.

Chaperone Guidelines

The safety of all students on field trips will be the division's top priority. With this focus in mind, the division will use trained school personnel, if at all possible, on field trips. All volunteer chaperones serve as agents of the school system and, therefore, are required to adhere to Patrick county Public School policies and guidelines.

The following criteria will be used to determine if volunteer chaperones will be needed:

- Availability of adequate number of trained personnel
- Age of students
- Activity planned
- Duration of trip
- Number of students on the trip
- Transportation space
- Criteria of the field trip destination
- Special needs of children

Parents of the children taking the field trip will be notified when volunteer chaperones are needed. The following guidelines will be used to determine the number of adults, including staff, needed on a field trip:

Student Grade Level (s)	Ratio of chaperones to number of students:
PreK	3-5 students per chaperone
K-3	3-10 students per chaperone
4-12	8-12 students per chaperone

If there are more volunteer chaperones than needed, a random drawing will determine the volunteer chaperones selected for the trip.

Other Requirements:

- Chaperones may be expected to pay any costs incurred.
- Only approved chaperones may participate in the field trip.
- Chaperones will have a pre-trip meeting with the field trip sponsor or principal.
- If medical procedures have to be performed during the trip, the principal may request the attendance of a specific volunteer chaperone.

Adopted: December 8, 2004

_____

_____

COMMUNITY RESOURCE PERSONS/SCHOOL VOLUNTEERS

The Patrick County School Board supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for children. The involvement of parents, volunteers and others in the community who can serve as a resource to schools is a fundamentally important component of successful school programs. The administration of each school will direct the activities of parents, volunteers and other community resources at the building level.

Adopted: September 8, 1997
Revised: April 14, 2003
March 14, 2013
June 8, 2017

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

8 VAC 20-131-270.

Cross Ref.:	AD	Educational Philosophy
	IGBC	Parent and Family Engagement
	KA	Goals for School-Community Relations
	KN	Sex Offender Registry Notification
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

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GUIDANCE AND COUNSELING PROGRAM

School Guidance and Counseling Services

Each school provides the following guidance and counseling services to all students:

- Academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing and to seek post-secondary academic opportunities.
- Career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational and career opportunities.
- Personal/social counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.

No student is required to participate in any counseling program to which the student's parents object.

The guidance and counseling program does not include the use of counseling techniques which are beyond the scope of the professional certification or training of counselors, including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Parents are notified annually about the counseling programs which are available to their children. The notification will include the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit their child's participation in such programs.

Employment Counseling and Placement Services

The School Board provides to secondary students employment counseling and placement services to furnish information relating to the employment opportunities available to students graduating from or leaving the schools in the school division. Such information includes all types of employment opportunities, including, but not limited to, apprenticeships, the military, career education schools and the teaching profession. In providing such services, the School Board consults and cooperates with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations and career schools.

If the School Board provides access to one or more of its high schools and contact with such high school's student body or other contact with its high school students during a school or school division-sponsored activity to persons or groups for occupational, professional or educational recruitment, it provides equal access on the same basis to official recruiting representatives of the military forces of the Commonwealth and the United States.

Adopted: April 13, 2017
Revised: July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-130.1, 22.1-209.

8 VAC 20-620-10.

Cross Ref.:	IGAD	Career and Technical Education
	IJD	College and Career Readiness
	JO	Student Records

COLLEGE AND CAREER READINESS

Each middle and secondary school provides for the early identification and enrollment of students in a program with a range of educational and academic experiences related to college and career readiness in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to prepare for a career or postsecondary education.

Each elementary, middle, and secondary school provides for the identification by all students of personal interests and abilities to support planning for postsecondary opportunities and career preparation. Such support includes provision of information concerning exploration of career cluster areas in elementary schools, and course information and planning for college preparation programs, opportunities for educational and academic experiences in and outside the classroom, including internships and work-based learning, and the multiple pathways to college and career readiness in middle and high school.

Beginning in the elementary school years, students explore the different occupations associated with career clusters and select an area or areas of interest. Students begin the development of an academic and career plan portfolio (ACPP) in elementary grades to include information about interests, values such as dependability and responsibility, and skills supporting decisions about their future interests and goals. The information contained in the ACPP serves as the foundation for creating the Academic and Career Plan (ACP) in grade 7.

In middle school, students complete a locally selected career interest inventory and select a career pathway. To support development of the ACP, students complete at least one course in career investigation selected from the career and technical education state-approved list, or a school division-provided alternative means of delivering the career investigation course content, provided that the alternative is equivalent in content and academic rigor.

The School Board may require such courses in career investigation at the high school level as it deems appropriate, subject to approval by the Board of Education. The School Board may require such courses in career investigation at the elementary school level as it deems appropriate.

All schools continue development of a personal ACP with each seventh-grade student with completion by the end of the fall semester of the student's eighth-grade year. The components of the ACP include the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. In high school, a career-related learning experience is chosen by the student and documented in the ACP.

The ACP is developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official or

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officials designated by the principal. The ACP is included in the student's record and is reviewed and updated annually. Lists, as compiled annually by the Department of Education and provided to the School Board, of 1) the top 100 professions in Virginia by median pay and the education, training and skills required for each such profession and 2) the top 10 degree programs at institutions of higher education in Virginia by median pay of program graduates are included as part of each student's ACP.

Beginning in the middle school years, students are counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation as described in Policy LEB Advanced/Alternative Courses for Credit. Such opportunities include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit pursuant to 8 VAC 20-131-100. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible. Wherever possible, students are encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

a. Written approval of the high school principal prior to participation in dual enrollment must be obtained;
b. The college must accept the student for admission to the course or courses; and
c. The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Adopted: July 12, 2018
Revised: June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:3.

8 VAC 20-131-140.

Guidelines for Academic and Career Plans (Adopted by the Virginia Board of Education Sept 17, 2009).

Cross Ref.:	IGAD	Career and Technical Education
	IJ	Guidance and Counseling Program
	JO	Student Records
	LEB	Advanced/Alternative Courses for Credit

PARENTAL ASSISTANCE WITH INSTRUCTION

The Patrick County School Board encourages parents to provide instructional assistance to their children in the home. The school division may offers a voluntary training program to the parents of children in kindergarten through third grade to assist them in developing the skills necessary to provide effective instructional assistance to their children.

Adopted: September 8, 1997
Revised: November 10, 2004
June 23, 2008
March 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.5.

Cross Ref.: IGBC Parental Involvement
IKB Homework

Patrick County Public Schools
104 Rucker Street

Stuart, VA 24171

Homework Feedback Form

Thank you for taking time from your busy schedule to share your comments relative to homework during the past six weeks. When responding, please include subject area(s) along with your comments.

Parent's/Guardian's
Name_____

Child's Name _____ Grade _____

School _____ Date _____

Comments: (Please include subject area(s))

_____

_____

_____

_____

_____

_____

_____

HOMEWORK

Homework provides an essential communication link between the school and the home. One measure of a program or course is the quality of the work done at home by the student. A strong home-school partnership, with many lasting benefits for the individual student and the student's family, can be greatly enhanced by a sound program of homework. In addition, homework should be an important tool in developing independent thought, self-direction and self-discipline. It assists the student in developing good work habits and in the wise use of time.

Guidelines for homework include:

- Homework should be assigned after introduction and thorough explanation of the skills necessary to successfully complete the assignment.
- Homework should be assigned in such a manner that it will be clearly understood by all students.
- Homework should serve a valid purpose and be closely related to classroom activities.
- A student's access to resource materials should be considered when making assignments.
- Homework should be evaluated promptly and returned to the student. Appropriate rewards should be given to those students who successfully complete assigned work. Effort and competency should be recognized and rewarded.
- Teachers should seek to determine the cause if a student regularly fails to complete assigned work. Teachers should not avoid giving homework because they believe students will not do the work.
- Excessive homework, like the absence of homework, should be avoided.
- Homework should not be used for disciplinary purposes
- Teachers and administrators should take appropriate steps to communicate with parents regarding the division's homework policy and to solicit their support.

Adopted: May 12, 2003
Revised: March 13, 2014

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

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Cross Ref.:	IB	Academic Freedom
	IGBC	Parental Involvement
	IKA	Parental Assistance with Instruction

ASSESSMENT OF STUDENT PERFORMANCE

The School Board shall establish, upon recommendation of the superintendent, guidelines and regulations for the assessment of student performance. These regulations shall be communicated, in writing, to parents and students and shall provide for varied evaluative and assessment opportunities and measurements.

The regulations governing the assessment of student performance shall be periodically reviewed by a committee of teachers, administrators, and parents. Recommendations for revisions in these regulations shall be submitted to the superintendent and school board for approval.

Adopted: September 8, 1997

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

Regulations Establishing Standards for Accrediting Public Schools in Virginia: Part IV – Delivery of Instruction

ASSESSMENT OF STUDENT PERFORMANCE

Periodic reports of pupil progress submitted to parents shall reflect the academic achievement of students based upon various evaluative measurements. Evaluative instruments may include, but are not limited to, classwork, homework, tests, projects, cumulative tests, exams, and class participation.

The system utilized to determine the student's grade shall be communicated, in writing, to parents and students and shall be approved by the respective building principal. Assigned grades shall reflect only the student's academic achievement. Conduct and/or citizenship will be reported separately through the use of other appropriate comments on the report card.

In determining the student's academic achievement or grade, the following system will be utilized in the Patrick County Public Schools.

Kindergarten	Skill progress report		
	Symbols:	S	(satisfactory progress)
		P	(progressing)
		N	(needs improvement)
		U	(unsatisfactory)
	Blank space indicated that skill is not evaluated at this time		
Grades 1 and 2	Content area progress report		
	Symbols:	E	(excellent)
		G	(good)
		S	(satisfactory)
		N	(needs improvement)
		U	(unsatisfactory)
		W/	(working below grade level)
Grade 3	Content area progress report		
	Symbols:	E	(94-100) excellent
		G	(86-93)good
		S	(77-85)satisfactory
		N	(70-76)needs improvement
		U	(below 70) unsatisfactory
		W/	(working below grade level)

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Grade 4-7 Content area progress report

Symbols			
	A	(94-100)	excellent
	B	(86-93)	good
	C	(77-85)	average
	D	(70-76)	experiencing difficulty
	F	(below 70)	failure
	S		satisfactory
	W/		working below grade level
	N		needs improvement

Grade 8-12 Content area progress report

Symbols		
	A	(96-100)
	A-	(94-95)
	B+	(91-93)
	B	(88-90)
	C+	(83-85)
	C	(80-82)
	C-	(77-79)
	D+	(75-76)
	D	(72-74)
	D-	(70-71)
	F	(0-69)

Approved: April 14, 2003

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ACCELERATION

The curriculum and schedule of elementary, middle and high schools provides flexibility in placing certain students in programs or subjects normally considered above their grade level. Scheduling eighth grade students into subjects above the normal grade level is done with counseling based on evidence of ability, past scholastic achievement and cooperation of the individual student and his parents or guardian.

When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit is counted toward meeting the standard units required for graduation provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below ninth grade level must meet the same requirements applicable to other students.

In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student's transcript and the student not earn high school credit for the course. Such request shall be made in the format and by the deadline set forth in regulations developed by the superintendent.

Adopted: July 9, 1998
Revised: April 14, 2003
April 14, 2011
June 4, 2015
June 23, 2016
July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78. 22.1-253.13:3.

8 VAC 20-131-50.

8 VAC 20-131-51.

8 VAC 20-131-90.

Cross Ref.:	IGBB	Programs for Gifted Students
	JO	Student Records
	JOA	Student Transcripts

THE VIRGINIA ASSESSMENT PROGRAM AND GRADUATION REQUIREMENTS

Generally

The Board of Education has established educational objectives known as the Standards of Learning (SOLs), which form the core of Virginia's educational program, and other education objectives, which together are designed to ensure the development of the skills that are necessary for success in school and in preparation for life in the years beyond.

The Patrick County School Board has developed and implemented a program of instruction that is aligned to the Standards of Learning and that meets or exceeds the requirements of the Board of Education. It awards diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board of Education.

The Patrick County School Board awards diplomas and certificates in accordance with state laws and regulations. The requirements for a student to earn a diploma and graduate from high school are those in effect when the student enters ninth grade for the first time.

Virginia Assessment Program

In kindergarten through eighth grade, where the administration of Virginia Assessment Program tests are required by the Board of Education, each student is expected to take the tests following instruction. Students who are accelerated take the test aligned with the highest grade level, following instruction in the content. No student takes more than one test in any content area in each year, except in the case of expedited retakes as provided for in 8 VAC 20-131-30. Schools use the test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

Each student in middle and secondary school takes all applicable end-of-course SOL tests following course instruction. The superintendent certifies to the Department of Education that the division's policy for dropping courses ensures that students' course schedules are not changed to avoid end-of-course SOL tests. Students who achieve a passing score on an end-of-course SOL test will be awarded a verified unit of credit in that course in accordance with 8 VAC 20-131-110. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Students are not required to take an end-of-course SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation unless such test is necessary in order for the school to meet federal accountability requirements. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

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Participation in the Virginia Assessment Program by students with disabilities is prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities are assessed with appropriate accommodations and alternate assessments where necessary.

Any student identified as an English Learner (EL) participates in the Virginia Assessment Program. A school-based committee convenes and makes determinations regarding the participation level of EL students in the Virginia Assessment Program. In kindergarten through eighth grade, EL students may be granted a one-time exemption from SOL testing in the areas of writing, and history and social science.

Definitions

Authentic Performance Assessment

An "Authentic Performance Assessment" is a test that complies with guidelines adopted by the Board of Education that requires students to perform a task or create a product that is typically scored using a rubric.

Standard Unit of Credit

A "standard unit of credit" or "standard credit" is a credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course.

Verified Unit of Credit

A "verified unit of credit" or "verified credit" is a credit awarded for a course in which a student earns a standard unit of credit and completes one of the following:

1. Achieves a passing score on a corresponding end-of-course SOL test.
2. Achieves a passing score on an additional test, as defined in 8 VAC 20-131-5, as a part of the Virginia Assessment Program.
3. Meets the criteria for the receipt of a locally awarded verified credit when the student has not passed a corresponding SOL test.
4. Meets the criteria for the receipt of a verified credit in history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment that complies with guidelines adopted by the Board of Education.
5. Meets the criteria for the receipt of a verified credit for English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment that complies with guidelines adopted by the Board of Education.

Students may also earn verified credits by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of

Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

Virginia Assessment Program

The "Virginia Assessment Program" is a system used to evaluate student achievement that includes SOL tests and additional tests that may be approved from time to time by the Board of Education.

Adopted: September 11, 2000
Revised: July 1, 2001
April 14, 2003
December 8, 2004
August 4, 2005
May 11, 2006
August 10, 2006
August 9, 2007
June 10, 2010
March 14, 2013
June 5, 2014
June 23, 2016
May 10, 2018
May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:4.

8 VAC 20-131-5.

8 VAC 20-131-30.

8 VAC 20-131-50.

8 VAC 20-131-51.

8 VAC 20-131-110.

Guidelines for Graduation Requirements; Local Alternative Paths to Standard Units of Credit (Virginia Board of Education Oct. 2015).

Cross Refs.:

IAA	Notification of Learning Objectives
IKFA	Locally Awarded Verified Credits
IKFD	Alternative Paths to Attaining Standard Units of Credit
IKH	Retaking SOL Assessments

LOCALLY AWARDED VERIFIED CREDITS

Generally

The Patrick County School Board awards verified credits in accordance with Virginia law and Virginia Board of Education regulations.

To be eligible for locally awarded verified credits as credit accommodations, students with disabilities must meet all criteria established by Virginia law or regulation and eligibility for such credit accommodations must be established in the student's Individualized Education Program (IEP) or Section 504 plan.

Review Panels

The Patrick County School Board appoints review panels comprised of at least three educators to consider evidence of the student's achievement. Different panels may be appointed for individual schools or groups of schools.

The review panel reviews information which provides evidence of the student's achievement of adequate knowledge of the Standards of Learning content. The panel has discretion in determining the information it considers. That information may include, but is not limited to, results of classroom assessments, division wide exams, course grades and additional academic assignments (e.g. papers, projects, essays or written questions) as the panel deems appropriate.

Based on the evidence it reviews, the review panel may:

- award the verified credit;
- deny the verified credit;
- suggest participation in a remedial program and retesting; or
- make additional academic assignments prior to determining whether to award the verified credit.

The decision of the review panel may be appealed to the school board in accordance with regulations developed by the board.

Adopted: November 11, 2002
Revised: February 8, 2007
January 10, 2013
July 11, 2013
October 10, 2013
November 12, 2015
June 23, 2016
July 12, 2018
May 9, 2019

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Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:3.

8 VAC 20-131-110.

Revised Guidance Governing the Use of Locally-Awarded Verified Credits (Virginia Department of Education May 11, 2018) (attachment to Virginia Department of Education Superintendent's Memo No. 130-18 (May 11, 2018)).

Locally Awarded Verified Credit Review

Student Information

Student Name	
Parent Name	
Address	
Phone	
Student STI	
Counselor's Signature	
Principal's Signature	

Course Information

Course Name		Grade in Course	
Highest SOL Score (Must be ≥ 375)		Date (Season & Year)	
Add'l SOL Score (Same Subject)		Date (Season & Year)	
Description of Remediation Provided to the Student Between SOL Attempts			

Qualification

There are different rules regarding locally-awarded verified credits depending on the year the student entered 9th grade. Be sure to use the correct side of the form below.

If the student entered **9th grade prior to 2018-2019**		If the student entered **9th grade in 2018-2019 or beyond**	
Question	Answer (Y/N)	Question	Answer (Y/N)
Students are limited to 3 local awards. Has this student already used their limit of 3 local awards?		Students are limited to 1 local award. Has the student already used a local award in another subject area?	
Only students pursing a Standard Diploma can use local awards. Is the student pursuing a Standard Diploma?		Both Standard and Advanced Studies Diplomas can use local awards. Is the student pursuing a Standard or Advanced Studies Diploma?	

Action by Review Committee:

_____ Award the Verified Credit
_____ Deny the Verified Credit
_____ Suggest participation in a remedial program and retesting
_____ Make additional academic assignments prior to determining whether to award verified credit

Signatures:

_____Date_____
_____Date_____
_____Date_____

REMEDIATION RECOVERY PROGRAM

The Patrick County School Board supports efforts to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain Standards of Learning (SOL) assessments. Therefor, in kindergarten through grade 12, students may participate in a remediation recovery program as established by the Board of Education in English (reading) or mathematics or both.

Adopted: July 9, 2001
Revised: November 10, 2004
March 14, 2013
July 12, 2018
March 10, 2020

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:3.

8 VAC 20-131-30.

Cross Refs.:

IKF	The Virginia Assessment Program and Graduation Requirements
IKH	Retaking SOL Assessments
IL	Testing Programs

REMEDIATION RECOVERY PROGRAM REGULATIONS

Patrick County Public Schools provides a K-12 SOL Remediation Recovery program as defined by the Virginia Board of Education.

- This program will be offered for students who failed English (Reading, Literature, and Research), mathematics, or both SOL tests for grades 3-8 and were promoted to the next grade level.
- This program will also be offered for students who failed an end-of-course English (Reading, Literature, and Research) or mathematics SOL test.

Summer school, before or after school tutoring, and/or instructional support outside of the regular core area classroom instruction may count as Remediation Recovery as long as students were not retained in that grade and failed the test in Grades 3-8, or failed the applicable English (Reading, Literature, and Research) and/or mathematics course in high school.

Students who successfully complete the Remediation Recovery program will not retake the corresponding reading or mathematics test in grades 3 through 7. Upon completion of the Remediation Recovery program, a student will be coded as recovery in the student data information submitted for the individual student for the next regularly scheduled testing administration.

Students who successfully complete the Remediation Recovery program for either the grade 8 English (Reading, Literature, and Research) or mathematics test, or an end-of-course English (Reading, Literature, and Research) or mathematics tests will retake the applicable SOL test at the next regularly scheduled test administration (for example, a student who failed a Grade 8 mathematics SOL test may retake that test in Grade 9 during the next regularly scheduled test administration after completing the Remediation Recovery program). Students may continue to retake end-of-course tests as many times as necessary to earn verified credit.

PROCEDURES AND GUIDELINES

Identification of Students

Each school's Testing Coordinator will notify, in a timely manner, the school principal of those students who have failed the following tests and are eligible to participate in Remediation Recovery for the next regularly scheduled testing administration:

- English (Reading, Literature, and Research)/Grades 3-8
- Mathematics/Grades 3-8
- End-of-Course English (Reading, Literature, and Research)
- End-of-Course Mathematics

Each school principal or designee will then notify the parents and students of the recommendation to enroll the student in the Remediation Recovery program.

Content of Remediation Recovery Programs
The Remediation Recovery program at each school must be designed around the SOL objectives for the grade level English (Reading, Literature, and Research) or mathematics test or the end-of-course English (Reading, Literature, and Research) or mathematics test that each student failed. The program does not take the place of regular classroom instruction and requires an individual plan for each participant.

Students who have met their individual requirements of the Remediation Recovery program, as assessed by the appropriate school staff, will be coded as a recovery student, and be eligible for retesting as applicable, during the next regularly scheduled testing administration. Schools shall maintain evidence of a student's participation in a Remediation Recovery program with an individual student plan, along with the scores of any SOL tests taken following remediation in each individual student record.

A copy of the Remediation Recovery plan will be available in the office of the principal. Schools will file their Remediation Recovery plans and list of targeted students annually with the Director of Instruction. After remediation is completed, a list of remediation recovery students and a summary of their plan mastery will be forwarded to the Director of Instruction for review. Remediation Recovery plans will be reviewed and approved by the Director of Instruction on an annual basis for each school. Requests for additional funding and resources for Remediation Recovery plans will be subject to available funding and appropriation by the school board.

SOL Re-Testing of Students not in Remediation Recovery Programs
Grades K-8:
Students eligible to retake the SOL test, other than those in Remediation Recovery as described above, are those who were retained in Grades 3-8 and who failed the SOL test the previous school year.

End-of-Course SOL Test:
Students will retake an End-of-Course SOL test if:

- He or she failed the course and the test and is retaking the course, or
- He or she passed the course but needs the verified credit for graduation

Re-Testing of Students in Remediation Recovery
Each school will notify the Director of Testing of those students who have successfully completed Remediation Recovery. The Testing Coordinator for each school will code each eligible student as a recovery student on the next regularly scheduled testing administration.

Evaluation
Each school principal and/or designated program administrator will monitor the implementation of the remediation program, review individual student plans, and evaluate the program's effectiveness annually.

RETAKING SOL ASSESSMENTS

Students in kindergarten through grade 8 are not required to retake Virginia Assessment Program tests unless they are retained in grade and have not previously passed the related tests or as otherwise permitted by the Board of Education. Students in high school are required to retake end-of-course SOL tests as determined by the Board of Education.

Adopted: July 9, 2001
Revised: November 10, 2004
March 14, 2013
July 12, 2018
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:3.

8 VAC 20-131-30.
8 VAC 20-131-110.

Cross Refs.:	IKF	The Virginia Assessment Program and Graduation Requirements
	IKG	Remediation Recovery Program
	IL	Testing Programs

TESTING PROGRAMS

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests are administered according to state and local directives.

In administering tests or other assessment instruments, School Board employees do not require any public school students being tested to disclose their race or ethnicity on such tests. School division personnel, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

No student or his parent is required to disclose information related to the student's race or ethnicity unless (i) the student or his parent is given an option to designate "other" for the students race or ethnicity or (ii) such disclosure is required by federal law.

Adopted: September 11, 2000
Revised: April 14, 2003
November 10, 2004
June 23, 2011
November 12, 2015
July 12, 2018
September 13, 2018

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-4.2, 22.1-253.13:3.

TEACHING ABOUT CONTROVERSIAL ISSUES

The Patrick County School Board accepts training for effective citizenship as one of the major purposes of education. This can be done by recognizing that many important areas of study involve issues on which differing positions are held by individuals or groups.

In considering such issues, it shall be the purpose of the Patrick County Schools to allow study of teacher assigned issues as follows:

1. Have free access to all relevant information and materials in the school.
2. Conduct research in an atmosphere of freedom from bias and prejudice.
3. Form and express opinions on assigned issues.

The role of the teacher in the presentation of assigned issues is vitally important. All sides of the issue should be given the students in a dispassionate manner. The goal is for the students to be taught to think clearly on all matters of importance, and to make decisions in the light of all the material that has been presented or can be researched on the issues. Indoctrination is not the intent or purpose of the school division. Although the instructional program of the school division includes many facets of the political party system in the United States, the School Board does not approve as a part of the school program the involvement of students in activities that imply school endorsement of an individual political party or candidate.

Adopted: September 8, 1997

_____

_____

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

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RELIGION IN THE SCHOOLS

The Patrick County School Board is neutral in matters of religion. This means that the Patrick County schools

- assume no role or responsibility for the religious training of any student and
- do not become involved in the religious belief, disbelief or doubt of any student.

This neutrality does not preclude or hinder the Patrick County school division in fulfilling its responsibility to educate students to be tolerant and respectful of religious diversity. The division recognizes that one of its educational responsibilities is to advance the students' knowledge and appreciation of the role that religion has played in the social, cultural and historical development of civilization.

Therefore, the division approaches religion from an objective, curriculum-related perspective, encouraging all students and staff members to be aware of the diversity of beliefs and respectful of each other's religious and/or non-religious views. In that spirit of respect, students and staff members may be excused from participating in activities that are contrary to their religious beliefs

The School Board may authorize, as an elective in grades nine through 12 with appropriate credits toward graduation, a comparative religion class that focuses on the basic tenets, history, and religious observances and rites of world religions.

Adopted: September 8, 1997
Revised: November 10, 2004
April 7, 2005
August 10, 2006
March 13, 2014

Legal Refs.: U.S. Const. amend. I.

Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-202.1.

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EQUAL EDUCATIONAL OPPORTUNITIES/ NONDISCRIMINATION

I. Policy Statement

Equal educational opportunities shall be available for all students, without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. Educational programs shall be designed to meet the varying needs of all students.

The School Board

- provides facilities, programs and activities that are accessible, usable and available to qualified persons with disabilities;
- provides a free, appropriate education, including non-academic and extracurricular services to qualified persons with disabilities;
- does not exclude qualified persons with disabilities solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and
- does not discriminate against qualified persons with disabilities in the provision of health, welfare or social services.

II. Complaint Procedure

A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the Compliance Officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint, by giving written notice that the complaint has been received, to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the superintendent or designee determines that prohibited discrimination occurred, the Patrick County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

D. Appeal

If the superintendent or designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

If the superintendent or designee determines that prohibited discrimination occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

E. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at **complianceofficer@patrick.k12.va.us** Complaints of discrimination may also be made to the Alternate Compliance Officer at **alternate.complianceofficer@patrick.k12.va.us**

The Compliance Officer

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;

- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures 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 denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted: July 9, 2001
Revised: April 14, 2004
January 10, 2013

October 13, 2016
June 25, 2020

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. §§ 794.
42 U.S.C. §§ 2000d through 2000d-7.

34 CFR 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-212.6:1.

Cross Refs:

AC	Nondiscrimination
AD	Educational Philosophy
GB	Equal Employment Opportunity/Nondiscrimination
JB-F	Report of Discrimination
JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
JFHA/GBA	Prohibition Against Harassment and Retaliation

SECTION 504 NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURES

The Patrick County School Board does not discriminate against individuals on the basis of disability. The Patrick County School Board has established this policy as a way to provide prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. This policy provides an optional resolution procedure for a complainant. This procedure is not a prerequisite before a complainant may directly pursue any other remedy available under state or federal law. However, the policy of Patrick County School Board is for students, parents/guardians and employees to have the opportunity to make concerns known to the School Board and for the School Board to have the opportunity to respond to and resolve concerns as rapidly as practicable.

The goal of these procedures is to protect the substantive rights of interested persons, meet appropriate due process standards, assure School Board compliance with Section 504 of the Rehabilitation Act of 1973 and provide a prompt, equitable and impartial resolution of complaints alleging a violation of Section 504.

Any student or any parent or guardian of a student may be a complainant and may file a formal or informal grievance as provided below.

A. FORMAL PROCEDURE

1. Filing a Complaint

   Any complainant should submit a complaint alleging discrimination as soon as possible to the Compliance Officer or to any other school or school division staff. The complaint shall be submitted within 45 school days of the alleged discrimination. Any employee who has knowledge of conduct which may constitute discrimination shall immediately report such conduct to the Compliance Officer, the employee's supervisor, or to any other school or school division staff. Any employee who receives a complaint under this policy shall immediately forward the complaint to the Compliance Officer.

   The complainant should use the “Complaint of Discrimination” form (see end of this policy) to make a complaint of discrimination. However, oral complaints shall also be accepted. The complaint should be filed with the school principal, other school or school division staff, or the Compliance Officer. School or school division staff receiving a complaint of discrimination shall forward it to the school principal; who shall immediately forward the complaint of discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent. Any complaint that involves the superintendent shall be reported to the School Board Chair.

The complaint and the identity of the complainant, the individual who is the subject of the complaint (if other than the complainant), and the persons allegedly responsible for the discrimination will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant.

2. Investigation

Upon receipt of a report or complaint of discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school staff or a third party designated by the school division. The investigation shall be completed as soon as practicable, but not later than 15 school days after receipt of the complaint of alleged discrimination by the Compliance Officer unless the extension below is exercised. Within 3 school days of receiving the complaint, the Compliance Officer shall send written notice that the complaint has been received to the complainant and the person or persons allegedly responsible for the discrimination (the accused).

Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 15 school days will be required to investigate the complaint, the Compliance Officer will notify the complainant and the persons allegedly responsible for the discrimination of the reasons for the extended investigation and of the date by which the investigation is projected to be concluded, which will be no longer than an additional 15 school days. The investigation may consist of personal interviews with the complainant, the persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The complainant and the accused shall have the right to identify witnesses and other relevant information as well as rebut evidence presented by opposing parties.The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any. The Compliance Officer’s written report, and all written notices sent pursuant to this policy shall be

maintained and distributed in accordance with the Family Educational Rights and Privacy Act. The report shall be issued to the superintendent, the complainant and the accused within 20 school days of receipt of the complaint, unless additional time was utilized for the investigation in which case the report shall be issued within 35 school days of receipt of the complaint.

3. Action by the Superintendent

Within 10 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding: (1) whether this policy was violated and, if so (2) what action, if any, will be taken. This decision must be provided in writing to the complainant and the accused. If the superintendent determines that discrimination occurred, the school division shall take prompt, appropriate action to address and remedy the harm and prevent any recurrence. Such action may include discipline up to and including recommending that a student be expelled or that an employee be discharged.

4. Appeal

If the superintendent or designee determines that no discrimination occurred, the complainant may appeal this determination to the School Board within 5 calendar days of receiving the decision. Notice of appeal must be filed with the superintendent, who shall forward the Compliance Officer's report and any documentation or information deemed relevant by the Compliance Officer during the course of the investigation to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may require oral or written argument from the complainant, the person or persons accused of discrimination, the superintendent, and any other individual it deems appropriate. An extension of the 30 calendar day time limit may occur if necessary as determined by the School Board Chair up to an additional 10 calendar days. The decision of the School Board shall be in writing and shall be provided to the complainant and the accused.

If the superintendent or designee determines that discrimination occurred and discipline is imposed, the disciplined person (i.e. student or employee) may appeal the disciplinary sanction in accordance with existing School Board policies and regulations.

5. Compliance Officer

The School Board shall at all times designate a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The School Board has designated the Director of Special Education, PO Box 346 Stuart, VA 24171- (276)694-3163 as the Compliance Officer responsible for identifying, preventing and remedying

discrimination. Complaints of discrimination may also be made to the School Psychologist, PO Box 346, Stuart, VA 24171-(276) 684-3163.

The Patrick County School Board's Compliance Officer shall receive training and shall be knowledgeable about the requirements of Section 504 in order to impartially and equitably resolve complaints and ensure compliance with the law. In addition, the Compliance Officer shall:

- receive reports and complaints of discrimination,
- conduct or oversee the investigation of any alleged discrimination,
- assess the training needs of the school division in connection with this policy and
- arrange necessary training to achieve compliance with this policy.

B. INFORMAL PROCEDURE

If the complainant and the persons allegedly responsible for the discrimination agree, the school principal, designee or the Compliance Officer may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher or other school or school division staff.

If the complainant and the persons allegedly responsible for the discrimination agree to attempt to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the above formal procedures.

If the complaint is resolved informally, the counselor, teacher or other school or school division staff shall notify the school principal of the resolution. The school principal shall notify the complainant, the persons allegedly responsible for the discrimination and the Compliance Officer in writing that the complaint has been resolved informally.

C. RETALIATION

Retaliation against students, school staff or school division staff who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

D. FALSE CHARGES

Students, school staff or school division staff who make false charges of discrimination shall be subject to disciplinary action.

Adopted: September 11, 2000
Revised: June 23, 2011
April 14, 2016
October 13, 2016

Legal Ref.: 29 U.S.C. § 794
34 C.F.R. Part 104.7(b)

Cross Ref:		
	GCPD	Professional Staff Discipline
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC-R	Standards of Student Conduct
	JGD/JGE	Student Suspension/Expulsion
	JO	Student Records

COMPLAINT OF DISCRIMINATION

Name of Complainant: _____

Student's School and Class: _____

Address: _____

Email Address: _____ **Phone Number(s):** _____

Name(s) of Parent/Legal Guardian: _____

Address(es): _____

Email address(es): _____ **Phone Number(s):** _____

Dates of Alleged Discrimination: _____

Names of the persons you believe discriminated against you or others:

Please describe the disability that forms the basis of the complaint.

Please describe in detail the incidents of alleged discrimination, including where and when the incidents occurred. Please name any witnesses that may have information regarding the alleged discrimination. Attach additional pages if necessary.

Please describe any past incidents that may be related to this complaint.

Please identify any attempts you have made to discuss or resolve this issue with any school division staff, including the results of those discussions.

Please provide your suggestions about how the issue can be resolved.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant _____ **Date** _____

Complaint Received By: _____ _____
Compliance Officer **Date**

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REPORT OF DISCRIMINATION

Name of Complainant: _____

Student's School and Class: _____

Address, Phone Number and Email Address: _____

_____

_____

Date(s) of Alleged Discrimination: _____

Name(s) of person(s) you believe discriminated against you or others:_____

_____

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have information regarding the situation. Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

_____ _____
Signature of Complainant Date

Complaint Received By: _____ _____
Compliance Officer Date

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SCHOOL ATTENDANCE AREAS

The Patrick County School Board has established school attendance areas. However, the Board permits the exercise of school choice within established parameters. Parents may enroll children in schools outside assigned attendance area provided classroom size (pupil/teacher) is not excessive and the parent provides transportation to school or nearest bus stop of the school of choice. However, situations may arise that will require the establishment of school attendance boundaries that do not allow a child to attend the school of his choice.

Adopted: September 8, 1997
Revised: November 10, 2004
Revised: April 7, 2005

Legal Refs.: Code of Virginia, 1950 as amended, sections 22.1-78, 22.1-79.

Cross Refs:
- JCA Transfers by Student Victims of Crime
- JCB Transfers by Students in Persistently Dangerous Schools
- JCC School Choice for Students Enrolled in Schools Identified for Improvement

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TRANSFERS BY STUDENT VICTIMS OF CRIME

Whenever any student has been the victim of any crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia including crimes by mobs, crimes by gangs, terrorism offenses, kidnapping and related offenses, assaults and bodily woundings, robbery, extortion or other threats, or sexual assault, and such crime was committed:

- by another student attending classes in the school, or
- by any employee of the school board, or
- by any volunteer, contract worker or other person who regularly performs services in the school, or
- if the crime was committed upon the school property or on any school bus owned or operated by the school division

the student upon whom the crime was committed shall, upon written request from the student's parents, or the student, if such student is an emancipated minor, be permitted to transfer to another comparable school within the division if available. Any transportation services for such students shall be provided in accordance with School Board policies.

For purposes of this policy, "victim" means any student who has been the victim of a crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia, and who has suffered physical, psychological, or economic harm as a direct result of the commission of such crime.

Adopted: September 8, 1997
Revised: April 14, 2004
March 12, 2015

Legal Refs.: 20 U.S.C. § 7912.

Code of Virginia, §§ 22.1-3, 22.1-3.3.

Cross Refs.: JC Student Attendance Areas
JCB Transfers by Students in Persistently Dangerous Schools

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TRANSFERS BY STUDENTS IN PERSISTENTLY DANGEROUS SCHOOLS

Any student attending a school which has been designated as a persistently dangerous school by the Virginia Department of Education will be offered the opportunity to transfer to another school in the division which is not so designated. If there is not another school in the division to which students may transfer, the division may explore other appropriate options such as an agreement with a neighboring division to accept transfer students.

In the event that a student elects to transfer, the transfer may remain in effect as long as the student's original school is identified as persistently dangerous.

Adopted: April 14, 2004
Revised: March 12, 2015

Legal Refs.: 20 U.S.C. § 7912.

Attachment A (*No Child Left Behind Act of 2001 Unsafe School Choice Option Persistently Dangerous Schools Identification Process and Criteria*) to Superintendent's Memo No. 86 (May 9, 2003).

Cross Refs.: JC Student Attendance Areas
JCA Transfers By Student Victims of Crime

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CLASSROOM ASSIGNMENTS FOR TWINS

A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than 3 days after the first day of each school year or 3 days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parent.

Schools must provide the placement requested by the children's parent, unless the division superintendent or his designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress.

Adopted: July 16, 2009
Revised: July 12, 2012
June 4, 2015

Legal Ref.: Code of Virginia, as amended, § 22.1-79.3.

COMPULSORY ATTENDANCE

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall cause such child to attend a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by causing the child to attend any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

As used in this policy, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- any child who has obtained a high school diploma or its equivalent, a certificate of completion, a passing score on a high school equivalency examination approved by the Board of Education or who has otherwise complied with compulsory school attendance requirements.

Individual Student Alternative Education Plan

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age.
2. There shall be a meeting of the student, the student's parents, and the principal or principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:

    - career guidance counseling;

- mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with attendance reported to the principal or principal's designee;
- mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
- successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
- counseling on the economic impact of failing to complete high school; and
- procedures for re-enrollment.

3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the superintendent or attendance officer shall seek immediate compliance with such laws.

Alternative Education Programs

The Superintendent, pursuant to regulations adopted by the School Board, may in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been

- 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;
- found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of Va. Code § 16.1-260;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection C of § 22.1-277,

require a student to attend an alternative education program as provided by Va. Code §§ 22.1-209.1:2 or 22.1-277.2:1.

Prior to requiring a student to attend an alternative education program, the Superintendent shall provide: (1) written notice to the student and his parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his parent/guardian of the right to a hearing before the superintendent or designee regarding the placement. The decision of the superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, as established in

regulation, by the student or his parent, for a review of the record by the school board.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board shall determine the appropriate alternative education placement of the pupil regardless of whether the pupil attends the public schools it supervises or resides within its school division.

Adopted: June 23, 2011
Revised: July 12, 2012
June 5, 2014
July 12, 2018

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.: JEG Exclusions and Exemptions from School Attendance
LBD Home Instruction

ENTRANCE AGE/ADMISSION OF PERSONS NOT OF SCHOOL AGE

A child who will reach his or her fifth birthday on or before September 30 of the school year and is otherwise eligible for enrollment in school as specified in Policy JEC School Admission and Regulation JEC-R School Admission may be enrolled in school. The superintendent disseminates information received from the Superintendent of Public Instruction concerning the ages when children are required or eligible to attend school. This information is disseminated to parents of such children upon or prior to enrollment of such children in the public schools of the division.

An individual who resides within the school division and is beyond school age (who has not reached his or her fifth birthday on or before September 30 of the school year or who has reached his or her 20th birthday on or before August 1st of the school year) may, at the discretion of the School Board, be admitted into the division schools. Such individuals may be charged tuition at the discretion of the School Board as provided in Policy JEC School Admission and Regulation JEC-R School Admission.

Adopted: September 8, 1997
Revised: August 10, 2006
July 11, 2013
August 8,

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-5, 22.1-199, 22.1-254.

Cross Refs.: JEC School Admission
JEC-R School Admission

SCHOOL ADMISSION

A person of school age (i.e., a person who will have reached his or her fifth birthday on or before September 30 of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Patrick County School Division, or if eligible for admission under Policy JECA Admission of Homeless Children.

A person of school age is deemed to reside in the school division

- when the person is living with a natural parent, or a parent by legal adoption, in the Patrick County School Division;
- when, in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- when the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- when the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
  - (i) the court-appointed guardian, or has legal custody of the person,
  - (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200; or
  - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
    - (a) explaining why the parents are unable to care for the person,
    - (b) detailing the kinship care arrangement, and
    - (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

    The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.

- when the person is living in the school division not solely for school purposes, as an emancipated minor;
- when all or any portion of the building in which the person resides (i) with another person as set forth in the first through fourth bullets above or (ii) as an emancipated minor as set forth in the fifth bullet above is taxable by the locality in which the school division is located; or
- when the person has been placed in a foster care placement within the school division by a local social services agency. The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child. No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division. These provisions apply to any student who was in in foster care upon reaching 18 years of age and has not reached 22 years of age.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with Va. Code § 22.1-5 and pursuant to Patrick County School Board Regulation JEC-R School Admission.

Children of Persons on Active Military Duty

No child of a person on active military duty

- who is attending a school free of charge in accordance with this policy shall be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school;
- who is attending a school free of charge in accordance with this policy shall be charged tuition upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children shall be allowed to remain enrolled in the current school division free of tuition through the end of the school year; and
- who is eligible to attend school free of charge in accordance with this policy shall be charged tuition by a school division that will be the child's school division of residence once his service member parent is relocated pursuant to orders received. Such a child shall be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command indicating such relocation. Documentation indicating

a permanent address within the school division shall be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division shall not charge tuition. Students eligible to enroll in the school division in accordance with this policy because they are the children of military personnel on active military duty who will reside in the division may register, remotely or in-person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school such child will attend shall be determined by the school division.

Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

ADDITIONAL ADMISSION REQUIREMENTS

A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.

B. If a certified copy of the birth record is not provided, the administration shall immediately notify the local law enforcement agency. The notice to the local law-enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

C. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.

D. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Department of Education, to each

student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.

E. Tuition rates are established each year in accordance with the provisions of Va. Code § 22.1-5.

F. Prior to admission to the Patrick County School Division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration,
   - a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and
   - a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the superintendent and by any others to whom he disseminates it, separately from all other records concerning the student.

     However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice shall become a part of the student's disciplinary record.

     When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

G. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Patrick County School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the superintendent or his

designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the superintendent or his/her designee. If the School Board grants a review of the record, the decision of the superintendent or his/her designee may be altered.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or superintendent or his designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

For the purposes of this section, the superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school.

H. This policy does not preclude contractual arrangements between the Patrick County School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Patrick County Public Schools.

I. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in Va. Code §§ 22.1-270, 22.1-271.2 and 32.1-46 and policies JHCA Physical Examinations of Students and JHCB Student Immunizations.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child’s enrollment.

Adopted: May 1999

Revised: July 9, 2001
February 11, 2004
November 10, 2004
August 4, 2005
August 10, 2006
August 9, 2007
June 23, 2011
June 12, 2012
July 11, 2013
June 4, 2015
July 12, 2018
August 8, 2019
June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01, 22.1-277.2, 22.1-287.02, 22.1-288.2, 32.1-46, 63.2-100, 63.2-900, and 63.2-1200.

2007 Va. Opin. AG 07-015.
1987-88 Va. Opin. AG 374.

Cross Refs.:

JEC-R	School Admission
JECA	Admission of Homeless Children
JHCA	Physical Examinations of Students
JHCB	Immunization of Students
JGD/JGE	Student Suspension/Expulsion

ADMISSION OF HOMELESS CHILDREN

The Patrick County School Board is committed to educating homeless children and youth. Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless. The school division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The Patrick County School Division serves each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
  - if the student becomes homeless between academic years or during an academic year; or
  - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Patrick County School Board

- presumes that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- considers student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the youth;
- if, after conducting the best interest determination based on consideration of the presumption and the student-centered factors above, the Patrick County school division determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provides the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian or unaccompanied youth, including information regarding the right to appeal; and
- in the case of an unaccompanied youth, ensures that the division homeless liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

Enrollment

The school selected in accordance with this policy immediately enrolls the homeless student, even if the student

- is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency or other documentation; or
- has missed application or enrollment deadlines during any period of homelessness.

The enrolling school immediately contacts the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations or other required health records, the enrolling school immediately refers the parent or guardian of the student or, (in the case of an unaccompanied youth) the youth, to the division's homeless liaison, who assists in obtaining necessary immunizations or screenings, or immunization or other required health records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA Physical Examinations of Students cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his or her knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division immediately refers the student to the division's homeless liaison who, as soon as practicable, assists in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and immediately admits the pupil to school.

The decision regarding placement is made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

Enrollment Disputes

If a dispute arises over eligibility, or school selection or enrollment in a school

- the homeless student is immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the student or (in the case of an unaccompanied youth) the youth is provided with a written explanation of any decisions related to school selection or enrollment made by the school, the school division or the Virginia Department of Education, including the rights of the parent, guardian or student to appeal the decision;

- the student, parent or guardian is referred to the division's homeless liaison who carries out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison ensures that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

Appeal Process

Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

Comparable Services

Each homeless student is provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities and educational programs for English learners;
- programs in career and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation is provided for a homeless student to and from the school of origin as follows:

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin is provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation are shared equally.

Definitions

The term “homeless student” means an individual who lacks a fixed, regular and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
    a. are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations or in emergency or transitional shelters; or are abandoned in hospitals;
    b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

c. are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and

2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who moved from one residence to another and from one school division to another in the preceding 36 months as a migratory agricultural worker or migratory fisher or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Adopted: September 11, 2000
Revised: April 14, 2003
November 10, 2004
March 14, 2013
June 8, 2017
July 12, 2018

Legal Refs.: 20 U.S.C. § 6399.

42 U.S.C. §§ 11302, 11431, 11432, 11433, 11434a.

Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70, 22.1-78, 22.1-253.13:1, 22.1-270.

Cross Ref.: JEC School Admission
JHCA Physical Examinations of Students

ADMISSION OF NONPUBLIC STUDENTS FOR PART-TIME ENROLLMENT

The Patrick County School Division does not accept students for part-time enrollment with the exception of homeschooled students who are members in division Junior Reserve Officers' Training Corp (JROTC) units. Membership in JROTC units is open to homeschooled students as provided in Policy LBD Home Instruction

Adopted: September 8, 1997
Revised: August 10, 2006
May 9, 2019
March 10, 2020

Legal Refs.: 10 U.S.C. § 2031.

Code of Virginia, as amended, § 22.1-78.

1973-74 Ops. Va. Att'y Gen. 305.

Cross Refs.: JEC School Admission
LBD Home Instruction

File: JECC

TRANSFEER STUDENTS

A. Transfers within the County

Transfers from one school to another school within the count shall be permitted only with the express consent of the superintendent's office. * When transfers within the county take place, all necessary student records shall be transferred. However, in all cases, the school from which a student transfers shall maintain adequate and permanent records to identify the student and to show his or her grade classifications, the reason for transfer and the school to which the student transferred.

B. Transportation

The parent or guardian has the responsibility for the transportation of a student attending a school other than the one that normally serves the student's school attending area. If school bus transportation can be arranged without cost for the school system, the superintendent may approve such arrangements.

C. Transfers into the County

Students transferring to a public school in Patrick County from a school which is ACCREDITED or NON-ACCREDITED by the state in which the school is located will be required to follow procedural guidelines.

D. Moving: From the County

The board may approve the continued enrollment in the county schools of students whose parents or guardians have terminated their residence in the county. Approval may extend until the end of the semester or grading period and may require the payment of tuition in advance. High school seniors whose parents or guardians terminate their residence in the county may be permitted by the board to complete their senior year in the county without the payment of tuition. Transportation shall be the responsibility of the parent or guardian.

Adopted: September 8, 1997

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*Class size will be a factor

Legal Ref: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-254, 22.1-255, 22.1-256

A. Transfers within the County

Transfers from one school to another school within the county shall be permitted only with the express consent of the superintendent's office.* When transfers within the county take place, all necessary student records shall be transferred. However, in all cases, the school from which a student transfers shall maintain adequate and permanent records to identify the student and to show his or her grade classifications, the reason for transfer and the school to which the student transferred.

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Adopted: September 8, 1997

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*Class size will be a factor.

Legal Ref: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-254, 22.1-255, 22.1-256

TRANSFER STUDENTS

Regulations for students transferring to Patrick County Public Schools from State Accredited and Non-Accredited Schools.

1. Immunization Record

The student must have documentary proof of immunization before admittance. Any student whose immunizations are incomplete may be admitted conditionally if documentary proof indicates that the student has received at least one dose of the required immunizations, accompanied by a schedule for completion of required doses within ninety days.

2. Physical Examination

No transfer student will be allowed to be admitted to an elementary school unless officials are given proof of a physical examination prior to admission. If such proof is not provided, the student may be admitted conditionally for a period of thirty (30) days. A certificate of Physical Examination, signed by a licensed physician, must be provided by the end of this time period.

3. Initial School Screening Report

Documentation of a Report of Initial School Screening (ss-03) in the areas of: vision, hearing, speech, language, voice and fine motor functions will be provided for the transfer students. Referral is to be made by the school to have the student screened within sixty (60) days of enrollment.

4. School Records

When a student transfers to the school division from a school located outside the county, an official report shall be required from the last school attended by the student. The documentation shall include a record of present and previous academic performance, credits and a transfer certificate. Any student wishing to enroll without these documents will be allowed to do so only if the school he/she last attended can be reached by phone and verbal documentation satisfactorily confirmed.

5. Student Academic Placement – Elementary

Students transferring from a STATE ACCREDITED SCHOOL will be placed, by the school, at the appropriate grade level, based on cumulative records and/or student progress reports.

Students transferring from a NON-ACCREDITED SCHOOL will be conditionally placed for a period of six weeks at the most appropriate grade level, based on the student's records. During this six weeks period, the student's academic performance will be observed and evaluated and final placement determined.

6. Academic Credit/Placement – Secondary

The credits, or units, earned from a state ACCREDITED SCHOOL will be accepted. The student's grade point average will be determined by including the grades from the state accredited school and which are earned at Patrick County High School. These students will be placed on the appropriate track for completion of their high school units.

The credits, or units, earned from a NON-STATE ACCREDITED SCHOOL will be filed in the student's cumulative folder. Only those grades earned from ACCREDITED SCHOOLS will be computed in the grade point average. Students transferring from schools NOT ACCREDITED BY THE STATE, are required to be enrolled at Patrick County High School for at least 150 days during their senior year in order to be graduated from Patrick County School.

Students from NON-STATE ACCREDITED SCHOOLS transferring to Patrick County High School at the beginning of the eighth or ninth grade will be placed on the appropriate track for the completion of their high school units. Students enrolling at Patrick County High School in the ninth grade (after the first six weeks) or in the tenth grade, or higher, will have additional requirements. These requirements are:

a. English

Students will be placed in the most appropriate English class, according to the student's record. Upon completion of the first six weeks in the class, the English teacher will determine whether the placement is correct. This will be determined by the work which is completed during this time. If the students are properly placed, English units earned prior to this class will be accepted.

b. Mathematics

All students transferring from schools which are not accredited by the state must take at least one unit in mathematics. This unit should not be one which has been taken previously. Upon completion of the first six weeks in the class, the teacher will determine whether the placement is correct. This will be determined by the work which is completed during this time. If the placement is correct, mathematics units earned prior to this class will be accepted.

c. Social Studies

Students will be required to take all social studies courses required for graduation from Patrick County High School. When a required course is specified exactly on the student's record, a placement examination, covering the Standards of Learning Objectives for that area, must be taken in order for the student to receive credit for that particular course, without taking it. A score of 70 percent, or better, will be necessary for satisfying this requirement. The possible placement tests in this area are 1) World Geography, 2) World History, 3) United State History, and 4) United States Government.

d. Science

Students will be expected to take all science courses required for graduation from Patrick County High School. When a required course is specified exactly on the student's record, a placement examination, covering the Standards of Learning Objectives for that area, must be taken in order for the student to receive credit for that particular course, without taking it. A score of 70 percent, or better, will be necessary for satisfying this Science requirement. The possible placement tests in this area are 1) Physical Science, 2) Earth Science, and 3) Biology.

e. Sequential Courses

A student who is interested in taking a course which is sequential in nature, may take the course at a level higher than the first year, provided that the prerequisites are on the student's record. Upon completion of the first six weeks in this class, the teacher will determine whether the student is properly placed. This will be determined by the work which has been completed during this time frame.

Adopted: September 8, 1997

File: JECC – R

TRANSFER STUDENTS

Regulations for student transferring to the Patrick County Public Schools from State Accredited and Non-Accredited Schools.

1. Immunization Record

   The student must have documentary proof of immunization before admittance. Any student show immunizations are incomplete may be admitted conditionally if documentary proof indicates that the student has received at least one dose of the required immunizations, accompanied by a schedule for completion of the required doses within ninety days.

2. Physical Examination

   No transfer student will be allowed to be admitted to an elementary school unless officials are given proof of a physical examination prior to admission. If such proof is not provided, the student may be admitted conditionally for a period of thirty (30) days. A certificate of Physical Examination, signed by a licensed physician, must be provided by the end of this time period.

3. Initial School Screening Report

   Documentation of a Report of Initial School Screening (ss-03) in the areas of: vision, hearing, speech, language, voice, and fine gross motor functions will be provided for the transfer students. Referral is to be made by the school to have the student screened within sixty (60) days of enrollment.

4. School Records

   When a student transfers to the school division from a school located outside the county, an official report shall be required from the last school attended by the student. The documentation shall include a record of present and previous academic performance, credits, and a transfer certificate. Any student wishing to enroll without these documents will be allowed to do so only if the school he/she last attended can be reached by phone and verbal documentation satisfactorily confirmed.

PATRICK COUNTY PUBLIC SCHOOLS

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   Students transferring from a STATE ACCREDITED SCHOOL will be placed, by the school, at the appropriate grade level, based on cumulative records and/or student progress reports.

   Students transferring from a NON-ACCREDITED SCHOOL will be conditionally placed for a period of six weeks at the most appropriate grade level, based on the student's records. During this six weeks period, the student's academic performance will be observed and evaluated and final placement determined.

6. Academic Credit/Placement – Secondary

   The credits, or units, earned from a state ACCREDITED SCHOOL will be accepted. The student's grade point average will be determined by including grades from the state accredited school and which are earned at Patrick County High School. These students will be placed on the appropriate track for completion of their high school units.

   The credits, or units earned from a NON-STATE ACCREDITED SCHOOL will filed in the student's cumulative folder. Only those grade earned from ACCREDITED SCHOOLS will be computed in the grade point average. Students transferring from schools NOT ACCREDITED BY THE STATE, are required to be enrolled at Patrick County High School for at least 150 days during their senior year in order to be graduated from Patrick County High School.

   Students from NON-STATE ACCREDITED SCHOOLS transferring to Patrick County High School at the beginning of the eighth or ninth grade will be placed on the appropriate track for the completion of their high school units. Students enrolling at Patrick County High School in the ninth grade (after the first six weeks) or in the tenth grade, or higher, will have additional requirements. These requirements are:

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a. English

Students will be placed in the most appropriate English class, according to the student's record. Upon completion of the first six weeks in the class, the English teacher will determine whether the placement is correct. This will be determined by the work which is completed during this time. If the students are properly placed, English units earned prior to this class will be accepted.

b. Mathematics

All students transferring from schools which are not accredited by the state must take at least one unit in mathematics. This unit should not be one which has been taken previously. Upon completion of the first six weeks in the class, the teacher will determine whether the placement is correct. This will be determined by the work which is completed during this time. If the placement is correct, mathematics units earned prior to this class will be accepted.

c. Social Studies

Students will be required to take all social studies courses required for graduation from Patrick County High School. When a required course is specified exactly on the student's record, a placement examination, cover the Standards of Learning Objectives for that area, must be taken in order for the student to receive credit for that particular course, without taking it. A score of 70 percent, or better, will be necessary for satisfying this requirement. The possible placement tests in his area are 1) World Geography, 2) Work History, 3) United States History, 4) United States Government.

d. Science

Students will be expected to take all science courses required for graduation from Patrick County High School. When a required course is specified exactly on the student's

(continued)

record, placement examination, covering the Standards of Learning Objectives for that area, must be taken in order for the student to receive credit for that particular course, without taking it. A score of 70 percent, or better, will be necessary for satisfying this Science requirement. The possible tests in this area are 1) Physical Science, 2) Earth Science, 3) Biology.

e. Sequential Courses

A student who is interested in taking a course which is sequential in nature may take the course at a level higher than the first year, provided that the prerequisites are on the student's record. Upon completion of the first six weeks in this class, the teacher will determine whether the student is properly placed. This will be determined by the work which has been completed during this time frame.

Adopted: September 8, 1997

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SCHOOL ADMISSION

No person is charged tuition for admission or enrollment in Patrick County Public Schools, whether on a full-time or part-time basis, who is eligible for admission under Policies JEC School Admission or JECA Admission of Homeless Children. School officials do not inquire into the student's citizenship or B, C or D visa status in determining eligibility for tuition-free enrollment in Patrick County Public Schools.

However, the school division may admit and charge tuition to a student who:

A. Is a resident of the school division but not of school age;

B. Is of school age and not a resident of Virginia but is temporarily living with a non-parent who resides within the school division;

C. Is of school age and resides beyond the boundaries of Virginia but near thereto in a state or the District of Columbia which grants equal attendance privileges to residents of the Commonwealth;

D. Is of school age and resides on a military or naval reservation located wholly or partly within the geographical boundaries of the school division, is not a domiciled resident of the Commonwealth of Virginia, and is a student for whom federal funds provided under Public Law 874 of 1950, commonly known as Impact Aid, fund less than 50 percent of the total per capita cost of education in Patrick County Public Schools exclusive of capital outlay and debt service; such students shall be eligible for interscholastic programs immediately upon enrollment, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or by direction of, the service member's commanding officer;

E. Is of school age and attending a school in the division pursuant to a foreign student exchange program approved by the School Board;

F. Is a resident of the Commonwealth but not of the school division, except as provided in Policy JEC School Admission;

G. Is of school age and was enrolled in a public school within the division as a domiciled resident of the Commonwealth, and has been required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, where such state or the District of Columbia is contiguous to the school division; or

H. Is of school age and residing within the school division, and is enrolled in summer programs other than remediation required under Va. Code § 22.1-253:13.1, or is enrolled in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

Eligibility for consideration does not signify acceptance of the admission application of a student. Each application for admission will be considered on an individual basis. The residency of persons in the above categories who reside in housing or temporary shelter, or on property located in multiple jurisdictions, shall be determined in the manner set forth in Policy JEC School Admission.

Foreign students in an F-1 immigration status or who obtain F-1 student visas are not admitted in the division's elementary schools or publicly funded adult education programs. Such students may be admitted, for a period up to twelve months, in the division's secondary schools only if they pre-pay the full, unsubsidized per capita cost of the education.

Procedure for Admission

The following procedure is followed for application and review of applications for admission of students who are not eligible for tuition-free enrollment.

A parent or guardian of a student shall apply for admission on behalf of the student by completing the division application. The application form contains information and agreements including, but not limited to:

- the current legal residence of the child and the school division in which the child is currently enrolled, if any;
- the child's unique student identification number, if any;
- the basis for requesting admission;
- the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the division; and,
- the agreement that the student is subject to all policies and regulations of the school division, including Policy JFC Student Conduct and the Standards of Student Conduct.

Within 15 calendar days of receipt of the application, the school division shall provide the applicant with written notification of the approval or denial of the application. If the student is to be admitted, the superintendent or superintendent's designee shall notify the division which the student previously attended, if any, and make necessary arrangements for the transfer of student records. The notification of admission shall state the period for which the student is accepted and the subsequent conditions which could cause the acceptance to be terminated.

If the application is denied, the school division shall notify the parent or guardian of the right to have the decision reviewed by sending a written request to the superintendent or superintendent's designee within seven calendar days. Applications denied based upon the student's suspension, expulsion or withdrawal of admission shall be reviewed ~~in~~ as provided in Policy JEC School Admission. For all other denials of admission, the superintendent or superintendent's designee shall respond in writing to the request for review within 10 calendar days.

Tuition Rate

The tuition rate is set by the superintendent for each academic year.

Transportation

Transportation is not furnished to nonresident students except in those cases where:

- agreements between divisions specify transportation services;
- federal or state legislation mandates the provision of transportation services; or
- transportation services can be provided at no cost to the division.

Adopted: August 9, 2007
Revised: July 11, 2013
June 25, 2020

Legal Refs: 8 CFR 214.2.

Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-5 and 22.1-287.02.

1999 Va. Op. Atty. Gen. 105

Cross Refs.:	JEC	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JO	Student Records

STUDENT ABSENCES/EXCUSES/DISMISSALS

I. Student Attendance Policy

Student attendance is a cooperative effort and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

Parents of students who are absent must inform the school of the reason for the absence no later than upon the student's return to school. Absences are excused for the following reasons:

- Student illness or injury
- Quarantine
- Medical or dental appointments
- Student court appearance
- Death in the immediate family (parent/guardian, grandparent, brother, sister, foster parent)
- Religious observances
- Pre-arranged college visits (2 per year)
- Extenuating circumstances, which are determined appropriate and arranged in advanced by school division

The superintendent, by regulation, establishes procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence, would not be an excused absence.

The superintendent's regulations include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which the student missed by reason of such absence, if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless excused by the principal or principal's designee.

High school students may spend a maximum of five (5) school days each academic year participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

An attendance officer, or a division superintendent or the superintendent's designee when acting as an attendance officer pursuant to Va. Code § 22.1-258, may complete, sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by the juvenile and domestic relations district court pursuant to Va. Code § 16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

II. Compulsory Attendance Procedures

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused". Early intervention with the student and parent or parents takes place for repeated unexcused absences.

A. Upon Fifth Absence Without Parental Awareness and Support

If (1) a pupil fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the pupil's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal or principal's designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

B. Upon Additional Absences Without Parental Awareness and Support

If the pupil is absent for more than one additional day after direct contact with the pupil's parent and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or principal's designee shall schedule a conference with the pupil, the pupil's parent and school personnel. Such conference may include the attendance officer and other community service providers to resolve issues related to the

pupil's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the pupil, regardless of whether his parent approves of the conference. The conference team shall monitor the pupil's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall make a referral to the attendance officer. The attendance officer shall schedule a conference with the pupil and pupil's parent within 10 school days and may (i) file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228 or (ii) institute proceedings against the parent pursuant to Va. Code § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this policy. In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

III. Report for Suspension of Driver's License

In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

IV. Attendance Reporting

Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public school principal reports to the superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to Part II (B) above. The superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.

V. Dismissal Precautions

Principals do not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students are released only on request and authorization of parent or guardian. The superintendent establishes procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system is maintained in each school.

Adopted: September 8, 1997
Revised: April 9, 2001

November 10, 2004
July 16, 2009
July 11, 2013
June 8, 2017
July 12, 2018
June 4, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-227.1, 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323, 46.2-334.01, and 54.1-3900.

8 VAC 20-730-10.

8 VAC 20-730-20.

Cross Refs.:

IGAJ	Driver Education
JFC	Student Conduct
JFC-R	Standards of Student Conduct

PCPS ATTENDANCE WAIVER REQUEST FORM

ATTENDANCE REGULATION (ABBREVIATED): WAIVER OF GRADE REDUCTION

A parent may request a waiver of the attendance regulation for extenuating circumstances beyond the parent's and/or student's control. A parent must submit a waiver request to the principal (designee) after the student is absent for the sixth (6) unexcused absence. The waiver request for the appeal must be made in writing within 3 days of the sixth (6) absence. Waiver requests that are filed after this timeframe will not be considered. The principal shall act upon the waiver request within ten (10) administrative days and shall notify the parent of the decision within five (5) administrative days after the decision has been made. A parent may appeal the principal's decision and/or Attendance Team to the Director of Instruction in writing within three (3) days of receipt of the decision from the principal. An unfavorable decision by the Director of Instruction may be appealed to the Superintendent. The decision of the Superintendent is final.

SCHOOL: _____ DATE OF REQUEST: _____
STUDENT: _____ GRADE: _____
PARENT/GUARDIAN: _____ PHONE:
WAIVER REQUEST (Circle One): Fall Semester Spring Semester Year

LIST COURSES/CLASS FOR WHICH FAILING GRADE IS DUE TO EXCESSIVE ABSENCES

COURSE/CLASS	PERIOD/BLOCK	TEACHER	NUMBER OF ABSENCES	SCHOOL PRINCIPAL USE	
				APPROVE	NOT APPROVED

Describe in detail the extenuating circumstances for which this waiver request is being filed. Attach any appropriate documentation (ie. Physician statement) not already provided to the school at the time of the absence(s).

_____
_____
_____

Student Signature _____ Date _____
Parent Signature _____ Date _____

_____

OFFICE USE ONLY
Date Request Received, _____ Date Request Acted Upon,_____
Comments:_____
Principal's Signature _____

ATTENDANCE REGULATIONS

Absences/Truancy School and Class Attendance -Grades K-12

The Patrick County School Board is committed to affording its youth a high quality education. To reinforce this commitment, standards for student attendance are developed to encourage punctuality, self-discipline, responsibility, and overall student success in school.

Students are expected to be in school, in class, and ready for instruction. Daily and punctual school attendance is essential to each student's academic development. Absence from school is detrimental to student achievement. The following guidelines will be used for awarding perfect attendance for the school year: The student must be in a classroom setting for a minimum of two hours to be considered “present”. The two hours do not have to be consecutive, nor at the beginning of the school day. Tardies and/or early dismissals that exceed six (6) for the year will result in the student not being eligible for perfect attendance.

As required under the provisions of law, each parent/guardian is responsible for regular and punctual attendance of any child in his or her charge within the compulsory age for school attendance. Emancipated students are responsible for their own regular and punctual attendance. Parents and emancipated students are expected to work cooperatively with school personnel to correct attendance problems, including meetings with teachers, counselors, or administrators.

Each member of a school's faculty is expected to avoid causing a student to be tardy or absent from a colleague's class. If a student is tardy or absent because of being detained by a faculty member, then he/she will be considered excused and the absence will not be included in the count for excessive absences.

Students shall not be in an unauthorized area of the school without prior permission, and shall not leave a classroom, building, or assigned area without proper permission. Students who do not comply with this section will be subject to disciplinary action in accordance with the Code of Student Conduct and Discipline Guidelines.

A. Absence Defined

Students of school age shall attend their assigned schools during school hours in accordance with state law. The Superintendent, through the principals, shall be responsible for maintaining accurate records of student attendance and for closely monitoring the reasons for students' absences.

Parents shall furnish a reason for absences from school upon the child’s return to school.

Students who are absent with a prior written notice from a parent for observance of a religious holiday may 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, which he

missed by reason of such absence, if the absence is verified in an acceptable manner by the principal or his/her designee.

At the elementary school level, if a student does not attend school for at least two hours, he/she is counted absent.

At the high school level, absences are computed for each class. A student who misses more than half of the class period or forty-five (45) minutes of any class will be counted absent for that class.

B. Excused Absences
On the first day after returning to school, documentation from doctor appointment, etc. should be submitted. -Students will be allowed six (6) parent notes during the year for excused absences at the elementary level. High school students are allowed three (3) parent notes per semester for excused absences.
Excuses for absences that shall be deemed acceptable and excusable include the following:

- Student illness or injury
- Quarantine
- Medical of dental appointments
- Student court appearance
- Death in the immediate family (parents/guardians, grandparents, brothers, sisters, foster parents)
- Religious observances
- Pre-arranged college visits (2 per year)
- Extenuating circumstances, which are determined appropriate and arranged in advance by the school administration

Note: The principal or designee may consider circumstances beyond the control of the students and/or parent and excuse the student from school for reasons other than those listed above.

Classes missed due to school sponsored activities, e.g., field trips and athletics, are excused since students are considered present in school for these activities. Classes missed due to exam exemptions are also excused.

C. Religious Holidays
Students shall be excused for the observance of traditional religious holidays. The parent who is responsible for notifying the child's school of the religious holiday(s) to be observed should prearrange absences. Parent's notes shall specify:

1. the date(s) of the absences(s);
2. the name of the religious holiday; and
3. a statement that the absence is due to the exercise of the student' s bona fide religious beliefs.

If the parent is unable to prearrange the absence, a request for exemption must be received no later than the second day after the student's return to school from the absence occasioned by the religious observance. Students are responsible for contacting teachers for work missed.

D. Unexcused Absences
A student's absence shall be unexcused for the following reasons: parent verification of personal illness or absence (seven (7) or more per year at the elementary level; four (4) or more per semester at the high school level), family vacation, skipping, truancy, suspensions, and other absences without prior school approval.

E. Parental/Guardian Notification of Absences
A documented attempt will be made to contact the parent or guardian if a student is absent without administrative approval or knowledge.

F. Recordkeeping for Absences
Each principal is responsible for establishing a school recordkeeping system for all student absences.

Excused absences for school-sponsored/related activities, authorized visits of students with school personnel, and recognized religious holidays should be noted as such.

All absences can be verified via phone or written note.

Students who are absent from school may not participate in any extracurricular activities of the school that same day without permission of the administration. A student must attend a minimum of two (2) hours at the elementary level and two (2) blocks at the secondary level to be counted present for the day and to participate in any extracurricular activities.

G. Make-up Work
When a student is absent, he/she will have one school day for each day’s absence to complete make-up work. If parents request make-up work on the day of the child’s absence, this request must be made by 10:00 am. Any make-up work may then be picked up, at the end of the school day, in the front office to avoid interruption of class instruction. It is recommended that assignments or make-up work be picked up by an adult as opposed to being sent by students. Make up work not submitted on time will result in a grade of zero.

H. Excessive Absences
The following procedures shall be utilized as mandated by the Code of Virginia, Section 22.1-254/22.1-258 and School Board Policy JED in handling student attendance problems:

- If a student fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, a reasonable effort to notify by telephone the parent to obtain an explanation for the pupil's absence shall be made.

- If a student fails to report to school for a total of (5) unexcused days for the school year the principal or his designee will make a reasonable effort to make direct contract with the parent in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the student's absence and to explain to the parent the consequences of continued nonattendance. The school principal or his designee, the student, and the student's parent will jointly develop a plan to resolve the student's nonattendance.
- If a student fails to report more than one additional day after direct contact with the student's parent, the school principal or his designee will schedule a conference with the student, his parent, and school personnel. The conference may include the attendance officer and other community service providers to resolve issues related to the pupil's nonattendance. The conference team will monitor the pupil's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve.
- In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the student is resisting parental efforts to comply with compulsory attendance requirements, the principal or his designee will make a referral to the attendance officer. The attendance officer will schedule a conference with the student and his parent and may (i) file a complaint with the juvenile and domestic relations district court alleging the student is a child in need of supervision or (ii) institute proceedings against the parent.
- A student who misses over twenty-five (25) days of school may be considered for retention.

1. Resulting Actions

Truancy interventions may include, but is not limited to, the following: parent conference; scheduled contact with parent; referral to the guidance counselor; loss of privileges and/or restricted participation in school activities; referral to alternative learning program; and recommendation to the administration for other consequences.

Revised: June 4, 2020

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with the student's parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.

2. On the recommendation of the juvenile and domestic relations court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with the student's parents, is opposed to attendance at a school by reason of concern for the student's health as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

The School Board may excuse from attendance at school:

1. On recommendation of the principal and the superintendent and with the written consent of the parent or guardian, any student who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or

2. On recommendation of the juvenile and domestic relations district court of the city or county in which the student resides, any student who, in the judgment of the court, cannot benefit from education at school.

Any request for exemption from attendance shall be presented annually in writing to the superintendent or superintendent's designee.

The compulsory education requirements do not apply to

- children suffering from contagious or infectious diseases;
- children whose immunizations against communicable diseases have not been completed;
- children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and
- children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live.

In addition, any child who will not have reached the child's sixth birthday on or before September 30 of each school year whose parent or guardian notifies the School Board that the parent 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.

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Adopted: June 23, 2011
Revised: June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.:

JEA	Compulsory Attendance
JHCB	Immunization of Students
JHCC	Communicable Diseases
LBD	Home Instruction

STUDENT INVOLVEMENT IN DECISION MAKING

The School Board recognizes the student body as a significant part of the community and in the decision making process.

Student input is important in the data collection process, and on relevant issues students' views will be sought and considered by the superintendent and the School Board.

Adopted: September 8, 1997
Revised: March 14, 2013

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

Cross Refs.:

	AE	School Division Goals and Objectives
	BBBB	Student Liaison to the School Board

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STUDENT CONDUCT

Generally

The Patrick County School Board establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards of Student Conduct and a list of possible actions for violations of those Standards.

This Policy and the Standards of Student Conduct apply to all Patrick County school students. They are enforced when the student's conduct occurs when the student is

- On school property.
- Traveling to school or from school.
- Traveling to, at, and from bus stops.
- In School Board vehicles.
- In attendance at any school-sponsored activity.
- Off school property if the conduct disrupts the learning environment.

The School Board and superintendent biennially review the model student conduct code developed by the Virginia Board of Education to incorporate into policy and the Standards of Student Conduct a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Parental Involvement and Responsibility

Each parent of a student enrolled in Patrick County schools has a duty to assist in enforcing this policy, the Standards of Student Conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of this policy, the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review

this policy, the Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress.

The school principal may notify the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education as described in Policy CLA Reporting Acts of Violence and Substance Abuse.

If a parent fails to comply with the requirements of this Policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

A parent, guardian or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records.

Prevention, Intervention, and Treatment Activities and Programs

Any student involved in a reportable drug or violent incident, as described in Policy CLA Reporting Acts of Violence and Substance Abuse, participates in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

Prohibited Conduct

The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

Bullying and Use of Electronic Means for Bullying

Bullying is prohibited. "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.

Gang Activity

Gang activity, as defined in Policy JFCE Gang Activity or Association, is prohibited.

Harassment

As provided in Policy JFHA/GBA Prohibition Against Harassment and Retaliation, students are prohibited from harassing other students, school staff, volunteers, student teachers or any other person present in school facilities or at school functions.

Hazing

Hazing is prohibited.
Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

Self-defense

Whether a student acted in self-defense is considered when the student's conduct is evaluated for disciplinary action.

Threats: Intimidation

Students are prohibited from making any verbal, written or physical threat of bodily injury to another person.

Trespassing

Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property

Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs

Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

Students are prohibited from attempting to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

Students are prohibited from being under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, nicotine vapor products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

Use of Profane or Obscene Language and Conduct

Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

Vandalism

Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person.

The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property pursuant to Policy ECAB Vandalism.

Adopted: July 9, 1998
Revised: April 14, 2003
November 10, 2004
April 7, 2005
May 11, 2006
May 14, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-56, 18.2-308.1, 18.2-308.7, 22.1-78, 22.1-200.1, 22.1-253.13:7.C.3; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6, 22.1-288.2.

Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, Virginia Board of Education January 2019.

Cross Refs.:

CLA	Reporting Acts of Violence and Substance Abuse
EBB	Threat Assessment Teams
ECAB	Vandalism
IIBEA/GAB	Acceptable Computer System Use
IIBEA-R/ GAB-R	Technology Use Guidelines
JFCE	Gang Activity or Association
JFCF	Drugs in School
JFG	Search and Seizure
JFHA/GBA	Prohibition Against Harassment and Retaliation
JGA	Corporal Punishment
JGD/JGE	Student Suspension/Expulsion
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JN	Student Fees, Fines and Charges

TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers have the initial authority to remove students from class for disruptive behavior. "Disruptive behavior" means a violation of School Board policies or regulations issued by the superintendent governing student conduct that interrupts or obstructs the learning environment.

Criteria for Removal

In order for a teacher to remove a student from class for disruptive behavior

- removal of the student from the class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior
- interventions by the teacher and/or administrators have been attempted and failed to end the student's disruptive behavior, and
- notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or school administrators must have been provided to the student's parents as described below.

When all of the above criteria have been satisfied, a teacher may remove a student from class.

Requirements for Incident Reports

Teachers should write incident reports regarding all incidents of disruptive behavior. The reports will be filed with the school administration and provided to the student's parents within 24 hours of the incident. The parents must be given the opportunity to meet with the teacher and/or school administrator to discuss the student's behavior and the possible consequences if the behavior continues. The teacher will document, in writing, his or her attempts to request and encourage the parents to meet with him or her or school administrators.

A student may not be removed from class for disruptive behavior unless two written incident reports have been filed with school administrators and provided to the student's parents concerning two prior incidents of disruptive behavior. Upon removal, the teacher shall file a "Student Removal Form" (JFCA-E) with school administrators. The teacher will include any other documentation supporting the removal including, but not limited to, the previous two incident reports.

Procedures for Written Notification of Student and Parents

The teacher shall provide copies of any incident report and Student Removal Form to the student and his or her parents and notify them of the opportunity to meet with the teacher and/or school administrators to discuss the behavior and the possible consequences if the behavior continues. Such notice shall be provided within twenty-four hours of each incident. The teacher shall document, in writing, his or her attempts to request and encourage the parents to meet with school administrators and/or the teacher. Such notice and documentation shall be required for each incident report and student removal.

Guidelines for Alternative Assignment and Instruction of Removed Students

The principal shall determine the appropriate placement of any student removed from class by a teacher. The principal may

- assign the student to an alternative program
- assign the student to another class
- send the student to the principal's office or study hall. If the principal chooses this option, the teacher shall provide and evaluate appropriate make-up work for the student
- suspend the student or recommend the student for expulsion. If the principal chooses this option, alternative instruction and assignment, if any, shall be provided according to School Board policy and in the case of students with disabilities, in accordance with federal law
- return the student to class in accordance with the procedures below

Procedure for the Student's Return to Class

The principal shall determine, after consultation with the teacher, the duration of the student's removal from class. The principal shall notify the teacher of the decision to return the student to class. If the teacher disagrees with the principal's decision to return a student to the class

- the teacher and principal shall discuss the teacher's objection to returning the student to class and the principal's reason for returning the student.
- the teacher, after meeting with the principal, may appeal the principal's decision to the superintendent or designee within one school day. The incident reports and removal form must accompany the appeal. After discussion with the principal and teacher or receiving their written comments, the decision of the superintendent or designee shall be final. The decision shall be made within forty-eight hours of the teacher's appeal. During the appeal process, the student shall not be returned to class and the principal will determine an appropriate placement for the student.

Once the decision has been made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior.

Other Provisions

The principal shall ensure that students removed from class under this policy continue to receive an education in accordance with School Board policies.

Application of this policy to students with disabilities shall be consistent with federal and state law and regulations as well as School Board policy regarding students with disabilities.

Teacher deficiencies in classroom management shall be addressed in teacher evaluations pursuant to Policy GCN Evaluation of Professional Staff.

This policy does not limit or restrict the ability of School Board employees to apply other policies, regulations or laws for maintaining order in the classroom.

Adopted: September 8, 1997
Revised: March 14, 2013
June 25, 2020

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-276.01, 22.1-276.2

Cross Refs:	GCN	Evaluation of Professional Staff
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JGD/JGE	Student Suspension/Expulsion

STUDENT REMOVAL FORM

School: _____

Student: _____

Teacher/Class: _____

Date: _____

Description of Behavior:

Administrative and/or Teacher Interventions Attempted Prior to Removal and Results:

Date of Prior Incident Reports (Prior incident reports must be attached.):

Signature of Teacher:

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STUDENT REMOVAL FORM

School Name: _____
Student: _____
Teacher: _____
Class: _____
Date: _____

Description of Behavior:

Administrative and/or Teacher Interventions Attempted Prior to Removal and Results

Date of Prior Incident Reports:
(Note: Prior incident reports must be attached)

Signature of Teacher:

SPORTSMANSHIP, ETHICS AND INTEGRITY

The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

Adopted: September 8, 1997
Revised: April 14, 2003
March 14, 2013

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-208

Cross Ref.:	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFCC	Student Conduct on School Buses
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

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File: JFCB – R

INTRAMURAL COMPETITION

The board encourages programs of intramural activities, which shall be structured to meet the physical needs and interest of all students. Emphasis shall be placed on participation. Students shall share the responsibility for planning and implementing the programs.

Proper supervision and safety of the students shall be primary considerations.

Adopted: September 8, 1997

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STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

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

If a student's riding privileges are suspended or revoked, the student's parents are responsible for seeing that the student gets to and from school safely.

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

Adopted: April 13, 2017
Revised: March 10, 2020

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, 22.1-293.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	EEA	Student Transportation Services
	JFC	Student Conduct
	JFCD	Weapons in School
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products

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WEAPONS IN SCHOOL

I. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school principal or the superintendent or superintendent's designee is prohibited, and grounds for disciplinary action. The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in Va. Code § 22.1-277.07, designed or intended to propel a projectile of any kind, including a rifle,
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart,
- explosives, and
- destructive devices as defined in Va. Code § 22.1-277.07, and
- other dangerous articles.

II. Expulsion for Possession of Firearms

A student who has possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07, or a firearm muffler or firearm silencer, or a pneumatic gun as defined in Va. Code § 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. The School

Board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. If it is determined by the superintendent or superintendent's designee that a disciplinary action other than expulsion is appropriate, such disciplinary action is taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

III. Students with Disabilities

A. Students with disabilities are subject to this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a weapons violation.

1. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition:

> "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length."

Adopted: September 11, 2000
Revised: February 11, 2004
November 10, 2004
May 11, 2006
May 10, 2007
July 10, 2008
June 12, 2011
June 5, 2014
March 10, 2020
June 25, 2020

Legal Refs.: 18 U.S.C. § 930.

20 U.S.C. § 1415.

Code of Virginia, §§ 15.2-915.4,18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 22.1-277.07:1, 22.1-280.2:4.

8 VAC 20-81-10.

Cross Refs.:		
	GBEB	Staff Weapons in School
	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

GANG ACTIVITY OR ASSOCIATION

The Patrick County School Board recognizes the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of three or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school environment
- creation of an atmosphere of fear and intimidation.

Students are subject to disciplinary action in accordance with Policy JFC Student Conduct and Regulation JFC Standards of Student Conduct for participating in gang activity. Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;

- committing any act, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;

- using any speech or committing any act in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;

- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

The superintendent or superintendent’s designee, in cooperation with local law enforcement and/or juvenile agencies, develops and regularly updates a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols.

The superintendent or superintendent’s designee provides in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Adopted: July 9, 1998
Revised: November 10, 2004
July 11, 2013
August 8, 2019

Legal Refs.: Code of Virginia, as amended, §§ 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2), § 22.1-276.01

Cross Refs:

IIBEA/GAB	Acceptable Computer System Use
JFC	Student Conduct
JFC-R	Standards of Student Conduct

DRUGS IN SCHOOL

I. Generally

Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code §18.2-247 on school property or at a school-sponsored activity is prohibited.

A. Expulsion

A student who is determined to have brought a controlled substance, imitation controlled substance or marijuana, in Va. Code § 18.2-248.1:1,-onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The superintendent may determine, based on the facts of the particular case, that special circumstances exist and another form of discipline is appropriate. Any such disciplinary action shall be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in Patrick County school division's drug and violence prevention plan.

The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

C. Required Reporting to Parents and Local Law Enforcement

The Principal shall report a violation of this policy to parents and local law enforcement as required by Policy CLA.

II. Students with Disabilities

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a drug violation.

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim

alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, "illegal drugs" and "controlled substance" are defined as follows:

   a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).

   b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Adopted: July 26, 2007
Revised: June 23, 2011
June 5, 2014
March 12, 2015
August 8, 2019

Legal Refs: 20 U.S.C. §§1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).

21 U.S.C. § 812(c).

Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

Cross Refs:

CLA	Reporting Acts of Violence and Substance Abuse
JGD/JGE	Student Suspension/Expulsion
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JGDA	Disciplining Students with Disabilities

TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

Definitions

“Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: May 12, 1997
Revised: April 14, 2002
April 10, 2008
August 13, 2009
June 5, 2014
August 8, 2019

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.:

CLA	Reporting Acts of Violence and Substance Abuse
JFC-R	Standards of Student Conduct
JFCH/KGC	Tobacco Products and Nicotine Vapor Products
KG	Community Use of School Facilities
KGB	Public Conduct on School Property

SUBSTANCE ABUSE - STUDENT ASSISTANCE PROGRAM

The primary responsibility for helping students who are involved with substance abuse lies with the students and their parents. Nevertheless, the School Board strives to provide a supportive school environment for students involved with substance use or abuse.

The School Board supports substance abuse programs which vary according to individual needs. Included among these are programs for persons who desire more information, and for those who need help with intervention activities and programs.

The School Board supports efforts to help students during the school day as well as to reinforce programs provided by other sources. To that end, individual school substance abuse programs may provide group experiences, individual counseling and other programs.

Students are prohibited from possessing, using, or distributing restricted substances in accordance with Policy JFC Student Conduct.

Adopted: September 8, 1997
Revised: March 14, 2013
March 10, 2020

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 16.1-305.1.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	IGAG	Teaching about Drugs, Alcohol and Tobacco
	JFC	Student Conduct
	JFCF	Drugs in School
	JGD/JGE	Student Suspension/Expulsion
	GAE	Child Abuse and Neglect Reporting
	JO	Student Records

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WRITTEN NOTIFICATION OF VIOLATION OF SCHOOL POLICIES BY STUDENTS IN ALTERNATIVE EDUCATION PROGRAMS

The School Board requires written notification of an offense to the parent, guardian or other person having charge or control of a pupil in an alternative education program as described in Va. Code § 22.1-209.1:2 when

- a pupil commits an offense in violation of School Board policies and school officials determine the offense was committed without the willful intent to violate such policies, or

- the offense did not endanger the health and safety of the individual or other persons.

The notification shall be made no later than two school days following the incident. The School Board requires the principal of the school the child attends, or other appropriate school personnel, to develop appropriate measures, in conjunction with the pupil's parent or guardian, for correcting such behavior.

Adopted: September 8, 1997
Revised: April 12, 2007
March 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-209.1:2(D).

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NOTIFICATION REGARDING PROSECUTION OF JUVENILES AS ADULTS

The Patrick County School Board will annually provide information developed by the Office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

Adopted: July 12, 2012

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Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-279.4.

Standards of Student Conduct

(1) Standards of student conduct apply to all students under the jurisdiction of a school board.
(2) Disciplinary action will be determined based on the facts of each incident in the reasonable discretion of the school board and other appropriate school officials.
(3) Disciplinary responses to student behavior will be aligned with the levels established by the school board.
(4) Students are subject to disciplinary action for misconduct that occurs:
    a) In school or on school property,
    b) On a school vehicle,
    c) While participating in or attending any school-sponsored activity or trip,
    d) On the way to and from school, and
    e) Off school property, when the acts lead to
        (i) an adjudication of delinquency or a conviction for an offense listed in § 16.1-305.1. of the *Code of Virginia* (unlawful purchase, possession or use of a weapon, 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, and burglary and related offenses), criminal street gang activity or recruitment for such activity, or an act of violence by a mob, or
        (ii) a charge that would be a felony if committed by an adult.

DEFINITIONS

Behaviors referenced in the *Code of Virginia* and terms related to those references are listed alphabetically in this section. The *Code of Virginia* requires that certain behaviors be included in codes of student conduct and reported to law enforcement. Those behaviors are noted in the last column of the leveled response tables. A school board may require reporting of other offenses to the division superintendent and/or law enforcement. Local school boards and law enforcement officials should consult to determine those offenses. The *Code* also states that whenever a student commits a reportable incident named in the *Code,* the student shall be required to participate in prevention and intervention activities as determined appropriate by the superintendent or designee (Link: § 22.1-279.3:1.C).

Alcohol, Tobacco and Related Products, and Other Drugs: Student conduct policy for alcohol and drugs should address the possession, use, consumption, purchase, distribution, manufacture, and/or sale of restricted substances on school property, in school vehicles, or during school-sponsored activities on or off school property. This includes, but may not be limited to, alcohol, tobacco, electronic cigarettes, and inhalant (vaping) products, and other controlled substances defined in the *Drug Control Act*, Chapter 15.1 of Title 54 of the *Code of Virginia,* such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug possessed in violation of school board policy. School boards may consider the use of leveled sanctions in which a substance abuse prevention/intervention

program is available to students in cases of possession, use, or distribution violations. A student assistance program can serve as an important programmatic element for substance abuse prevention, intervention, and linkage to treatment. School boards, in accordance with § 22.1-277.2:1. of the *Code*, may require any student who has been found in possession of, or under the influence of, or distributing drugs or alcohol in violation of school board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

Arson: The *Code of Virginia* § 18.2-79 prohibits the burning or destroying of any school. The destruction may be in whole or in part--only a slight burning is necessary to violate this section of the *Code.* Incidents that rise to the level of arson of a school should be turned over to law enforcement for investigation.

Assault: Assault and Battery: The legal definition of assault is a threat of bodily injury. A battery according to Black's online law dictionary is any "wrongful physical violence or constraint, inflicted on a human being without his consent." Courts use these terms to describe behavior. They do not take into account the developmental age of children and therefore should not be used to describe student behavior that does not rise to the level of delinquency. Within the leveled system of student behaviors, age and development should be considered in any instance of physical contact between students. Behavior that is developmentally expected should not be labeled as assault or battery. However, student conduct policy should specifically prohibit assault and battery of students and staff.

Attendance: Truancy: Attendance requirements may be included in the student conduct policy or may be addressed elsewhere in policy at the discretion of the school board. The policy should establish an expectation for regular attendance, criteria for absences to be excused and not excused, and applicable disciplinary consequences and intervention assistance for unexcused absences and tardies. The comprehensive policy should address parental responsibilities, duties of the school division's attendance officer and procedures for taking action against the child and/or parent for failure to comply with applicable law. Section 22.1-254. of the *Code of Virginia* addresses compulsory attendance, excuses and waivers, alternative education program attendance, and exemptions. The *Code of Virginia* specifically prohibits the use of suspension in cases of truancy: § 22.1-277. Suspensions and expulsions of pupils generally.

A. *Students may be suspended or expelled from attendance at school for sufficient cause; however, in no cases may sufficient cause for suspensions include only instances of truancy.*

"Truancy" means unexcused absence from school. However, there is an important distinction between a student who is truant and one who is chronically truant. A student displays truant behavior with a single unexcused absence from school, but a student needs to reach or surpass a certain number of unexcused absences to be considered chronically truant. Virginia law does not define a truant specifically but does define a child who is habitually and without justification absent from school as a "child in need of supervision" when certain other conditions are met. According to § 16.1-228.A. of the *Code of Virginia,* the following criteria defines a "child in need of supervision" who is truant:

1. A child who, while subject to compulsory school attendance, is habitually and without justification absent from school;
2. The child has been offered an adequate opportunity to receive the benefit of any and all educational services and programs that are required to be provided by law and which meet the child's particular educational needs;
3. The school division from which the child is absent or other appropriate agency has made a reasonable effort to affect the child's regular attendance without success; and
4. The school division has provided documentation that it has complied with the provisions of § 22.1-258 that address actions to be taken when a pupil fails to report to school.

Absenteeism labeled as chronic incorporates all absences: excused, unexcused, and suspensions. Students who are suspended or expelled for any period of time may be counted present if they are physically present in an alternative program approved by the school board. Addressing chronic absenteeism focuses on the academic consequences of this lost instructional time and on preventing absences before students miss so much school that they fall behind. It recognizes that students miss school for many understandable issues such as asthma or homelessness or unreliable transportation, for which a punitive response is not appropriate. Chronic absenteeism should be seen as a symptom of an underlying issue and should be addressed via a tiered system of supports framework. That framework may include working with juvenile and domestic court services personnel to address the underlying issues before a Child in Need of Services (CHINS) petition is filed. Developing a Memorandum of Understanding with the Juvenile Court Services is an important part of addressing chronic absenteeism and truancy.

Aggravating Circumstances: For the purposes of §22.1-277 and §22.1-277.05 of the *Code of Virginia*, "aggravating circumstances" shall mean:

i. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or
ii. That a student's presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or
iii. That a student engaged in a serious offense that is:
    a) persistent (repeated similar behaviors are documented on the student's disciplinary record), and
    b) unresponsive to targeted interventions as documented through an established intervention process.

Bomb Threat: School board policy should specifically prohibit bomb threats. Other related offenses that may constitute components of a comprehensive policy include, but are not limited to, conduct involving firebombs, explosives, incendiary devices, or chemical bombs.
Threats to bomb or damage buildings and giving false information as to danger to such buildings are prohibited by § 18.2-83. of the *Code of Virginia*. Definitions of "explosive material," "fire bomb," and "hoax explosive device" are defined in § 18.2-85. of the *Code.* Bomb threats must be reported to law enforcement.

Bullying: Section § 22.1-276.01 of the *Code* defines bullying as any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. This includes cyberbullying. It does not include ordinary teasing, horseplay, argument, or peer conflict. School boards are expected to include bullying as a prohibited behavior in their student codes of conduct. Non-criminal behavior associated with bullying includes intimidation, taunting, name-calling, and insults. Another form of bullying occurs using electronic means and is referred to as cyberbullying. Typically, cyberbullying is defined as using information and communication technologies, such as cell phone text messages and pictures, email, social media, blogs, networking websites, defamatory personal websites, and defamatory online personal polling websites to support deliberate, hostile, behavior intended to harm others.
Section 22.1-208.01 requires each school board to establish, within existing programs, a character education program; these programs are required to address the inappropriateness of bullying.

Bus-Related Offenses: School board policy should clearly communicate that rules governing student conduct apply not only at school but also on a school vehicle, while on a school-sponsored trip, and on the way to and from school, including at the bus stop. § 22.1-279.3:1.

Cheating: Cheating is not defined in the *Code of Virginia*. A student conduct policy may address cheating as a single offense or approach it as one of several offenses.

Disruptive Behavior: "Disruptive behavior" is defined in § 22.1-276.01. of the *Code* as conduct that interrupts or obstructs the learning environment. Local school board policy should cite the initial authority of teachers to remove a student from a class for disruptive behavior. The term "disruptive" describes a range of behaviors that is subjective and can reflect individual bias. Schools should define specific actions that obstruct the learning environment (yelling, making noise to distract others, wandering around the classroom, etc.) in their behavioral expectations to help ensure equity in the application of discipline responses. Policies should also outline behaviors that are classroom managed and office managed.

Dress Standards: Establishing standards for dress should involve all members of the school community. A Level 1 response is appropriate for violations of dress standards. All efforts should be made to prevent dress code violations from being viewed as instances of defiance or disruption.

Drug-Related Offenses: A school board policy, in accordance with § 22.1-277.08. of the *Code of Virginia,* shall permit, but not require, the expulsion of any student determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § 18.2-247. onto school property or to a school sponsored activity (See Appendix A.). A school administrator, pursuant to school board policy, or a school board may determine, based on the facts of a particular situation, that special circumstances exist, and that no disciplinary action or other disciplinary action is appropriate. By regulation, a school board may authorize the superintendent or his designee to conduct a preliminary review of such cases. School board policy may permit or require students

suspended or expelled for drug-related offenses to attend an alternative education program provided by the school board for the term of the suspension or expulsion.

Gambling: Section 18.2-325. of the *Code of Virginia* defines illegal gambling as the "making, placing, or receipt, of any bet or wager of money or other thing of value, made in exchange for a chance to win a prize, stake or other consideration or thing of value." A gambling device includes any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in illegal gambling operations or activity.

Gang-Related Activity: "Criminal street gang" is defined in § 18.2-46.1. of the *Code* as meaning "any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities, (ii) which has an identifiable name or identifying sign or symbol, and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction." Section 16.1-260.G. of the *Code* requires an intake officer to report to the division superintendent any student against whom a petition is filed for certain offenses including:

1. Prohibited criminal street gang activity pursuant to § 18.2-46.2.
2. Recruitment of other juveniles for a criminal street gang activity pursuant to § 18.2-46.3.

Hazing : Local school board codes of student conduct, in accordance with § 22.1-279.6.B. of the *Code*, are required to prohibit hazing and to cite "the provisions of § 18.2-56., which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations; i.e., confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both."

Internet Use: Student conduct policy related to computer use should be developed in accordance with information provided in the Virginia Department of Education's Acceptable Use Policies: A Handbook. In its 2006 Session, the General Assembly amended § 22.1-70.2. of the *Code* to require school divisions to add to their acceptable use policies a component on Internet safety for students that is integrated with a school division's instructional program. (See Appendix A.) The 2009 General Assembly amended § 22.1-279.6 of the *Code* to include the inappropriate "use of electronic means for purposes of bullying, harassment, and intimidation...."

Other Conduct: A school board may consider including an "other conduct" category that addresses behavior not specifically listed elsewhere. The **"other conduct"** should be confined to that which disrupts the educational environment or is a violation of federal, state, or local law.

Portable Communication Devices: Section 22.1-279.6.B. of the *Code* authorizes school boards to regulate the use or possession of portable communication devices and establish disciplinary procedures for students violating such regulations.

Profane or Obscene Language or Conduct: School board student conduct policy, in accordance

with § 22.1-279.6.C. of the *Code*, is required to prohibit profane or obscene language or conduct. The *Code of Virginia* does not specifically define these terms. Conduct typically prohibited under this provision includes swearing and obscene/offensive gestures, materials, and communications.

Property Violations

- Property violations include, but are not limited to, arson, destruction of property, vandalism, and theft.
- Destruction of property § 22.1-280.4. School boards are authorized to seek reimbursement from 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."
- **Theft – Larceny**: The wrongful taking of the property of another without the owner's consent and with the intention of permanently depriving the owner of possession of the property.

Stalking: Stalking is defined in § 18.2-60.3. of the *Code of Virginia* as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury. The 2005 General Assembly added stalking to the list of offenses that require a report to law enforcement officials (see page 78). Reports of this nature should be turned over to law enforcement for investigation.

Threats: Intimidation: Threats to kill or to do bodily harm "to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat in reasonable apprehension of death or bodily harm" are specifically prohibited by § 18.2-60. of the *Code of Virginia.* The prohibition includes threats to any person or persons "(i) on the grounds or premises of any elementary, middle or secondary school property, (ii) at any elementary, middle, or secondary school-sponsored event, or (iii) on a school bus…." Section 18.2-60.B. of the *Code* prohibits an oral threat to kill or to do bodily injury to any employee of any elementary, middle or secondary school, while on a school bus, on school property, or at a school-sponsored activity. The 2009 General Assembly amended § 22.1-279.6 of the *Code of Virginia* to prohibit the "use of electronic means for purposes of bullying, harassment, and intimidation...."Section 22.1-79.4.C. (Threat assessment teams and oversight committees) directs division superintendents to establish threat assessment teams for schools. The teams are to: *provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self….*Depending on local conditions, a school board may also consider including content on cultural awareness, gang awareness, and substance abuse prevention and intervention.

Self-Defense: A code of student conduct may, but is not required to, address consideration of self-defense as a factor in determining appropriate disciplinary action. Procedures for such consideration should include an opportunity for the student(s) to present the student's version of what occurred, as well as a review of facts, involving school personnel and others as appropriate. The fact-seeking process may include students and other staff who may have witnessed the incident or have observed previous interactions between the students involved. In cases where self-defense is claimed, there may be a "history" between the students that often takes the investigation beyond looking at the single incident to examining patterns of interaction, past threats, and bullying. Information is obtained from a variety of persons, including bus drivers, custodians, teachers, other students, and parents. School boards developing disciplinary policies including self-defense should provide criteria that define when an incident would be considered an act of self-defense. Based on the criteria used in the judicial system for a claim of self-defense to apply, the following conditions should be met. The person claiming self-defense must:

1. Be without fault in provoking or bringing on the fight or incident.
2. Have reasonably feared, under the circumstances, as they appeared to him, that he was in danger of harm.
3. Have used no more force than was reasonably necessary to protect him from the threatened harm.

A school board's policy addressing self-defense should retain a prohibition for bringing weapons of any kind to school for the purpose of self-defense and explicitly state that self-defense does not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity.

Trespassing: Trespassing upon church or school property, including school buses, is specifically prohibited by § 18.2-128. of the *Code of Virginia*: Any person who, without the consent of some person authorized to give such consent, goes or enters upon, in the nighttime, the premises or property of any church or upon any school property for any purpose other than to attend a meeting or service held or conducted in such church or school property, shall be guilty of a Class 3 misdemeanor. Trespassing must be included in student codes of conduct per § 22.1-279.6 of the *Code of Virginia.* "Trespassing should be used to report instances of unauthorized student presence that occur outside of school hours or are deemed to have an unlawful purpose. These instances should be reported to law enforcement as they are violations of § 18.2-128. of the *Code of Virginia*.

Weapons or Other Dangerous Articles: Student conduct policy on weapons should address the possession, use, sale, or purchase of restricted items on school property, on school vehicles, or during school-sponsored activities on or off school property. This includes, but may not be limited to, any firearm or weapon. A school board additionally may prohibit the possession of unloaded weapons by students on their persons or in their lockers, backpacks, or vehicles. Weapons violations considered for expulsion shall permit, but not require those stipulations enumerated in the *Code of Virginia* § 18.2-308.1. and in the federal *Gun-Free Schools Act.* An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms. Carrying, bringing, using, or possessing dangerous instruments in any school building, on

school grounds, in any school vehicle, or at any school-sponsored activity on or off school property is grounds for disciplinary action. Dangerous instruments, for example, may include letter openers, screwdrivers, hammers, hatchets, and other devices that could be used to inflict harm upon another person. Not subject to mandatory expulsion is possession of a knife that is customarily used for food preparation or service and is possessed by the student for the sole purpose of personal food preparation and service.

Weapons-Related Offenses: School board policy, in accordance with § 22.1-277.07. of the *Code of Virginia*, permits, but does not require, expulsion of any student determined to possess a firearm, destructive device, a firearm muffler or firearm silencer, or a pneumatic gun on school property or at a school-sponsored activity (See Appendix A.). Definitions of "firearm," "destructive devices," and "pneumatic gun" are set forth in § 22.1-277.07.E. of the *Code*, and are consistent with the federal *Gun-Free Schools Act*. A copy of this Act is included as Appendix E. This prohibition does not apply to Junior Reserve Officers Training Corps (JROTC) programs or to the possession of firearms as part of the curriculum or other programs sponsored by the schools or other organization permitted by the school to use its premises. A school administrator, pursuant to school board policy, or a school board may determine, based on the facts of a particular situation, that special circumstances exist, and that no disciplinary action or another disciplinary action is appropriate. A school board may, by regulation, authorize the division superintendent or designee to conduct a preliminary review of such cases. A school board policy may permit or require students suspended or expelled for weapons-related offenses to attend an alternative education program provided by the school board for the term of the suspension or expulsion.

Categories of Behavior Descriptors and Responses

The following charts bring together the Categories of Student Behavior Descriptors and the Levels of Administrative Responses to facilitate the equitable, responsive application of standards of student conduct. There are two sets of charts, one for elementary and one for secondary schools. Schools boards are encouraged to differentiate responses to behavior for elementary students and secondary students.

Elementary Schools Leveled Responses to Student Behaviors

Category A: Behaviors that Impede the Academic Progress (BAP) of the student or of other students (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)	X				
Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)	X				
Scholastic dishonesty (cheating, plagiarism)	X				
Unexcused tardiness to class	X				
Unexcused tardiness to school	X				

Category B: Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Altering an official document or record	X	X			
Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building	X	X	X		
Dress Code Violation	X	X			
Failure to be in one's assigned place on school grounds	X	X			
Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)	X	X			
Gambling (games of chance for money or profit)	X	X			

Category B: Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Giving false information to staff	X	X			
Refusal to comply with requests of staff in a way that interferes with the operation of school	X	X	X		
Unauthorized use of school electronic or other equipment	X	X			
Vandalism, graffiti or other damage to school or personal property	X	X	X		
Violation of the Acceptable Use of Technology/internet policy	X	X			
Violation of school board policy regarding the possession or use of portable communication devices	X	X			

Category C: Relationship Behaviors (RB) create a negative relationship between two or more members of the school community (No physical harm is done.) (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Bullying with no physical injury (See Model Policy to Addressing Bullying in Virginia's Public Schools)	X	X			
Cyberbullying (See Model Policy to Addressing Bullying in Virginia's Public Schools)		X	X		
Failure to respond to questions or requests by staff	X	X			
Inappropriate physical contact that is sexual in nature or violates school rules regarding contact	X	X	X		
Posting, distributing, displaying, or sharing material or literature that is libelous, including using electronic means to post such material	X	X			
Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature	X	X			
Speaking to another in an uncivil, discourteous manner	X	X			
Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight	X	X			
Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)	X	X			
Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability	X	X			

Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school. (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Alcohol: Possessing or using alcohol	X	X	X			X
Alcohol: Distributing alcohol to other students		X	X	X		X
Bullying Behavior without physical injury that continues after intervention (See Link: Model Policy to Addressing Bullying in Virginia's Public Schools) Bullying that leads to physical injury should be classified as Assault and Battery.			X	X		
Bus: Distracting the bus driver	X	X				
Bus: Endangering the safety of others on the bus	X	X				
Cyberbullying that continues after intervention (See Link: Model Policy to Addressing Bullying in Virginia's Public Schools) Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.			X	X	X	
Drugs: Possessing drug paraphernalia or look-alike drug	X	X	X			
Drugs: Violating school board non-prescription (Over the counter) medication policy	X	X	X			
Engaging in reckless behavior the creates a risk of injury to self or others	X	X	X			
Exposing body parts, lewd or indecent public behavior	X	X	X			
Fire alarm: Falsely activating a or other disaster alarm		X	X			
Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke	X	X	X			
Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students	X	X	X			
Leaving school grounds without permission	X					
Physical contact of a sexual nature – patting body parts, pinching, tugging clothing,	X	X	X			
Physical sexual aggression and/or forcing another to engage in sexual activity					X	X
Shoving, pushing, striking a student with no visible injury	X	X	X			
Stealing money or property without physical force	X	X				
Stealing money or property using physical force (no weapon involved)			X	X		
Stealing money or property using weapons or dangerous instruments				X	X	

Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school. (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Throwing an object that has the potential to cause a disturbance, injury, or property damage	X	X				
Tobacco: Possessing/Using tobacco products, electronic cigarettes, vaping equipment		X	X			
Trespassing		X	X			
Weapons: Possessing or selling any weapon as defined by school board policy, not including firearms				X	X	

Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community. (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Assault: Intending to cause physical injury to another person	X	X	X			
Assault and Battery: Causing physical injury to another person			X	X	X	X
Bomb threat –Making a bomb threat	X	X	X	X		X
Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications			X	X	X	X
Drugs: Being under the influence of controlled substances, illegal drugs, or synthetic hallucinogens or unauthorized prescription medications			X	X	X	
Drugs: Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications			X	X	X	X
Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens or alcohol to another student(s)					X	X
Fighting: The use of physical violence between students or on another person where there is no injury as determined by the school administration	X	X	X			
Fire: Attempting to set, aiding in setting, or setting a fire		X	X	X		
Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in §18.2-46.1	X	X	X	X		

Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community. (Elementary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Gang-Related Behavior: Engaging in threatening or dangerous behavior that is gang-related as defined in § 18.2-46.1						
Hazing as defined in § 18.2-56 and noted in § 22.1-279.6.						
Striking Staff: The use of force against a staff member when no injury is caused	X	X	X	X		
Threatening or instigating violence, injury or harm to a staff member	X	X	X	X		
Threatening or instigating violence, injury or harm to another student	X	X	X			
Possession of a firearm or destructive device as defined in § 22.1-277.07.					X	X
Using any weapon to threaten or attempt to injure school personnel, students, or others					X	X

Secondary Schools Leveled Responses to Student Behaviors

Category A: Behaviors that impede the Academic Progress (BAP) of the student or of other students	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Interfering with learning in the classroom (talking, excessive noise, off-task, out of seat, possessing items that distract)	X	X			
Interfering with learning outside of the classroom (excessive noise, interrupting a class, etc.)	X	X			
Scholastic dishonest (cheating, plagiarism)	X	X			
Unexcused tardiness to class	X	X			
Unexcused tardiness to school	X	X			

Category B: Behaviors related to School Operations (BSO) interfere with the daily operation of school procedures (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Altering an official document or record	X	X			
Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building	X	X	X		
Dress Code Violation	X	X			
Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)	X	X	X		
Failure to be in one's assigned place on school grounds	X	X			
Gambling (games of chance for money or profit)	X	X			
Giving false information to staff	X	X	X		
Refusing to comply with requests of staff in a way that interferes with the operation of school	X	X	X		
Refusing to comply with requests of staff in a way that interferes with the operation of school	X	X	X		
Unauthorized use of school electronic or other equipment	X	X			

Vandalism, graffiti, or other damage to school or personal property	X	X	X		
Violation of the Acceptable Use of Technology/internet policy	X	X			
Violation of school board policy regarding the possession or use of portable communication devices	X	X	X		

Category C: Relationship Behaviors (RB) create a negative relationship between two or more members of the school community (No physical harm is done.) (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**
Bullying with no physical injury (See Link: Model Policy to Addressing Bullying in Virginia's Public Schools)	X	X			
Cyberbullying (See Link: Model Policy to Addressing Bullying in Virginia's Public Schools)		X	X		
Failure to respond to questions or requests by staff	X	X	X		
Inappropriate physical contact that is sexual in nature or violates school rules regarding contact	X	X	X		
Posting, distributing, displaying, or sharing material or literature that is libelous, including using electronic means to post such material	X	X	X		
Saying or writing either directly or through electronic communication sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature	X	X	X		
Speaking to another in an uncivil, discourteous manner	X	X			
Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight	X	X	X		
Using profane or vulgar language or gestures (swearing, cursing, hate speech, gang signs or gestures)	X	X	X		
Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability	X	X	X		

Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Alcohol: Possessing or using alcohol	X	X	X			X
Alcohol: Distributing alcohol to other students		X	X	X		X
Bullying Behavior with or without physical injury that continues after interventions to stop the behavior (See Model Policy to Addressing Bullying in Virginia's Public Schools) Bullying that leads to physical injury should be classified as Assault and Battery.		X	X	X		
Bus: Distracting the bus driver	X	X	X			
Bus: Endangering the safety of others on the bus	X	X	X			
Cyberbullying that continues after interventions to stop the behavior (See Model Policy to Addressing Bullying in Virginia's Public Schools) Cyberbullying that relates a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.			X	X	X	
Drugs: Possessing drug paraphernalia	X	X	X			

Drugs: Violating school board non-prescription (Over the counter) medication policy or look-alike drug policy	X	X	X			
Engaging in reckless behavior the creates a risk of injury to self or others	X	X	X			
Exposing body parts, lewd or indecent public behavior	X	X	X	X		
Fire alarm: Falsely activating a or other disaster alarm		X	X			
Fire Related: Possessing items that could be used to set or cause a fire or produce large amounts of smoke	X	X	X			
Inciting or causing a substantial disturbance to the operation of school or the safety of staff and /or students.		X	X	X	X	
Leaving school grounds without permission	X	X				
Physical contact of a sexual nature – patting body parts, pinching, tugging clothing	X	X	X	X		
Physical sexual aggression and/or forcing another to engage in sexual activity				X	X	X
Shoving, pushing striking a student with no visible injury	X	X	X			
Stealing money or property without physical force	X	X	X			
Stealing money or property using physical force (assault) (no weapon involved)			X	X		

Category D: Behaviors of a Safety Concern (BSC) create unsafe conditions for students, staff, and/or visitors to the school (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Stealing money or property using weapons or dangerous instruments				X	X	
Throwing an object that has the potential to cause a disturbance, injury, or property damage	X	X	X			
Tobacco: Possessing/Using tobacco products, electronic cigarettes, vaping equipment		X	X			
Trespassing		X	X	X		
Weapon: Possessing or selling any weapon (not including firearms) as defined by school board policy				X	X	X

Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Assault: Intending to cause bodily injury to another person without causing bodily injury		X	X	X		
Assault and Battery: Causing physical injury to another person			X	X	X	X
Bomb: Making a bomb threat				X	X	X
Drugs: Possessing controlled substances, illegal drugs or synthetic hallucinogens or unauthorized prescription medications			X	X	X	X

Drugs: Being under the influence of controlled substances illegal drugs or synthetic hallucinogens or unauthorized prescription medications				X	X	
Drugs: Using controlled substances illegal drugs or synthetic hallucinogens or unauthorized prescription medications				X	X	X
Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens to another student(s)				X	X	X
Drugs: Distributing controlled substances or prescription medications or illegal drugs or synthetic hallucinogens to another student(s)				X	X	X

Category E: Behaviors that Endanger Self or Others (BESO) These behaviors endanger the health, safety, or welfare of either the student or others in the school community (Secondary Schools)	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Level 5**	**Notify Law Enforcement**
Fighting: The use of physical violence between students or on another person where there is no injury as determined by the school administration	X	X	X			
Fire: Attempting to set, aiding in setting, or setting a fire			X	X	X	X
Gang-Related: Engaging in threatening or dangerous behavior that is gang-related as defined in § 18.2-46.1			X	X	X	
Hazing as defined in § 18.2-56 and noted in § 22.1-279.6.					X	
Striking Staff: The use of force against a staff member when no injury is caused			X	X	X	
Threatening or instigating violence, injury, or harm to another student		X	X	X	X	
Threatening or instigating violence, injury, or harm to a staff member		X	X	X	X	X
Weapon: Possession of a firearm or destructive device as defined in § 22.1-277.07.						
Weapon: Possession of a weapon, other than a firearm, as defined by school board policy			X	X	X	
Weapon: Using any weapon to threaten or attempt to injure school personnel, students, or others					X	X

Leveled Administrative Responses to Student Behavior

Administrative responses and interventions should be designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and prevent further behavioral issues. The following levels of administrator responses go hand-in-hand with tiered supports. The appropriate response will be assigned by the school team. Examples of leveled responses are listed below.

Level 1 Responses: Level 1 responses are intended to prevent further behavioral issues while keeping the student in school.

- Re-teaching or modeling of desired behavior
- Recognize/Reward appropriate behavior
- Administrator/Student conference and/or Administrator/Student/Teacher conference
- Written reflection or letter of apology
- Peer mediation or conflict resolution
- Behavior progress chart

- Community service (appropriate to correct the behavior)
- Restitution
- Seat change
- Loss of school privileges
- Confiscation by the administration
- Administrator/Teacher/Parent/Guardian conference
- Detention (before school, at lunch, after school)
- In-school suspension (Up to one-two days) with behavioral instruction and academic support

Level 2 Responses: Administrative responses and interventions at this level are designed prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.

- Student conference
- Administrator/Teacher/Counselor/Student conference (includes re-teaching of expected behavior)
- Administrator/Teacher/Parent/Guardian conference
- Check-In/Check-Out
- Mediation or conflict resolution
- Detention (before school, at lunch, after school)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, and Substance Use and Intervention Program)
- Referral to Student Assistance Team
- Schedule change
- Community service (appropriate to correct the behavior)
- Referral for community-based services
- Restitution
- Confiscation
- Temporary loss of privileges
- In-school suspension with behavioral interventions and/or restorative practices (one-three days)

Level 3 Responses: Dependent upon the severity, chronic nature of the behavior and/or safety concerns, Level 3 behaviors may result in the student's short-term removal from school.

- Administrator/Teacher/Parent/Guardian Conference
- Detention
- In-school suspension with restorative practices (three plus days not to exceed five days)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
- Referral for community-based services
- Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Development (Special Education Students)
- Functional Behavioral Assessment (FBA) and Behavior Support Plan (BSP) Development
- Community service
- Revocation of privileges
- Restitution
- Referral to alternative education programs
- Short-term out-of-school suspension (one-three days for elementary students/one-five days for secondary students) with restorative circle or conference upon return

- Behavior contract (developed with and signed by the student, parent/guardian, and school officials)
- Referral to law enforcement where required

Level 4 Responses: Some Level 4 behaviors require a report to the superintendent or superintendent's designee as outlined in the *Code of Virginia* § 22.1-279.3:1. Local school board policy may require additional reporting. A referral to the superintendent or superintendent's designee does not automatically result in a long-term suspension, change of placement or expulsion. After a review of the incident in context, the superintendent or designee may return students to the comprehensive setting with additional supports and/or responses to be implemented.

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Parent-Administrator-Teacher-Student behavior contract
- Long-term revocation of privileges
- Restitution via written contract
- Referral for community-based services
- Schedule change
- Short-term out-of-school suspension (for preschool to grade three students one to three days, four to ten days for fourth- to sixth-grade students, or five to ten days for seventh- to twelfth-grade students)
- Recommendation for a long-term suspension as determined by local policy or by *Code.* Link: (11 to 45 days as defined in § 22.1-276.01)

Level 5 responses: Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. For preschool to grade three students, any suspension beyond three days must be referred to the superintendent. A referral to the superintendent or designee may not automatically result in an expulsion, alternative placement, school reassignment, or long-term suspension.

Required School-based Administrative Responses to Level 5 Behaviors

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Referral to Superintendent or designee

Adopted: May 14, 2020

Cell Phone and Other Devices Possession and Use Policy

Students in grades pre-K through 3 will not be permitted to carry cell phones.

Grades 4-7

The school division recognizes that in today's society, students spend a great deal of time at after-school activities and other activities. To that end, the school division has implemented a cell phone possession and use policy for older elementary children that will provide parents and students an opportunity to communicate their plans and schedule.

Students in grades 4-7 will be permitted to possess a cell phone only with the permission of the parent/guardian. The principal has the reasonable discretion to approve or disapprove the possession of the cell phone by a student. Students' cell phones must remain off during the school day and on the school bus unless permission is given to use the phone by school staff. Please note that possession of a cell phone is a privilege. If a student possesses a cell phone in school or on a bus, they must follow these conditions:

- Cell phones must remain OFF during the school day and OFF on the school bus, unless otherwise permitted by school staff.
- Students may make cell phone calls after school, but not on the school bus unless approved by school staff.
- Students may only make phone calls using a cell phone during the school day with the permission of and in the presence of school staff.
- A student shall not use a cell phone camera, access the Internet through the cell phone, or email/text message/communication apps through the cell phone without permission from a staff member.
- Inappropriate of vulgar pictures or text messages shall not be permitted at any time while the cell phone is on school property.
- The student is solely responsible for his/her cell phone. The school and its staff are not liable for student's cell phones.
- Confiscated phones may be searched.

The school division strongly encourages parents/guardians to discuss their expectations as well as the rules for appropriate possession and use of cell phones.

Consequences

Violation of the Rules Governing-Cell Phone Use:

First Offense: Warning by teacher; item turned into office, student may pick up at end of day
Second Offense: Item seized and turned over to parent
Third Offense: Item seized and turned over to parent; one day in-school suspension

Possession of inappropriate of vulgar pictures or text messages on a cell phone: The cell phone will be confiscated, out-school suspension with a recommendation for long-term suspension. The phone will be turned over to legal authorities. Cell phone privileges will be permanently revoked.

Grades 8-12

Students may use cell phones before school, during lunch, and after school hours or at school functions/activities after the school day as long as its use does not disrupt activity.

1. Students must obtain teacher permission before using an electronic device during classroom instruction.
2. Student use of an electronic device must support the instructional activities currently occurring in each classroom and must adhere to the Acceptable Use Agreement.
3. Students must turn off and put away an electronic device when requested by a teacher.
4. Students should be aware that their use of the electronic device could cause distraction for others in the classroom, especially in regards to audio. Therefore, audio should be muted or headphones used when appropriate. Any music would need to be stored on the device and not streamed or downloaded while on the school network.
5. Students may use their personal electronic device before school, at lunch, and after school in adult supervised areas only, such as the Media Center or classrooms with the teacher present, as long as it does not create a distraction or disruption for others in the area. If an adult asks a student to put his/her electronic device away, the student must comply.
6. Students are NOT permitted to use their personal electronic device to access the Internet by any manner other than connecting through the secure wireless network provided.
7. A student who brings a privately-owned electronic device to school is personally responsible for the equipment. Any damage to the equipment and charges related to the use of the device is the responsibility of the individual. District technicians will not support, service, or repair any equipment that does not belong to the District.
8. Students are responsible for ensuring that their electronic devices are virus free and do not contain any inappropriate or unauthorized files.
9. Patrick County Schools does not guarantee the privacy or security of any item stored on or transmitted by any privately-owned electronics devices.

As it relates to cell phones being used in Patrick County School District facilities or on the division network, Patrick County Schools reserves the right to:

1. Monitor and log all activityDete1mine when and where privately-owned equipment may be connected to the network.
2. Make determinations on whether specific uses of the computer are consistent with the District 's Acceptable Use Policy.
3. Deem what is appropriate for use of personal computers on District property or on the division network.

4. Remove the user' s access to the network and suspend the right to use the cell phone in District facilities at any time it is determined that the user is engaged in unauthorized activity or is violating the Acceptable Use Policy.

Consequences
Violation of the Rules Governing-Cell Phone Use:

First Offense: Warning by teacher; item turned into office, student may pick up at end of day
Second Offense: Item seized and turned over to parent
Third Offense: Item seized and turned over to parent; one day in-school suspension

Possession of inappropriate of vulgar pictures or text messages on a cell phone: The cell phone will be confiscated, out-school suspension with a recommendation for long-term suspension. The phone will be turned over to legal authorities.

Violation of Acceptable Use Policy on personal cell phones may also result in disciplinary action in coordination with policies set forth by division School Board or by school administrators. This may include but is not limited to removal of all access rights to the division network. Network access rights may be removed by School principals or by the School or District Technology Committee.

Revised: March 8, 2018

November 14, 2019

SEARCH AND SEIZURE

A search involves an invasion of privacy. Whether a search of a student is permissible depends on a balancing of the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission. To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school or any item described as unauthorized in school rules available beforehand to the student.

The locations at which searches of students and student property may be conducted are not limited to the school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored function.

PERSONAL SEARCHES

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched by a school official whenever the official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation.

All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be:

- justified at its inception and
- reasonably related in scope to the circumstances justifying the search.

An individual search is justified at its inception when a school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonable in scope when it is reasonably related to the objectives of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

A personal search may include requiring a student to be scanned with a metal detector.

A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of

a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

Strip searches involve an extreme intrusion into the rights of a student and may only be conducted when an extremely serious situation exists requiring immediate action because of an imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent threat of death or great bodily injury to the student or another person. If a strip search must be conducted by a school official, it must be by a same sex official with a same sex adult witness, and the school official must have the prior approval of the superintendent or superintendent's designee, unless the health or safety of the student is endangered by the delay.

LOCKER AND DESK SEARCHES

Student lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers and desks may be conducted by school authorities for any reason at any time without notice, without student consent and without a search warrant.

AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation, or that illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile. Such patrols and inspections may be conducted without notice, without student consent and without a search warrant.

COMPUTER SEARCHES

The school computer system, as defined in Policy GAB/IIBEA Acceptable Computer System Use, is school property. Students are only authorized to use ~~s~~ the school's computer system and other similar educational technology consistent with the educational mission of the school and in accordance with Policy GAB/IIBEA Acceptable Computer System Use. School officials may search school computers, software and internet access records at any time for any reason and without student consent.

CONSENT SEARCHES

If a student gives a school official consent for a search the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive themselves to be at risk of punishment for refusing to grant permission for the search.

SEIZURE OF ILLEGAL MATERIALS

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Adopted: September 11, 2000
Revised: April 7, 2005
November 13, 2014
August 8, 2019

Legal Refs.: New Jersey v. T.L.O., 469 U.S. 325 (1985).

U.S. Const. amend IV.

Va. Const. art.I, § 10.

Code of Virginia, 1950, as amended, §§ 22.1-279.7, 22.1-280.2:3.

Virginia School Search Resource Guide (Virginia Department of Education Oct. 2000).

Cross Ref.:

CLA	Reporting Acts of Violence and Substance Abuse
EGAA	Reproduction and Use of Copyrighted Materials
GAB/IIBEA	Acceptable Computer System Use
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JFCD	Weapons in School
JFCF	Drugs in School
KNAJ	Relations with Law Enforcement Authorities

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Patrick County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status 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 protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;

- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors

- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

C. Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

III. Complaint Procedure

A. Formal Procedure

1. File Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such

confidentiality may limit the School Division's ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy GAE Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this

policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Patrick County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

5. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at **complianceofficer@patrick.k12.va.us** Complaints of harassment may also be made to the Alternate Compliance Officer at **alternate.complianceofficer@patrick.k12.va.us**

The Compliance Officer shall

- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

B. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or principal's designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal's designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

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 prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

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:

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Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, ~~2.2-3902.~~ 2.2.3902, 22.1-295.2.

Cross Refs: AC Nondiscrimination
AD Educational Philosophy

GAB/IIBEA	Acceptable Computer System Use
GB	Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F	Report of Harassment
GBM	Professional Staff Grievances
GBMA	Support Staff Grievances
JB	Equal Educational Opportunities/Nondiscrimination
JFC	Student Conduct
~~JFC-R~~	~~Standards of Student Conduct~~
GCPD	Professional Staff Discipline
~~JHG~~ GAE	Child Abuse and Neglect Reporting
KKA	Service Animals in Public Schools

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Patrick County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status 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 protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

"Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more or the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as

defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at **titleixcoordintor@patrick.k12.va.us**

III. Complaint Procedures

1. Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment the Title IX Coordinator 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 the Title IX Coordinator or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

The complaint, and identity of the person allegedly harassed 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 person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint.

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;

- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures 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.

2. Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, 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 referral of the complaint to 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 person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall 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 person allegedly harassed, 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 person allegedly harassed and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this

policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Patrick County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

A. Compliance Officer Informal Procedure

If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed' s principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the person allegedly harassed 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 Compliance Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

B. Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

"Program or activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures, Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual

harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

The standard of evidence used to determine responsibility is preponderance of the evidence.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice

previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by Title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant for respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties,

interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standard of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:
- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator
- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and

- ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved with 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution

process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any

supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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 Title IX Coordinator 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 prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

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: May 12, 1997
Revised: June 23, 2011
January 10, 2013
February 14, 2013

June 4, 2015
October 13, 2016
June 25, 2020
August 13, 2020

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.2, 106.8,106.9, 106,30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-295.2.

Cross Refs:		
	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA-F/JFHA-F	Report of Harassment
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	GCPD	Professional Staff Discipline
	GAE	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

REPORT OF HARASSMENT

Name of Complainant: _____

For Students, School Attending: _____

For Employees, Position and Location: _____

Address, Phone Number and Email Address: _____

_____

_____

Date(s) of Alleged Incident(s) of Harassment: _____

Name of person(s) you believe harassed you or others: _____

_____

If the alleged harassment was toward another, please identify that person: _____

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

_____

Signature of Complainant Date

Complaint Received By: _____

(Principal or Compliance Officer) Date

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PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Patrick County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status 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 protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;

- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors

- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

C. Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal including socioeconomic level regardless of whether the personal characteristic is protected by law.

III. Complaint Procedure

A. Formal Procedure

1. File Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such

confidentiality may limit the School Division's ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy ~~JHG,~~ GAE Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this

policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Patrick County School Division take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

5. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at **complianceofficer@patrick.k12.va.us**
Complaints of harassment may also be made to the Alternate Compliance Officer at **alternate.complianceofficer@patrick.k12.va.us**

The Compliance Officer

- receives reports or complaints of harassment;
- conducts or oversees the investigation of any alleged harassment;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

B. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or principal's designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal's designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

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 prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

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: May 12, 1997
Revised: June 23, 2011
January 10, 2013
February 14, 2013
June 4, 20165
October 13, 2016
June 25, 2020

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.

34 C.F.R. 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-295.2.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	JFHA-F/GBA-F	Report of Harassment
	GCPD	Professional Staff Discipline
	GAE	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

CORPORAL PUNISHMENT

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this policy, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. “Corporal punishment” does not include physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

Adopted: September 8, 1997
Revised: April 12, 2012

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-279.1,

Cross Ref.: JM Restraint and Seclusion of Students

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DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long Term Removals and Considered a Disciplinary Change in Placement

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

(1) the removal is for more than 10 consecutive school days at a time; or

(2) Pattern analysis: there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:

(a) the length of each removal,

(b) the proximity of the removals to each other,

(c) the total time the student is removed, and

(d) the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year.

(e) The pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

II. Short-Term Suspensions

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the

extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

No MDR or IEP meeting is required for a short term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

III. Functional Behavior Assessments and Behavior Intervention Plans

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and a BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process . Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals.

If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

IV. Educational Services While Disciplined

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

1) continue to progress in the general curriculum, although in another setting, and
2) make progress toward meeting the goals set out in the student's IEP.

The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not

a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

V. Manifestation Determination Review

When a disciplinary action is proposed that will result in a disciplinary change of placement, an MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and
2) determines that:
   (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
   (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

VI. Disciplinary Action Following an MDR Determination that there is No Manifestation

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to students without disabilities The student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the imposition of discipline.

A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. During any appeal, the student will remain in the interim alternative education setting unless reversed by decision of the hearing officer; provided, however, the student may still serve the balance of any applicable forty-five school day removal. The placement may also be changed through the IEP process with the consent of the parent.

VII. Disciplinary Action Following MDR Determination that there is a Manifestation

A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may be removed to a more restrictive placement by following change in placement procedures through the IEP process. The IEP team must conduct or review an FBA and/or BIP as provided in Section III.

VIII. Interim Alternative Educational Settings for Weapons, Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim alternative educational setting for up to forty-five school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

In addition to the other options for removal, a hearing officer through an expedited due process hearing requested by the school division, may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45) school day removals may be authorized by the hearing officer as appropriate.

X. Placement During Appeals

During the course of any appeals, the student's placement shall be in accordance with the provisions of state and federal law unless the parent and the school division agree otherwise. Students with disabilities are also entitled to the due process rights available to a non-disabled student who is subject to discipline. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended, and any state procedures.

XI. Students Not Yet Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability ~~if~~ if, before the behavior that precipitated the disciplinary action occurred, one of the following occurred:

(1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or
(2) the parent requested an evaluation of the student for special education eligibility; or
(3) the student's teacher or other school personnel ~~had~~ expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division that suggests the presence of a disability.

A school division would not be found to have knowledge of a student's disability if:

(1) the parents refused to allow an evaluation of the student or refused special education services; or
(2) the student was evaluated and found not eligible for special education services.

If a request for an initial evaluation is made during the period ~~such~~ a student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities which placement can include suspension or expulsion without services.

XII. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act, and who are currently engaging in the illegal use of drugs or alcohol, may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

XIII. Reporting of Crimes

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

Adopted: September 8, 1997
Revised: September 11, 2000
November 10, 2004
May 11, 2006
June 23, 2008
June 23, 2011
June 8, 2017

Legal Refs.: 20 U.S.C. § 1415(k).
29 U.S.C. § 705(20)(C)(iv)

34 C.F.R. 300.530-300.536.

8 VAC 20-81-160.

Cross Ref.:		
	JFC	Student Code of Conduct
	JFCD	Weapons in School
	JFCF	Drugs in School
	JGD/JGE	Student Suspensions/Expulsions
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

DISCIPLINING STUDENTS WITH DISABILITIES

Emergency Removal of Disabled Students

Disabled students may be removed from class or school for health, safety or welfare reasons. These reasons include, but are not limited to, the fact the student is under the influence of alcohol or drugs, highly agitate, or suffering from any other condition which temporarily threatens his or her welfare, other individual's welfare, or the efficient operation of the school. Such emergency removal shall not exceed three consecutive school days. Any student who is removed from school on an emergency basis and who is in a condition that threatens his own welfare or the welfare of others must be released to the students' parent, a representative of the parent, or other proper authority including but not limited to law enforcement officers and medical personnel. Removal under this section is intended to be used in emergency situations only and consecutive three school day removals are prohibited unless the Individualized Education Plan (IEP) Committee determines that the student imposes an immediate threat to the safety to himself or herself or others, or disrupts the safety of the learning environment. If the IEP Committee determines that a student is dangerous, but the parents appeal the decision pursuant to the Individuals With Disabilities Education Act (IDEA) procedures and refuse to permit a change of placement, the school must obtain immediate injunctive relief from a state of federal court in order to remove the student for more than ten consecutive days. The division shall make reasonable efforts to notify the parent prior to removing a student from school premises on an emergency basis. If the parent cannot be notified prior to removal, the parent must be notified as soon as possible after the removal and the reasons for it.

Short Term Suspension of Disabled Students

A short term suspension of 10 school days or less may be affected for a disabled student for any conduct which would warrant short-term suspension for a non-disabled student. (If a student has received short-term suspensions totaling more than 10 days during any one school year, all subsequent suspensions will be handled under the policies governing long-term suspensions).

The student shall be given oral or written notice of the charges against him or her, an explanation of the evidence supporting the charges and an informal opportunity to respond to and rebut the charges in accordance with policy JGD/JGE. The administration will make and document efforts to notify the parent prior to the suspension.

(continued)

Long-term Suspension and Expulsion of Disabled Students

Students who have been identified as disabled may be suspended in excess of ten (10) days or expelled only after the following procedures have been utilized:

Within the first five days of the suspension the recommendation for discipline must be referred to a committee ("committee") made up of the following people:

a. A representative of the school division, other than the child's teacher, who is qualified to provide or supervise the provision of special education;
b. The child's teacher;
c. One or both of the child's parents;
d. The child, if appropriate;
e. Persons knowledgeable about the child, the meaning of the evaluation data, and the placement options;
f. Other individuals at the discretion of the parents or school division.

The parent(s) of the students shall be informed in writing of the time and place of the Committee meeting and its purpose.

Minutes shall be made of the meeting and will include information regarding the persons attending the meeting, the facts considered and the basis for the Committee determination.

The decision of the Committee shall be sent to the parent9s) of the student along with a notice of their rights under the Individuals with Disabilities Act (Public Law 94-142), including the right to a review of the decision in a due process hearing.

Any student suspended or expelled shall not enter school grounds/facilities until officially re-admitted. Violation of this policy shall constitute trespass.

Adopted: September 8, 1997

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DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION OF SERIOUS BODILY INJURY

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

The term serious bodily injury has the same meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Adopted: May 11, 2006

Legal Refs: 18 U.S.C. § 1365(h)(3).
20 U.S.C. § 1415(k)(1)(G)(iii).

Cross Refs:

JFCD	Weapons in School
JFCF	Drugs in School
JGD/JGE	Student Suspension/Expulsion
JGDA	Disciplining Students with Disabilities

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STUDENT SUSPENSION/EXPULSION

I. DEFINITIONS

As used in this Policy,

"Alternative education program" includes night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

"Destructive device" means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

"Disruptive behavior" means a violation of school board policies or the Standards of Student Conduct issued by the superintendent pursuant to Policy JFC Student Conduct that interrupts or obstructs the learning environment.

"Exclusion" means a Virginia school board's denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

"Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

"Firearm" means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or

(3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days.

“One year” means 365 calendar days as required in federal regulations.

“Pneumatic gun” means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

“School property” means any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

“Short-term suspension” means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

In Sections III, IV, VI, and VIII of this Policy, “superintendent’s designee" means a 1) trained hearing officer or 2) professional employee in the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Except as provided in subsection C of Va. Code § 22.1-277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the School Board or the superintendent or superintendent’s designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

The superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after the suspension.

III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal or teacher responsible for such suspension reports the facts of the case in writing to the superintendent or superintendent's designee and the parent of the pupil suspended. The superintendent or superintendent's designee reviews forthwith the action taken by the principal, assistant principal or teacher upon a petition for such review by any party in interest and confirms or disapproves such action based on an examination of the record of the pupil's behavior.

The decision of the superintendent or superintendent's designee is final and may not be appealed.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program or alternative education program or educational option, which is not a part of the educational program offered by the school division, are borne by the parent of the student.

IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and the pupil's parent of the proposed action and the reasons therefore and of the right to a hearing before the superintendent or

superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (i) the offense is one described in Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) the School Board or division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

V. EXPULSION

A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and the pupil's parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board. The School Board confirms or disapproves of the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and the pupil's parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based educational, training and intervention programs. The notice also states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during the expulsion is borne by the parent of the student.

Nothing in this section shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of the expulsion, and of the conditions, if any, under which readmission may be granted.

Such students may apply and reapply for readmission to school in accordance with the following schedule:

1. Student/parent must submit, in writing, to Superintendent wishes to reapply 30 days prior to eligibility date.
2. Superintendent will schedule a readmission hearing with the School Board and inform the student/parent of the date.
3. School Board will render a decision within 5 days of the hearing.

B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

Firearms, Destructive Devices and Pneumatic Guns

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed

a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this section do not apply to students who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted to use school premises.

Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance or marijuana as defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

C. Procedure for School Board Hearing

The procedure for the School Board hearing is as follows:

- The School Board determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the School Board.
- The School Board may ask for opening statements from the principal or principal's representative and the student or student's parent(s) (or their representative) and, at the discretion of the School Board, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be

questioned by the School Board members and by the parties (or their representative). The School Board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the School Board may take the testimony of student witnesses outside the presence of the student, the student's parent(s) and their representative if the School Board determines, in its discretion, that such action is necessary to protect the student witness.

- The parties shall produce such additional evidence as the School Board may deem necessary. The School Board is the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the School Board and, when so received, are marked and made part of the record.
- The School Board may, by majority vote, uphold, reject or alter the recommendations.
- The School Board transmits its decision, including the reasons therefor, to the student, the student's parent(s), the principal and superintendent.

VI. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

- charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol, or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C of Va. Code § 22.1-277,

to attend an alternative education program.

The School Board may require such student to attend such programs regardless of where the conduct occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the

evaluator and with the consent of the student's parent, to participate in a treatment program.

The School Board authorizes the superintendent or superintendent's designee to require students to attend an alternative education program consistent with the provisions of the previous paragraph after (i) written notice to the student and the student's parent that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student or the student's parent to participate in a hearing to be conducted by the superintendent or the superintendent's designee regarding such placement. If the student or parent wants to participate in a hearing regarding the placement, the student or parent must notify the superintendent or superintendent's designee within 5 days of receiving the written notice of the student's assignment to the alternative education program. The decision of the superintendent or superintendent's designee regarding such alternative education placement is final unless altered by the Board upon written petition by the student or student's parent for a review of the record by the School Board. Such petition must be received by the superintendent or superintendent's designee within 5 days after receiving written notice of the decision after the hearing.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used in this section, "charged" means that a petition or warrant has been filed or is pending against a pupil.

VII. REPORTING

A. Except as may otherwise be required by federal law, regulation or jurisprudence, reports are made to the superintendent and to the principal or principal's designee on all incidents involving

(1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;
(2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
(3) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;

(4) any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
(5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
(6) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85 or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;
(7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
(8) the arrest of any student for an incident occurring on a school bus, on school property or at a school sponsored activity, including the charge therefor; and
(9) any illegal possession of weapons, alcohol, drugs or tobacco products.

B. The superintendent and the principal or principal's designee receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.

C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.

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

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

E. Whenever any student commits any reportable incident as set forth in this subsection, such student is required to participate in such prevention and

intervention activities as deemed appropriate by the superintendent or superintendent's designee.

F. Except as may otherwise be required by federal law, regulation or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

   In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this subsection and if the incident is so reported, that the parents may contact local law enforcement for further information, if they so desire.

G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to the student's regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in Patrick County Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student is admitted to the regular school program until such student and the student's parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or principal's designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board or superintendent or superintendent's designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this section to attend an alternative education program provided by the School Board for the term of such exclusion.

IX. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

Adopted: July 26, 2007
Revised: July 16, 2009
June 23, 2011
June 5, 2014
March 12, 2015
July 12, 2018
March 10, 2010
June 25, 020

Legal Refs.: 20 U.S.C. § 7151.

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.: IGBH Alternative School Programs
JEC School Admission

JFC	Student Conduct
JFCD	Weapons in School
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
KG	Community Use of School Facilities

STUDENT SUSPENSION/EXPULSION

Students will be allowed to make up any work missed during the period of a suspension. It is the responsibility of the student/parent to obtain assignments from the teacher. Students have one school day for each day of suspension to complete make-up work. Make-up work not completed or submitted on time will result in a grade of zero.

Adopted: June 25, 2020

STUDENT SUSPENSION/EXPULSION

I. DEFINITIONS

As used in this Policy,

"Alternative education program" includes night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

"Destructive device" means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

"Disruptive behavior" means a violation of school board policies or the Standards of Student Conduct issued by the superintendent pursuant to Policy JFC Student Conduct that interrupts or obstructs the learning environment.

"Exclusion" means a Virginia school board's denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

"Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

"Firearm" means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or

(3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days.

“One year” means 365 calendar days as required in federal regulations.

“Pneumatic gun” means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

“School property” means any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

“Short-term suspension” means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

In Sections III, IV, VI, and VIII of this Policy, “superintendent’s designee" means a 1) trained hearing officer or 2) professional employee in the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Except as provided in subsection C of Va. Code § 22.1-277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the School Board or the superintendent or superintendent’s designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

The superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after the suspension.

III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal or teacher responsible for such suspension reports the facts of the case in writing to the superintendent or superintendent's designee and the parent of the pupil suspended. The superintendent or superintendent's designee reviews forthwith the action taken by the principal, assistant principal or teacher upon a petition for such review by any party in interest and confirms or disapproves such action based on an examination of the record of the pupil's behavior.

The decision of the superintendent or superintendent's designee is final and may not be appealed.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program or alternative education program or educational option, which is not a part of the educational program offered by the school division, are borne by the parent of the student.

IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and the pupil's parent of the proposed action and the reasons therefore and of the right to a hearing before the superintendent or

superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community-based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (i) the offense is one described in Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) the School Board or division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

V. EXPULSION

A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and the pupil's parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board. The School Board confirms or disapproves of the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and the pupil's parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based educational, training and intervention programs. The notice also states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during the expulsion is borne by the parent of the student.

Nothing in this section shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of the expulsion, and of the conditions, if any, under which readmission may be granted.

Such students may apply and reapply for readmission to school in accordance with the following schedule:

1. Student/parent must submit, in writing, to Superintendent wishes to reapply 30 days prior to eligibility date.
2. Superintendent will schedule a readmission hearing with the School Board and inform the student/parent of the date.
3. School Board will render a decision within 5 days of the hearing.

B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

Firearms, Destructive Devices and Pneumatic Guns

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed

a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this section do not apply to students who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted to use school premises.

Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance or marijuana as defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

C. Procedure for School Board Hearing

The procedure for the School Board hearing is as follows:

- The School Board determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the School Board.
- The School Board may ask for opening statements from the principal or principal's representative and the student or student's parent(s) (or their representative) and, at the discretion of the School Board, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be

questioned by the School Board members and by the parties (or their representative). The School Board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the School Board may take the testimony of student witnesses outside the presence of the student, the student's parent(s) and their representative if the School Board determines, in its discretion, that such action is necessary to protect the student witness.

- The parties shall produce such additional evidence as the School Board may deem necessary. The School Board is the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the School Board and, when so received, are marked and made part of the record.
- The School Board may, by majority vote, uphold, reject or alter the recommendations.
- The School Board transmits its decision, including the reasons therefor, to the student, the student's parent(s), the principal and superintendent.

VI. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

- charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol, or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C of Va. Code § 22.1-277,

to attend an alternative education program.

The School Board may require such student to attend such programs regardless of where the conduct occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the

evaluator and with the consent of the student's parent, to participate in a treatment program.

The School Board authorizes the superintendent or superintendent's designee to require students to attend an alternative education program consistent with the provisions of the previous paragraph after (i) written notice to the student and the student's parent that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student or the student's parent to participate in a hearing to be conducted by the superintendent or the superintendent's designee regarding such placement. If the student or parent wants to participate in a hearing regarding the placement, the student or parent must notify the superintendent or superintendent's designee within 5 days of receiving the written notice of the student's assignment to the alternative education program. The decision of the superintendent or superintendent's designee regarding such alternative education placement is final unless altered by the Board upon written petition by the student or student's parent for a review of the record by the School Board. Such petition must be received by the superintendent or superintendent's designee within 5 days after receiving written notice of the decision after the hearing.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used in this section, "charged" means that a petition or warrant has been filed or is pending against a pupil.

VII. REPORTING

A. Except as may otherwise be required by federal law, regulation or jurisprudence, reports are made to the superintendent and to the principal or principal's designee on all incidents involving

(1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;
(2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
(3) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;

(4) any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
(5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
(6) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85 or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;
(7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
(8) the arrest of any student for an incident occurring on a school bus, on school property or at a school sponsored activity, including the charge therefor; and
(9) any illegal possession of weapons, alcohol, drugs or tobacco products.

B. The superintendent and the principal or principal's designee receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.

C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.

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

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

E. Whenever any student commits any reportable incident as set forth in this subsection, such student is required to participate in such prevention and

intervention activities as deemed appropriate by the superintendent or superintendent's designee.

F. Except as may otherwise be required by federal law, regulation or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

   In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this subsection and if the incident is so reported, that the parents may contact local law enforcement for further information, if they so desire.

G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to the student's regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in Patrick County Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student is admitted to the regular school program until such student and the student's parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or principal's designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board or superintendent or superintendent's designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this section to attend an alternative education program provided by the School Board for the term of such exclusion.

IX. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

Adopted: July 26, 2007
Revised: July 16, 2009
June 23, 2011
June 5, 2014
March 12, 2015
July 12, 2018
March 10, 2010
June 25, 020

Legal Refs.: 20 U.S.C. § 7151.

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.: IGBH Alternative School Programs
JEC School Admission

JFC	Student Conduct
JFCD	Weapons in School
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
KG	Community Use of School Facilities

STUDENT SUSPENSION/EXPULSION

Students will be allowed to make up any work missed during the period of a suspension. It is the responsibility of the student/parent to obtain assignments from the teacher. Students have one school day for each day of suspension to complete make-up work. Make-up work not completed or submitted on time will result in a grade of zero.

Adopted: June 25, 2020

STUDENT HEALTH SERVICES

The Patrick County School Board may employ school nurses, physicians, physical therapists, occupational therapists and speech therapists who meet such standards as may be determined by the Board of Education. Subject to the approval of the local appropriating body, a local health department may provide personnel for health services for the school division.

Adopted: 4/13/17

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

Cross Refs.:

EBBA	Emergency First Aid, CPR and AED Certified Personnel
GCPD	Professional Staff Discipline
GCPF	Suspension of Staff Members
JHCA	Physical Examinations of Students
JHCB	Student Immunizations
JHCC	Communicable Diseases
JHCCA	Blood Borne Contagious or Infectious Diseases
JHCD	Administering Medicines to Students

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PHYSICAL EXAMINATIONS OF STUDENTS

No pupil is admitted for the first time to any public kindergarten or elementary school in Patrick County School Division unless such pupil furnishes, prior to admission,

(1) a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or

(2) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the pupil is a homeless child or youth as defined in Va. Code § 22.1-3, and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division immediately refers the student to the division's homeless liaison, who, as soon as practicable, assists in obtaining the necessary physical examination by the local health department or other clinic or physician's office and immediately admits the pupil to school.

The health care provider making a report of a physical examination shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.

Physical examination reports are placed in the child's health record at the school and made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.

A physical examination is not required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of his or her knowledge, the child is in good health and free from any communicable or contagious disease.

The health departments of the counties and cities of the Commonwealth conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the departments establish.

Parents/guardians of students entering school shall complete a health information form as required by state law. Such forms shall be returned within 15 days of receipt unless reasonable extensions have been granted by the superintendent or superintendent's designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in

subdivision 6 of Va. Code § 22.1-3 shall be excluded from school for such failure to complete such form.

Adopted: July 9, 2001
Revised: September 13, 2007
May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-270.

Cross Refs.: JEC School Admission
JECA Admission of Homeless Students

STUDENT IMMUNIZATIONS

No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization as required by Va. Code §§ 22.1-271.2 and 32.1-46 to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3.

If a student does not have documentary proof of immunization, the school will notify the student or his parent

- that it has no documentary proof of immunization for the student;
- that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3;
- that the student may be immunized and receive certification by a licensed physician, physician assistant, nurse practitioner, registered nurse or an employee of a local health department; and
- how to contact the local health department to learn where and when it performs these services.

Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code §§ 22.1-271.4 and 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Conditional Enrollment

Any student whose immunizations are incomplete may be admitted conditionally if he provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days.

The immunization record of each student admitted conditionally will be reviewed periodically until the required immunizations have been received.

Any student admitted conditionally who fails to comply with his schedule for completion of the required immunizations will be excluded from school until his immunizations are resumed.

Exemptions

No certificate of immunization is required for the admission to school of any student if

- the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or
- the school has written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required

immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

Homeless Pupils

If a student is a homeless child or youth as defined in Va. Code § 22.1-3 and

- does not have documentary proof of necessary immunizations or has incomplete immunizations and
- is not exempted from immunization,

the school division will immediately admit such student and will immediately refer the student to the local school division homeless liaison who will assist in obtaining the documentary proof of, or completing, immunization.

Immunization Record

Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which will be a part of the mandatory permanent student record. Such record is open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record will be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official will file a report with the local health department. The report will be filed on forms prepared by the State Department of Health and will state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3.

Adopted: September 8, 1997
Revised: November 10, 2004
August 4, 2005
June 23, 2011
July 12, 2012
March 14, 2013

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-271.2, 22.1-271.4, 32.1-46, 54.1-2952.2, 54.1-2957.02.

12 VAC 5-110-10.

Cross Refs.:

JEC	School Admission
JECA	Admission of Homeless Students
JO	Student Records
LBD	Home Instruction

BLOOD BORNE CONTAGIOUS OR INFECTIOUS DISEASES

The attendance at school of students who suffer from blood borne diseases which are infectious or contagious, such as AIDS and Hepatitis B, and which may be transmitted by the exchange of body secretions, is determined by the superintendent on a case-by-case basis. The superintendent obtains the advice of the local department of health to assist with the determination. The student may be excluded from school and school-related functions pending the superintendent's decision. The superintendent issues regulations setting forth the procedures to be followed to effectuate this policy.

The identity of a student who has tested positive for human immunodeficiency virus is confidential in accordance with law.

An alternative educational program is made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Training in the use of universal precautions for handling blood is conducted periodically in accordance with state and federal law. Universal precautions for handling blood are implemented within the school setting and on buses in accordance with state and federal law.

The school board adopts guidelines for school attendance for children with human immunodeficiency virus. Such guidelines are consistent with the model guidelines for such school attendance developed by the Board of Education.

Adopted: September 8, 1997
Revised: February 11, 2004
April 7, 2005
May 9, 2019

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-271.3, 32.1-36.1, 32.1-45.2.

Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus (Attachment to Virginia Department of Education Superintendent’s Memo #32 (Feb. 13, 2004)).

Cross Ref:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	IGBG	Off-Site Instruction and Virtual Courses
	JHCCA-E	Guidelines for School Attendance for Students with Human Immunodeficiency Virus

GUIDELINES FOR SCHOOL ATTENDANCE FOR STUDENTS WITH HUMAN IMMUNODEFICIENCY VIRUS

The Patrick County School Board recognizes its dual obligations to protect the rights of individual students infected with human immunodeficiency virus (HIV) and to provide a safe environment for students, staff, and the public. Because HIV is not transmitted through casual contact, any student who is HIV-infected continues in a regular classroom assignment unless the student's health significantly interferes with ~~his~~ the student's ability to benefit from the educational program.

Patrick County Public Schools works cooperatively with the local health department with regard to the school attendance of students infected with HIV. To enhance the school attendance of students who are HIV-infected, the school division collaborates with public and private organizations in the provision of support services to HIV-infected students.

All students are expected to satisfy the immunization requirements of Virginia Code § 22.1-271.2 unless a required immunization would be harmful to the health of the student. Students who are HIV-infected or have acquired immune deficiency syndrome (AIDS) may be exempted from obtaining immunizations which would otherwise be required. School personnel cooperate with public health personnel regarding exemptions from the requirements.

Mandatory screening for HIV infection is not warranted as a condition of school attendance. Upon learning that a student is HIV-infected or has AIDS, the superintendent may consult with the student's family, the student's family physician, or an official from the local department of health to determine whether the student is well enough to stay in school. If a change in the student's program is necessary because of the student's health, the superintendent or superintendent's designee will work with the student's family, family physician or local health official to develop an educational plan for the student.

Any school board employee or volunteer who has any information regarding a student's HIV-infected status treats that information as confidential.

Despite the extremely remote risk that exposure of skin to blood could result in infection, the following universal precautions for handling blood are implemented within schools and on school buses:

- persons involved in cleaning surfaces exposed to blood and persons rendering first aid to bleeding students should wear disposable gloves to avoid exposure of open skin lesions and mucous membranes to blood;
- surfaces contaminated with blood should be promptly cleaned with household bleach (1 part bleach to 9 parts water) using disposable towels and tissues;
- hands must be washed after gloves are removed;
- if one person's skin is exposed to the blood of another person, the exposed areas should be washed with soap and water.

Universal precautions do not apply to feces, nasal secretions, saliva, sputum, sweat, tears, urine, and vomitus unless they contain blood.

To ensure implementation of the proper procedures for all body fluids, training is provided to all school personnel. Training includes information regarding the following: etiology, transmission, prevention, and risk reduction of HIV; standard procedures for handling blood and body fluids; community resources available for information and referral; and school board policies.

Comprehensive and age-appropriate instruction on the principal modes by which HIV is spread and the best methods for the reduction and prevention of AIDS is provided.

Adopted: April 7, 2005
Revised: May 9, 2019

BLOOD BORNE CONTAGIOUS OR INFECTIOUS DISEASES

The attendance at school of students who suffer from blood borne diseases which are infectious or contagious, such as AIDS and Hepatitis B, and which may be transmitted by the exchange of body secretions, shall be determined by the superintendent on a case-by-case basis. The superintendent shall obtain the advice of the local department of health to assist him/her in making his/her determination. The student may be excluded from school and school-related functions pending the superintendent's decision. The superintendent shall issue regulations setting forth the procedures to be followed to effectuate this policy.

The identity of a student who has tested positive for human immunodeficiency virus shall be confidential in accordance with state law.

An alternative educational program shall be made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Training in the use of universal precautions for handling blood shall be conducted periodically in accordance with state and federal law. Universal precautions for handling blood shall be implemented within the school setting and on buses in accordance with state and federal law and guidelines.

The School Board shall adopt guidelines for school attendance for children with human immunodeficiency virus. Such guidelines shall be consistent with the model guidelines for such school attendance developed by the Board of Education.

Adopted: September 8, 1997
Revised: February 11, 2004
Revised: April 7, 2005

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-271.3, 32.1-36.1, 32.1-45.2.

Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus (Attachment to Virginia Department of Education Superintendent's Memo #32 (Feb. 13, 2004)).

Cross Ref:

EBAB	Possible Exposure to Viral Infections
EBBB	Personnel Training—Viral Infections
IGBG	Homebound, Correspondence, and Alternative Means of Instruction
JHCCA-E	Guidelines for School Attendance for Students with Human Immunodeficiency Virus

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BLOOD BORNE CONTAGIOUS OR INFECTIOUS DISEASES

Guidelines for Pupils with Human Immunodeficiency Virus

The Patrick County Public Schools will work cooperatively with the Patrick County Health Department to ensure compliance with Virginia Code 22.1-271.3 for school attendance of children infected with human immunodeficiency virus (HIV).

A. Students are expected to be in compliance with immunization schedule Article 2, 22.1-271.2; however, some required immunizations may be harmful to the health of the student who is HIV infected or has AIDS. Students who are HIV infected or have AIDS may get an exemption from complying with the requirements (Virginia Code 22.1 27.2, C). School personnel will cooperate with public health personnel in completing and coordinating immunization data, exemptions, and exclusions, including immunization forms.

B. Mandatory screening for HIV infection is not warranted as a condition for school entry. Upon learning a student is HIV infected or has AIDS, the superintendent will consult with the individual's family and physician or a health official from the local health department to determine whether the student is well enough to stay in school. Since it is known that HIV is not transmitted through casual contact, any student who is HIV infected will continue education in a regular classroom assignment unless the health status interferes significantly with performance. If a change in a student's program is necessary, the superintendent or designee, family and physician or health official will develop an individual plan which is medically, legally and educationally sound. If the HIV student is receiving special education services, the services will be in agreement with established policies. (See Policy 9-7)

C. Parents/guardians may appeal decisions for restriction or exclusions as determined by the school division's established procedures.

B.All persons privileged with any medical information about HIV infected students shall be required to treat all proceedings, discussions, and documents as confidential information. Individuals will be informed of the situation on a "Need to Know" basis with written consent of the parent/guardian.

C.Universal precautions for handling blood will be implemented within the school setting on buses. To ensure implementation of the proper standard operating procedures for all body fluids, the guidelines from the Virginia Department of Health will be followed. In-service training will be provided to all school personnel.

Training will include local division policies; etiology, transmission, prevention, and risk reduction of HIV; standard operating procedures for handling blood and body fluids; and community resources available for information and referral. Periodic updates will be supplied through in-service or memoranda.

D. Comprehensive and age-appropriate instruction on the principal modes by which HIV is spread and the best methods for the reduction of prevention of AIDS are required to encourage the support and protections of the HIV infected student. To enhance school attendance, the school division will collaborate with public and private organizations in the provision of support services to HIV infected students.

Adopted: September 8, 1997

GUIDELINES FOR SCHOOL ATTENDANCE FOR STUDENTS WITH HUMAN IMMUNODEFICIENCY VIRUS

The Patrick County School Board recognizes its dual obligations to protect the rights of individual students infected with human immunodeficiency virus (HIV) and to provide a safe environment for students, staff, and the public. Because HIV is not transmitted through casual contact, any student who is HIV-infected will continue in a regular classroom assignment unless the student's health significantly interferes with his or her ability to benefit from the educational program.

Patrick County Public Schools will work cooperatively with the local health department with regard to the school attendance of students infected with HIV. To enhance the school attendance of students who are HIV-infected, the school division will collaborate with public and private organizations in the provision of support services to HIV-infected students.

All students are expected to satisfy the immunization requirements of Virginia Code § 22.1-271.2 unless a required immunization would be harmful to the health of the student. Students who are HIV-infected or have acquired immune deficiency syndrome (AIDS) may be exempted from obtaining immunizations which would otherwise be required. School personnel will cooperate with public health personnel regarding exemptions from the requirements.

Mandatory screening for HIV infection is not warranted as a condition of school attendance. Upon learning that a student is HIV-infected or has AIDS, the division superintendent may consult with the student's family, the student's family physician, or an official from the local department of health to determine whether the student is well enough to stay in school. If a change in the student's program is necessary because of the student's health, the division superintendent or designee will work with the student's family, family physician or local health official to develop an educational plan for the student.

Any school board employee or volunteer who has any information regarding a student's HIV-infected status will treat that information as confidential. Division personnel will share information regarding a student's HIV status only with the written consent of the student's parent or guardian.

Despite the extremely remote risk that exposure of skin to blood could result in infection, the following universal precautions for handling blood will be implemented within schools and on school buses:

- persons involved in cleaning surfaces exposed to blood and persons rendering first aid to bleeding students should wear disposable gloves to avoid exposure of open skin lesions and mucous membranes to blood;
- surfaces contaminated with blood should be promptly cleaned with household bleach (1 part bleach to 9 parts water) using disposable towels and tissues;
- hands must be washed after gloves are removed;
- if one person's skin is exposed to the blood of another person, the exposed areas should be washed with soap and water.

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Universal precautions do not apply to feces, nasal secretions, saliva, sputum, sweat, tears, urine, and vomitus unless they contain blood.

To ensure implementation of the proper procedures for all body fluids, training will be provided to all school personnel. Training will include information regarding the following: etiology, transmission, prevention, and risk reduction of HIV; standard procedures for handling blood and body fluids; community resources available for information and referral; and local division policies.

Comprehensive and age-appropriate instruction on the principal modes by which HIV is spread and the best methods for the reduction and prevention of AIDS will be provided.

Adopted: September 8, 1997

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COMMUNICABLE DISEASES

The Patrick County School Board recognizes the importance of protecting its students and employees from the transmission of communicable diseases which present a threat to their health and safety while also protecting the legitimate interests and rights of students and employees with communicable diseases. The Board directs the superintendent to act in compliance with applicable law to exclude from school attendance or work in the school setting any person who has a communicable disease. Both the decision to remove the student or employee and the decision to readmit the student or to permit the employee to return to work are made by the superintendent based upon consultation with the local health department, the student's or employee's physician, physician assistant, nurse practitioner and/or other medical authorities. (See policy JHCCA Blood Borne Contagious or Infectious Diseases).

The identity of a student who has a communicable disease is kept confidential and revealed only in accordance with state law. An alternative educational program is made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Administrative procedures concerning the exclusion of employees and students with communicable diseases are consistent with the requirements of law, including the policies of the Virginia Department of Education and reflect current medical knowledge and research.

Adopted: September 8, 1997
Revised: February 11, 2004
August 4, 2005
June 23, 2011
June 4, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-271.3, 22.1-272, 32.1-36.1, 54.1-2952.2, 54.1-2957.02.

8 VAC 20-131-180.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	IGBG	Homebound, Correspondence and Alternative Means of Instruction
	JHCCA	Blood Borne Contagious or Infectious Diseases

ADMINISTERING MEDICINES TO STUDENTS

Medications Prescribed for Individual Students

Employees of Patrick County School Board may give medication prescribed for individual students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.

Nonprescription Medications

Employees of Patrick County School Board may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.

Self-Care and Self-Administration of Medication

Each enrolled student who is diagnosed with diabetes, with parental consent and written approval from the prescriber, is permitted to

- carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and
- self-check his own blood glucose levels on school buses, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or reinsertion of the pump or any of its parts. Nothing in this policy requires any employee to assist with the insertion or reinsertion of the pump or any of its parts.

Students may be permitted to carry and self-administer other medications when the following conditions are met:

- Written parental permission for self-administration of specified non-prescription medication is on file with the school.
- The non-prescription medication is in the original container and appropriately labeled with the manufacturer's directions.

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- The student's name is affixed to the container.
- The student possesses only the amount of non-prescription medicine needed for one school day/activity.

Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited. Permission to self-administer non-prescription medication may be revoked if the student violates this policy and the student may be subject to disciplinary action in accordance with the Standards of Student Conduct.

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. A student may possess and self-administer asthma medication, or auto-injectable epinephrine, or both, when the following conditions are met:

- Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, is on file with the school.
- Written notice from the student's health care provider is on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication.
- An individualized health care plan is prepared, including emergency procedures for any life-threatening conditions.
- There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.
- Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health.
- Information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

Permission granted to a student to possess and self-administer asthma medications or auto-injectable epinephrine, or both, will be effective for a period of 365

calendar days, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication or auto-injectable epinephrine, or both, may be limited or revoked after appropriate school personnel consult with the student's parents.

Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, School Board employee, employee of a local appropriating body or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction.

Regulation

The superintendent shall develop a regulation for administration of medicines to students. The regulation shall include provisions for the handling, storage, monitoring, documentation and disposal of medication.

Adopted: September 11, 2000
Revised: August 4, 2005
June 23, 2011
July 11, 2013
June 5, 2014

Legal Refs.: Code of Virginia, as amended, §§ 22.1-78, 22.1-274, 22.1-274.01:1, 22.1-274.2, 54.1-2952.2, 54.1-2957.02, 54.1-3408.

Manual for Training Public School Employees in the Administration of Insulin and Glucagon (Virginia Department of Education Revised 2015).

Cross Refs.:

EBBA	Emergency First Aid, CPR and AED Certified Personnel
JFC-R	Standards of Student Conduct
JHCE	Recommendation of Medication by School Personnel
JO	Student Records

RECOMMENDATION OF MEDICATION BY SCHOOL PERSONNEL

School personnel are prohibited from recommending the use of psychotropic medications for any student. School health staff, classroom teachers, or other school professionals may recommend that a student be evaluated by an appropriate medical practitioner. In addition, school personnel may consult with a medical practitioner who is serving the student with the written consent of the student's parent.

For the purpose of this policy, "psychotropic medications" means those medications that are prescribed with the intention of altering mental activity or state, including, but not limited to, antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication.

Adopted: April 14, 2003

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-274.3.

Superintendent's Memorandum No. 54 (August 16, 2002).

Cross Ref.: JHCD Administering Medicine to Students

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Patrick County Public Schools Student Wellness

Patrick County Public Schools strives to meet the Federal standards for local school wellness policy implementation under the final rule of the Healthy, Hunger-Free Kids Act of 2010. We recognize the need to build a relationship with student wellness and learning. PCPS is committed to providing a school environment that enhances the learning and development of lifelong wellness practices.

Patrick County Public Schools is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that good nutrition and physical activity before, during and after the school day are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus– in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and

- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the District. Specific measurable goals and outcomes are identified within each section below.

School Wellness Committee

Committee Role and Membership

Patrick County Public Schools will form a representative district wellness committee, Student Health Advisory Board (SHAB), that will meet at least three times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this policy. (Heretofore referred as "wellness policy").

The SHAB membership will represent all school levels and will include (to the extent possible), but not be limited to: parents and caregivers; representatives of the school nutrition program; physical education teachers; health education teachers; school health professionals, physicians, dentists, health educators and mental health and social services staff; school administrators, school board members; health professionals; and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. The SHAB will include representatives from each school building and reflect the diversity of the community.

Leadership

The Superintendent or designee(s) will convene the SHAB and facilitate the development of and updates to the wellness policy, and will ensure each school's compliance with the policy.

Name	**Title / Relationship to the School or District**	**Email address**
Rozina Turner	Assistant Principal	rozina.turner@patrick.k12.va.us
Ann Fulcher	Director of Special Education	ann.fulcher@patrick.k12.va.us
Melissa Fain	PCHS School Counselor	melissa.fain@patrick.k12.va.us
Amy Worley	School Nurse	amy.worley@patrick.k12.va.us
Leisa Stone	School Nurse	leisa.stone@patrick.k12.va.us
Derina Scott	School Counselor	derina.scott@patrick.k12.va.us
Pam Hylton	School Counselor	pam.hylton@patrick.k12.va.us

Jerri Aldridge	School Nurse	jerri.aldridge@patrick.k12.va.us
Sherrie Montgomery	School Nurse	sherrie.montgomery@patrick.k12.va.us
Debbie Tatum	Virginia Department of Social Services	deboarh.tatum@dss.virginia.gov
Mandy Worley	School Nurse	mandy.worley@patrick.k12.va.us
Shannon Cassell	School Nurse	shannon.cassell@patrick.k12.va.us
Pamela Rorrer	Virginia Health Department	pamela.rorrer@vdh.virginia.gov
Amy Helms	School Nurse	amy.helms@patrick.k12.va.us
Ryan Lawson	School Board Member	ryan.lawson@patrick.k12.va.us
Christiana Crace	School Counselor	christiana.crace@patrick.k12.va.us
Darlene Rogers	Coordinator of Food Services	darlene.rogers@patrick.k12.va.us
David Haymore	Resource Officer	david.haymore@patrick.k12.va.us
Shannon Cockram	Speech & Language	shannon.cockram@patrick.k12.va.us
Christie Fain	Parent Representative	christiefain@gmail.com

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

Patrick County Public Schools will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines to the division and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus. This wellness policy and the progress reports can be found at: *www.patrick.k12.va.us*

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at Patrick County Public Schools, 104 Rucker Street, Stuart, VA 24171 and/or on the district's computer network. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;

- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the SHAB;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

Patrick County Public Schools will inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments

At least once every three years, Patrick County Public Schools will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of Patrick County are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the Patrick County Public Schools wellness policy.

The position/person responsible for managing the triennial assessment and contact information is Chair of SHAB (P.O. Box 346, Stuart VA 24171).

Revisions and Updating the Policy

The Student Health Advisory Board will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or

standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications

Patrick County Public Schools is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of SHAB and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. Patrick County Public Schools will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

Nutrition

School Meals

Our school district is committed to serving healthy meals to children and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All Patrick County Public Schools participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP). There are a couple that operate the Summer Food Service Program (SFSP). The District also operates additional nutrition related programs and activities including, Grab N Go Carts in each school. Five schools participate in the Second Chance Alternative Breakfast.

All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings:
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)
- Promote healthy food and beverage choices using the following Smarter Lunchroom techniques:
  - Whole fruit options are displayed in attractive bowls or baskets (instead of hotel pans).
  - Fresh fruit is available daily.
  - Daily fruit options are displayed in a location in the line of sight and reach of students.
  - All available vegetable options have been given creative or descriptive names.
  - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
  - White milk is placed in front of other beverages in all coolers.
  - Alternative entrée options are highlighted on posters or signs within all service and dining areas.
  - A reimbursable meal can be created in any service area available to students
  - Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
  - Daily announcements are used to promote and market menu options.

- Menus will be posted on the District website or individual school websites, and will include nutrient content and ingredients.
- School meals are administered by a team of child nutrition professionals.
- The District child nutrition program will accommodate students with special dietary needs.
- Students will be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated (meets Healthy Schools Program Gold-level criteria).
- Students are served lunch at a reasonable and appropriate time of day.
- Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

- The District will encourage at least four Farm to School activities
  - Local and/or regional products are incorporated into the school meal program;
  - Messages about agriculture and nutrition are reinforced throughout the learning environment;

- Schools hosts field trips to local farms and host agricultural demonstrations at the school.
- School cafeterias will promote local/regional products to the best extent possible by offering taste testing of various fruits and vegetables available.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus. PCPS will make drinking water available where school meals are served during mealtimes. Water cups are available upon request for students during meal times.

- All water sources and containers will be maintained on a regular basis to ensure good hygiene and health safety standards. Such sources and containers may include drinking fountains, water jugs, hydration stations and other methods for delivering drinking water.
- Students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services

where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including through:

1. celebrations and parties. The district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas are available from the Alliance for a Healthier Generation and from the USDA.
2. classroom snacks brought by parents. The District will provide to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
3. rewards and incentives. The District will provide teachers and other relevant school staff a list of alternative ways to reward children. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. The District will make available to parents and teachers a list of healthy fundraising ideas [*examples from the Alliance for a Healthier Generation and the USDA*].

- *Schools will encourage the use of non-food fundraisers, and encourage those promoting physical activity (such as walk-a-thons, Jump Rope for Heart, fun runs, etc.).*

Exemptions to the nutrition standards for school-sponsored fundraisers

Virginia Administrative Code 8VAC20-740-35

- Each public school shall be permitted to conduct, on the school campus during regular school hours, no more than 30 school-sponsored fundraisers per school year, during which food or beverages that do not meet the nutrition standards established by the U.S. Department of Agriculture, may be sold. (*Virginia Administrative Code 8VAC20-740-40A)*
- School divisions are not required to allow exemptions to the nutrition standards for school-sponsored fundraisers and may implement more restrictive guidelines as part of the local wellness policy requirements.
- One fundraiser is defined as one or more fundraising activities that last one school day. If multiple school-sponsored organizations conduct fundraisers on the same day, the combined activities shall be counted as one fundraiser. If a fundraising activity lasts more than one school day, each subsequent day's activity shall be considered as one fundraiser and shall count toward the 30 exempt fundraisers total per year.
- Any fundraiser that sells food or beverages, whether the items meet the nutrition standards or are exempt from the nutrition standards in this chapter, may not be conducted during school meal

service times. Any food or beverage item cannot be sold in competition with the National School Lunch Program and School Breakfast Program from 6 a.m. until after the close of the last breakfast period and from the beginning of the first lunch period to the end of the last lunch period. Food or beverage sold to students during these times shall accrue to the nonprofit School Nutrition Program account.

- Local educational agencies and school food authorities must retain records to document compliance of their fundraisers for each school year. The attached Tracking Record is provided for documentation of the fundraisers.
- An exemption is not required for nonfood fundraisers or for fundraisers that sell food or beverage items that meet the nutrition standards in this chapter.

Schools and school-sponsored organizations and activities are encouraged to consider non-food fundraisers first. Non-food fundraisers, such as a 5K walk/run, dance marathon, or read-a-thon, can support healthy lifestyles and academics while generating higher profits for the organization. If foods or beverages are sold as a fundraiser by any organization other than the school nutrition program, those items should adhere to the federal Smart Snacks in School regulations and the state nutritional guidelines.

Smart Snack Standards

Nutrient	Snack	Entrée
Calories	200 calories or less	350 calories or less
Sodium	200 mg or less	480 mg or less
Total Fat	35% of calories or less	35% of calories or less
Saturated Fat	Less than 10% of calories	Less than 10% of calories
***Trans* Fat**	0 g	0 g
Sugar	35% by weight or less	35% by weight or less

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available at http://www.foodplanner.healthiergeneration.org/.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- teaches media literacy with an emphasis on food and beverage marketing; and;
- includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day

- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the

producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

Physical Activity

The Patrick County school division has a goal of making a program of physical fitness available to all students for at least 150 minutes per week on average during the regular school year. Such programs may include any combination of physical education classes, extracurricular activities and other programs and physical activities, and the integration of physical activity into the academic curriculum where appropriate.

All students will be provided an equal opportunity to participate in physical education classes. PCPS will make appropriate accommodations to allow equitable participation for all students and will adapt physical education classes and equipment as necessary. The District will work with schools to ensure that its grounds and facilities are safe for students to be active. Patrick County Public Schools will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "*Essential Physical Activity Topics in Health Education*" subsection). The curriculum will support the essential components of physical education.

Patrick County Public Schools physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Fitness Gram, Virginia Wellness Related Fitness Test or other appropriate assessment tool) and will use criterion-based reporting for each student.

- *Students will be moderately to vigorously active for at least 50% of class time during most or all physical education class sessions.*
- *All physical education teachers in the Patrick County Public Schools will be required to participate in at least once a year professional development in education.*
- *All physical education classes in the District are taught by licensed teachers who are certified or endorsed to teach physical education.*
- *Waivers, exemptions, or substitutions for physical education classes are only granted due to medical reasons.*

Essential Physical Activity Topics in Health Education

Health education will be required in all grades, and the district will require high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active

- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Classroom Physical Activity Breaks (Elementary and Secondary)

Patrick County Public Schools recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, the division recommends that students be offered periodic opportunities to be active or to stretch throughout the day at the teacher's discretion. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through USDA and the Alliance for a Healthier Generation.

Active Academics

Teachers are encouraged to incorporate movement and kinesthetic learning approaches into "core" subject instruction when possible and do their part to limit sedentary behavior during the school day.

Patrick County Public Schools will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by permitting facility use for local recreation teams, as permitted by district policy.

Active Transport

The District will support active transport to and from school, such as walking, where feasible. The rural nature of the school district makes active transport impossible for

most students. However, the District will encourage active transport in the following ways:

- Designate safe or preferred routes to school
- Use crossing guards
- Document the number of children walking to and from school

Other Activities that Promote Student Wellness

Patrick County Public Schools may integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. Patrick County Public Schools may coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

The Division encourages schools to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

Community Partnerships

Patrick County Public Schools will continue their relationships with community partners in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement

Patrick County Public Schools will encourage parents/caregivers, families, and the general community through sponsored events throughout the school year. These events will give them the opportunity to support their children's participation in physical activity, as well as join in the activities as a family.

Patrick County Public Schools will use email, the district's website, social media, as well as handing out flyers to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. Examples of strategies schools will use, as well as specific actions staff members can take, include:

- free flu shots
- Tele-Health
- 1-800-Nurse Hotline

- Best Life Program
- Safe Schools Education
- Hoonuit
- Mental Health Resource

The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, Patrick County Public Schools may offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school. Professional learning will help Patrick County Public Schools staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

Glossary:

Extended School Day – the time during, before and after school that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.
School Campus - areas that are owned or leased by the school and used at any time for school related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.
School Day – the time between midnight the night before to 30 minutes after the end of the instructional day.
Triennial – recurring every three years.

Adopted: March 10, 2020

LACTATION SUPPORT

The superintendent shall designate a non-restroom location in each school as an area in which any mother who is employed by the Patrick County School Board or enrolled as a student in the division may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one. The area must be shielded from public view.

Adopted: June 5, 2014

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-79.6.

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File: JHC-R

ANIMALS IN SCHOOLS

I. Purpose

PCPS encourages the appropriate and safe inclusion of animals in our instructional program. Therefore, these regulations provide information and guidance to school administrators, teachers, staff members, and parents/guardians that will promote a healthy and sage learning environment for students to be exposed to animals at school. This document outlines general guidelines for animals in schools, specifies which animals should not be brought into schools/classrooms, describes procedures to prevent the transmission of animal-borne diseases to students explains the proper handling of animal wastes, and outlines the protocol for handling student injury caused by animal bites and scratches. Animals and handlers in contracted shows must also meet the standards spelled out in this regulation.

II. General Guidelines

In order to protect students from zoonotic diseases, the following general guidelines should be followed:

A. All animals that are brought into school will be clean and free of disease or parasites, including fleas, ticks, and mites.
B. Evidence of current rabies vaccination will be required for all dogs, cats and ferrets that are brought onto school property for instructional purposes. Dogs and cats under three months of age and not vaccinated against rabies cannot be brought into school.
C. A current health certificate signed by a licensed veterinarian is required prior to bringing a dog into school. There should be proof of current vaccination against canine distemper, hepatitis, leptospirosis, parainfluenza, parvovirus, Bordetella, and rabies. Animals should have a negative fecal exam for internal parasites within the past six months. Dogs must be housebroken.
D. A current health certificate for cats must be signed by a licensed veterinarian showing proof of current vaccination against feline panleukopenia, rhinotracheitis, calicivirus, chlamydia, feline leukemia, and rabies.
E. Principal/administrator must approve all animals visiting the school.
F. Everyone will wash hands after contact with animals, their products, or their environment.

G. All students should be supervised during human-animal contact.
H. Animals should be handled humanely.
I. Animals can be displayed in enclosed cages or under appropriate restraint (e.g., leash). Animals are not allowed to roam free in the classroom.
J. Specific areas in the school must be designated for animal contact.
K. Animals cannot roam, fly free, or have contact with wild animals.
L. Animals are not allowed in areas where food or drink is consumed.
M. Food for animals must be stored in an air-tight closed container, preferably hard plastic, to prevent spills and attracting nuisance animals and insects.
N. Areas where animals have been present must be cleaned and disinfected. All animal waste must be disposed of by a staff member using plastic bags and gloves. Under no circumstances can students be allowed to clean cages or handle animal waste products. Any spills or "accidents" should be immediately handled by school custodial staff.
O. Parents/guardians must be consulted to determine any special considerations needed for children who are immune-compromised or have allergies or asthma. Written parental permission for all student-animal contact must be obtained. A responsible adult must accompany all animal visits in school.

III. Animals which Can Not Be Brought Into Schools

A. Venomous or toxin-producing spiders, insects, reptiles, and amphibians
B. Wild or exotic animals
C. Mammals at higher risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes and coyotes).
D. Nonhuman primates
E. Stray animals
F. Baby chicks and ducks
G. Aggressive or unpredictable animals

IV. Procedures

A. Fish-use disposable gloves when cleaning aquariums, and do not dispose of aquarium water in sinks for food preparation or for obtaining drinking water.
B. Psittacine birds-because these birds (parrots, parakeets, budgies, cockatiels) can carry disease, they cannot be handled by students. Staff members should clean cages when students are not present. Birds must be treated or test negative for psittacosis (chlamydiosis).

C. Baby chicks and ducks-because of the risk of Salmonella and Campylobacter infections, baby chicks and ducks should not be brought into schools.
D. Reptiles and Amphibians-because of the risk of Salmonella bacteria, special precautions must be taken when student handle these animals. Students under the age of 5 should not have contact with reptiles and amphibians. No turtles with a carapace length less than four inches are allowed in schools. Any child handling a reptile or amphibian must wash his/her hand thoroughly with warm water and soap afterwards. Hand sanitizer or "we wipes" can only be used as an adjunct to soap and water.
E. Hamsters, Guinea pigs, and Gerbils-because these "pocket pets" can carry Salmonella bacteria and Lymphocytic choriomeningitis virus, special care must be taken when students handle these animals. Students under the age of 5 must not handle these animals. Any child handling a "pocket pet" should be instructed to wash his/her hands thoroughly with warm water and soap afterwards. Hand sanitizer or "wet wipes" can only be used as an adjunct to soap and water.
F. Ferrets-because these animals bite when startled, student should not handle ferrets in the classroom. Students under the age of 5 should not have contact with ferrets.
G. Farm animals- because of the risk of E.coli 0157:H7. Salmonella, Campylobacter, and Cryptosporidium, careful hand hygiene must be used when coming in contact with farm animals. These animals might not be appropriate with young children and in certain settings.

V. Protocol for Animal-Related Injuries

A. All bites, scratches, or other injuries acquired by students or staff members must be immediately washed well with soap and warm water for at least one minute and reported to the school nurse for first aid and recommendation for further medical evaluation and parental/guardian.
B. Administrators will be notified immediately of the injury and an incident/accident report will be completed by the staff member responsible at the time of the injury and forwarded to the school nurse.
C. If students receive a bite or scratch from a wild animal, animal control will be notified as well as the parents/guardians. Medical evaluation by the student's primary provider will be recommended for all injury sustained from wild animals.

VI. References

A. Virginia Department of Health, office of Epidemiology, Division of Zoonotic and Environmental Epidemiology
http://www.vdh.virginia.gov/epidemiology/dee/other zoonosis
B. MMWR, Recommendations and Reports, July 6,2007/ 56 (RR05): 18-19,Guidelines for Animals in School Settings, http://www.cdc.gov/MMWR/preview/mmwrhtml/rr5605a5.htm

Adopted: February 8, 2018

File: JHC-R-F

PATRICK COUNTY PUBLIC SCHOOLS
PARENT/GUARDIAN PERMISSION FOR STUDENT EXPOSURE
TO ANIMALS IN SCHOOL

Name of Student: _____

School:_____ Grade/Teacher:_____

PART I: TO BE COMPLETED BY TEACHER/STAFF

Dear Parents/Guardians,
PCPS guidelines require that we obtain parental permission prior to student contact with animals in school. We understand that allergies, asthma, immune problems, or other health concerns may make animal contact inappropriate for your child.

I would like to plan for the following animal to visit my classroom for academic purposes on _____.

___Cat ___Rabbit
___ Dog ___Reptile or Amphibian
___Ferret ___Other (please explain:_____)

I verify that I will confirm that the animal(s) brought into school is clean and free of disease by inspecting documentation for a current rabies vaccination certification, health certificate from a licensed veterinarian, and proof of current vaccinations. I also agree to supervise the entire human-animal contact session, have a clean and disinfected area for showing the animal (s), not allow food or drink in the animal showing area, and dispose of waste with the use of plastic bag and gloves.

Note: Under no circumstances will students be allowed to clean cages of handle animal waste products. The following animals are not permitted in schools" venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians), wild or exotic animals, mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes), non-human primates, stray animals, baby chicks and ducks, turtles with a carapace length less than 4", or aggressive/unpredictable animals.

PATRICK COUNTY PUBLIC SCHOOLS

PART II: TO BE COMPLETED BY PARENT/GUARDIAN:

I, _____, (circle one) **do/do not** permit the student identified above to be
(Parent/guardian name)
in contact with the animal listed below for academic purposes on _____.
(Date)

PART III: TO BE COMPLETED BY PRINCIPAL/ADMINISTRATOR

I, _____, permit the animal identified above to be brought into school
(Principal/administrator's name)
for academic purposes on _____.
(Date)

(Signature of Parent/Guardian) (Date)

(Signature of Teacher/Staff) (Date)

(Signature of Principal/Administrator) (Date)

Adopted: February 8, 2018

HUMAN RESEARCH

Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government are conducted in accordance with Policy JOB Administration of Surveys and Questionnaires, 20 U.S.C. § 1232h, and applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved.

Any other human research involving students must be approved and conducted under the review of a human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student's parents or legally authorized representative give their informed consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18.

The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19.

Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

Definition: as used in this policy, "human research" means any systematic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. "Human research" does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b).

Adopted: September 8, 1997
Revised: May 11, 2006
April 12, 2012
March 10, 2020

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Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, §§ 32.1-162.16, 32.1-162.17, 32.1-162.18, 32.1-162.19, 32.1-162.20.

Cross Refs.:	JOB	Administration of Surveys and Questionnaires
	IIAE	Innovative or Experimental Program

SUICIDE PREVENTION

Duties of Teachers and Administrative Staff

Any person licensed as administrative or instructional personnel by the Board of Education and employed by the Patrick County School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide, contacts, as soon as practicable, at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

Abuse or Neglect

If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, contact is not made with the parent. Instead, the staff person notifies, as soon as practicable, the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by Policy GAE Child Abuse and Neglect Reporting and Va. Code § 63.2-1509. When giving this notice to the local or state department, the person stresses the need to take immediate action to protect the child from harm.

Parental Review of Materials

Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying or suicide prevention program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent’s right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

Adopted: April 9, 2001
Revised: November 10, 2004
August 10, 2006
April 14, 2011
November 12, 2015
August 8, 2019

Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1-207.1:1, 22.1-272.1 and 63.2-1509.

Cross Refs: GAE Child Abuse and Neglect Reporting

EB	School Crisis, Emergency Management and Medical Emergency Response Plan
EBB	Threat Assessment Teams

STUDENT-ATHLETE CONCUSSIONS

Generally

In order to participate in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian must review, on an annual basis, information on concussions provided by the school division. After having reviewed materials describing the short- and long-term health effects of concussions, each student-athlete and the student-athlete's parent or guardian must sign a statement acknowledging receipt of such information, in a manner approved by the Board of Education.

Return to Play Protocol

A student-athlete suspected by that student-athlete's coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice or game is removed from the activity at that time. A student-athlete who has been removed from play, evaluated, and suspected to have a concussion or brain injury does not return to play that day or until the student-athlete is

- evaluated by an appropriate licensed health care provider as determined by the Board of Education and
- in receipt of written clearance to return to play from such licensed health care provider.

The licensed health care provider evaluating student-athletes suspected of having a concussion or brain injury may be a volunteer.

Return to Learn Protocol

School personnel are alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including

- difficulty with concentration, organization, and long-term and short-term memory;
- sensitivity to bright lights and sounds; and
- short-term problems with speech and language, reasoning, planning, and problem solving.

School personnel accommodate the gradual return to full participation in academic activities of 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.

Procedures

The superintendent is responsible for developing, and biennially updating, procedures regarding the identification and handling of suspected concussions in student-athletes.

Athletic Activities Conducted by Non-School Organizations on School Property

The school division may provide this policy to organizations sponsoring athletic activity for student-athletes on school property. The school division does not enforce compliance with the policy by such organizations.

Adopted: June 23, 2011
Revised: June 4, 2015
June 23, 2016
August 8, 2019

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-271.5.

Cross Refs.: KG Community Use of School Facilities
KGB Public Conduct on School Property

FUNDRAISING AND SOLICITATION

All fundraising activities conducted for the benefit of Patrick County school division must provide an educational benefit to students and must not interfere with the instructional program. All fundraising activities conducted by school-sponsored organizations or clubs must be approved in advance by the principal. Fundraising refers to the raising of non-appropriated funds by students, parents or others for the educational benefit of students and their schools.

Students may participate in fundraising activities provided such activities are approved in writing and carefully monitored and regulated by the school principal or principal's designee. Elementary school students may not participate in door-to-door solicitation. Students are not excused from class to participate in fundraising activities. No grade is affected by a student's participation, or lack of participation, in a fundraising activity.

Each principal develops and maintains a list of all approved fundraising activities and reports all activities to the superintendent pursuant to procedures issued by the superintendent.

The superintendent periodically furnishes the School Board with an up-to-date listing of all fundraising activities being conducted in the school division.

Adopted: September 18, 1997
Revised: April 13, 2003
April 10, 2008
March 13, 2014
May 9, 2019

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

Cross Refs.:

JHCF	Student Wellness
JHCH	School Meals and Snacks
KJ	Advertising in the Schools
KGA	Sales and Solicitations in Schools
KMA	Relations with Parent Organizations
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

RESTRAINT AND SECLUSION OF STUDENTS

Physical restraint and seclusion may only be used by Patrick County School Board staff for the purpose of behavioral intervention in accordance with this policy and the Virginia Board of Education Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia. The School Board encourages the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion.

The superintendent is responsible for developing procedures to address the requirements of the Board of Education Regulations. Those procedures shall include:

- examples of the positive behavioral interventions and support strategies consistent with the student's rights to be treated with dignity and to be free from abuse that the school division uses to address student behavior, including the appropriate use of effective alternatives to physical restraint and seclusion;
- a description of initial and advanced training for school personnel that addresses appropriate use of effective alternatives to physical restraint and seclusion and the proper use of restraint and seclusion;
- a statement of the circumstances in which physical restraint and seclusion may be employed, which shall be no less restrictive than that set forth in 8 VAC 20-750-40 and 8 VAC 20-750-50;
- provisions addressing the
    - notification of parents regarding incidents of physical restraint or seclusion, including the manner of such notification;
    - documentation of the use of physical restraint and seclusion;
    - continuous visual monitoring of the use of any physical restraint or seclusion to ensure the appropriateness of such use and the safety of the student being physically restrained or secluded, other students, school personnel, and others. These provisions shall include exceptions for emergency situations in which securing visual monitoring before implementing the physical restraint or seclusion would, in the reasonable judgment of the school personnel implementing the physical restraint or seclusion, result in serious physical harm or injury to persons;
    - securing of any room in which a student is placed in seclusion. These provisions shall ensure that any seclusion room or area meet specifications for size and viewing panels that ensure the student's safety at all times, including during a fire or other emergency; and
    - the appropriate use and duration of seclusion based on the age and development of the student.

The School Board reviews this policy at least annually and updates it as appropriate. The superintendent reviews the procedures at least annually and updates them as appropriate.

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Adopted: August 14, 2010
Revised: November 12, 2020

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-279.1, 22.1-279.1:1.

8 VAC 20-750-40.

8 VAC 20-750-50.

8 VAC 20-750-70.

Cross Refs.:		
	BF	Board Policy Manual
	CH	Policy Implementation
	EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JGA	Corporal Punishment
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	KNAJ	Relations with Law Enforcement Authorities

PROCEDURES FOR THE USE OF PHYSICAL RESTRAINT AND SECLUSION

I. Introduction

This Regulation governs the use of restraint and seclusion by school personnel. If an action of school personnel constitutes the use of restraint and seclusion, as defined below, then the action is subject to requirements set forth below and the regulations promulgated by the Virginia Board of Education, at 8 VAC 20-750-5 et seq. If an action of school personnel does not constitute the use of restraint and seclusion, as defined below, then the school personnel may act within their reasonable discretion.

This Regulation will be reviewed at least annually and will be updated as appropriate. The following will be considered in developing, reviewing, and revising this Regulation: the distinctions in emotional and physical development between elementary and secondary students and between students with and without disabilities.

III. Positive Behavior Interventions and Support Strategies

The school division encourages the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion. Examples of positive behavioral interventions and support strategies consistent with the student's rights to be treated with dignity and to be free from abuse may include but are not limited to the following:

- The implementation of a school-wide Positive Behavioral Interventions and Supports ("PBIS") program, which utilizes a three-tiered-based framework for decision-making that guides the implementation of evidence-based academic and behavioral practices throughout the entire school, frequently resulting in significant educations in negative behaviors. See https://pbis.org.
- Teaching students to recognize and implement self-management strategies, including but not limited to the following concepts:
    - Baseline Phase
    - Trigger
    - Escalation
    - Crisis
    - De-Escalation
    - Stabilization
    - Post Crisis

III. Use of Physical Restraint and Seclusion

School personnel may implement physical restraint or seclusion only when other interventions are or would be, in the reasonable judgment of the particular school personnel implementing physical restraint or seclusion in an emergency situation, ineffective and only to:

1. Prevent a student from inflicting serious physical harm or injury to self or others;

2. Quell a disturbance or remove a student from the scene of a disturbance in which such student's behavior or damage to property threatens serious physical harm or injury to persons;

3. Defend self or others from serious physical harm or injury;

4. Obtain possession of controlled substances or paraphernalia that are upon the person of the student or within the student's control; or

5. Obtain possession of weapons or other dangerous objects that are upon the person of the student or within the student's control.

Unless a student's damage to property creates an imminent risk of serious physical harm or injury to the student or others, **the damage of property does not itself indicate an imminent risk of serious physical harm or injury and shall not be the justification for the restraint or seclusion of a student.**

Physical restraint and seclusion shall be discontinued as soon as the imminent risk of serious physical harm or injury to self or others presented by the emergency situation has dissipated. Moreover, school personnel must take into consideration the age and developmental need of the student, as well as any other specific circumstances of the student including medical issues and whether the student has a disability, in determining the appropriate restraint to be used and the duration of the seclusion.

Nothing in this Regulation shall be construed to require school personnel to attempt to implement a less restrictive intervention prior to using physical restraint or seclusion when, in the reasonable judgment of the school personnel in an emergency situation, a less restrictive intervention would be ineffective.

IV. Definitions

"Aversive stimuli" means interventions that are intended to induce pain or discomfort to a student for the purposes of punishing the student or eliminating or reducing maladaptive behaviors, such as:

1. Noxious odors and tastes;
2. Water and other mists or sprays;
3. Blasts of air;
4. Corporal punishment as defined in § 22.1-279.1 of the Code of Virginia;
5. Verbal and mental abuse;
6. Forced exercise when:
    a. The student's behavior is related to the student's disability;
    b. The exercise would have a harmful effect on the student's health; or
    c. The student's disability prevents participation in such activities.
7. Deprivation of necessities, including:
    a. Food and liquid at a time it is customarily served;
    b. Medication; or
    c. Use of the restroom.

“Behavioral intervention plan” or “BIP” means a plan that utilizes positive behavioral interventions and supports to address (i) behaviors that interfere with a student's learning or that of others or (ii) behaviors that require disciplinary action.

“Child with a disability” or “student with a disability” means a public elementary or secondary school student evaluated in accordance with the provisions of 8VAC20-81 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disability (referred to in 8VAC20-81 as an emotional disability), an orthopedic impairment, autism, traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities who, by reason thereof, requires special education and related services. This also includes developmental delay if the school division recognizes this category as a disability under 8VAC20-81-80 M 3. If it is determined through an appropriate evaluation that a child has one of the disabilities identified but only needs related services and not special education, the child is not a child with a disability under 8VAC20-81. If the related service required by the child is considered special education rather than a related service under Virginia standards, the child would be determined to be a child with a disability. The disability categories set forth in this definition and the terms “special education” and “related services” shall have the meanings set forth in 8VAC20-81-10.

“Corporal punishment” means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline.

“Day” means calendar day unless otherwise designated as business day or school day.

“Evaluation” means procedures used in accordance with 8VAC20-81 to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

“Functional behavioral assessment” or “FBA” means a process to determine the underlying cause or functions of a student's behavior that impede the learning of the student or the learning of the student's peers. A functional behavioral assessment may include a review of existing data or new testing data or evaluation as determined as set forth in 8VAC20-750-70.

“Individualized education program” or “IEP” means a written statement for a child with a disability that is developed, reviewed, and revised at least annually in a team meeting in accordance with the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8VAC20-81). The IEP specifies the individual educational needs of the child and what special education and related services are necessary to meet the child's educational needs.

“Individualized education program team” or “IEP team” means a group of individuals described in 8VAC20-81-110 that is responsible for developing, reviewing, or revising an IEP for a child with a disability.

“Mechanical restraint” means the use of any material, device, or equipment to restrict a student's freedom of movement. The term “mechanical restraint” does not include the devices

implemented by trained school personnel or used by a student that have been prescribed by an appropriate medical or related service professional and are used with parental consent and for the specific and approved purposes for which such devices were designed, such as:

1. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
2. Vehicle restraints, including seat belts, when used as intended during the transport of a student in a moving vehicle;
3. Restraints for medical immobilization;
4. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm; or
5. High chairs and feeding stations used for age or developmentally appropriate students.

"Pharmacological restraint" means a drug or medication used on a student to control behavior or restrict freedom of movement that is not (i) prescribed by a licensed physician or other qualified health professional under the scope of the professional's authority for the standard treatment of a student's medical or psychiatric condition and (ii) administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority.

"Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move freely. The term "physical restraint" does not include (i) briefly holding a student to calm or comfort the student; (ii) holding a student's hand or arm to escort the student safely from one area to another; or (iii) the use of incidental, minor, or reasonable physical contact or other actions designed to maintain order and control.

"Restraint" means mechanical restraint, physical restraint, or pharmacological restraint.

"School day" means any day, including a partial day, that students are in attendance at school for instructional purposes. The term has the same meaning for all students in school, including students with and without disabilities.

"School personnel" means individuals employed by the school division on a full-time or part-time basis or as independent contractors or subcontractors as instructional, administrative, and support personnel and include individuals serving as a student teacher or intern under the supervision of appropriate school personnel.

"Seclusion" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Provided that no such room or space is locked, the term "seclusion" does not include (i) time-out, as defined in this chapter; (ii) in-school suspension; (iii) detention; (iv) student-requested breaks in a different location in the room or in a separate room; (v) removal of a student for a short period of time from the room or a separate area of the room to provide the student with an opportunity to regain self-control, so long as the student is in a setting from which the student is not physically prevented from leaving; (vi) removal of a student for disruptive behavior from a classroom by the teacher as provided in § 22.1-276.2 of the Code of Virginia; or (vii) confinement of a student alone in a room or area

from which the student is physically prevented from leaving during the investigation and questioning of the student by school personnel regarding the student's knowledge of or participation in events constituting a violation of the code of student conduct, such as a physical altercation, or an incident involving drugs or weapons.

"Section 504 plan" means a written plan of modifications and accommodations under Section 504 of the Rehabilitation Act of 1973 (29 USC § 794).

"Student" means any student, with or without a disability, enrolled in a public elementary or secondary school as defined in § 22.1-1 of the Code of Virginia.

1. For purposes of this Regulation, the term "student" shall also include those students (i) attending a public school on a less-than-full-time basis, such as those students identified in § 22.1-253.13:2 N of the Code of Virginia; (ii) receiving homebound instruction pursuant to 8VAC20-131-180 and as defined in 8VAC20-81-10, without regard to special education status; (iii) receiving home-based instruction pursuant to 8VAC20-81-10; and (iv) who are preschool students enrolled in a program operated by a school division or receiving services from school personnel.

2. For purposes of this Regulation, "student" shall not include children meeting compulsory attendance requirements of § 22.1-254 of the Code of Virginia by (i) enrollment in private, denominational, or parochial schools; (ii) receipt of instruction by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the relevant division superintendent; (iii) receipt of home instruction pursuant to § 22.1-254 of the Code of Virginia; or (iv) receipt of instruction in a secure facility or detention home as defined in § 16.1-228 of the Code of Virginia or in a facility operated by the Virginia Department of Behavioral Health and Developmental Services. With regard to restraint and seclusion, students placed through public or private means in a private day or residential school for students with -disabilities shall be afforded the protections set forth in 8VAC20-671.

"Time-out" means a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined.

V. Prohibited Actions

The following actions are prohibited:

1. Use of mechanical restraints;

2. Use of pharmacological restraints;

3. Use of aversive stimuli;

4. Use of prone restraints (i.e. lying face down) or any other restraints that restrict a student's breathing or harm the student;

5. Use of seclusion that restricts a student's breathing or harms the student;

6. Use of physical restraint or seclusion as (i) punishment or discipline; (ii) a means of coercion or retaliation; (iii) a convenience; or (iv) to prevent property damage, or in any manner other than as provided in 8VAC20-750-40 and 8VAC20-750-50;

7. Use of corporal punishment;

8. Use of seclusion rooms or freestanding units not meeting the standards set forth in Section VI below; and

9. Use of restraint or seclusion when medically or psychologically contraindicated as stated in documentation by the IEP team, the student's Section 504 team, school professionals, or by a licensed physician, psychologist, or other qualified health professional under the scope of the professional's authority;

VI. Seclusion Standards

A seclusion room or area must meet the following structural and physical standards:

1. Be free of any objects or physical features that may cause injury to the student;

2. Be of sufficient dimensions and have sufficient lighting, heating, cooling, and ventilation to comport with the dignity and safety of the student;

3. Windows in the seclusion room must be constructed to minimize breakage and otherwise prevent the occupants from harming themselves; and

4. All space in the seclusion room must be visible through the door, either directly or by mirrors.

When a student is in the seclusion room or area, school personnel shall provide for the continuous visual monitoring of the student, either by the presence of school personnel in the seclusion room or area or observation by school personnel through a window, viewing panel, or half-door.

The continuous visual monitoring of the student does not apply during emergency situations in which securing visual monitoring before implementing the physical restraint or seclusion would, in the reasonable judgment of the school personnel implementing the physical restraint or seclusion, result in serious physical harm or injury to persons.

The age and development of the student shall be considered when determining the duration of seclusion and whether the seclusion is appropriate under the circumstances.

VII. Notification, Written Report, and Review of the Use of Restraint or Seclusion

A. Notification on the Date of the Use of Restraint or Seclusion

When any student has been physically restrained or secluded:

1. The school personnel involved shall report the incident and the use of any related first aid to the school principal or the principal's designee as soon as possible, which must not be any later than the end of the school day in which the incident occurred; and

2. The school principal or the principal's designee, or other school personnel shall make a reasonable effort to ensure that direct contact is made with the student's parent, either in person or through telephone conversation, or other means of communication authorized by the parent, such as email, to notify the parent of the incident and any related first aid on the day the incident occurred.

If a student was physically restrained or secluded after the regular school day, the notifications above must be made as soon as practicable in compliance with the school division's school crisis, emergency management, and medical emergency response plan required by § 22.1-279.8 of the Code of Virginia.

B. Written Report Following the Use of Restraint or Seclusion

As soon as practicable, **but no later than two (2) school days** after an incident in which physical restraint or seclusion has been implemented, the school personnel involved in the incident or other school personnel, as may be designated by the principal, must complete and provide to the principal or the principal's designee a written incident report.

The school division must provide the parent with a copy of the incident report **within seven (7) calendar days** of the incident.

The written incident report must contain information sufficient to inform the parent about the incident. Such information would typically include the following:

1. Student name, age, gender, grade, and ethnicity;

2. Location of the incident;

3. Date, time, and total duration of incident, including documentation of the beginning and ending time of each application of physical restraint or seclusion;

4. Date of report;

5. Name of person completing the report;

6. School personnel involved in the incident, their roles in the use of physical restraint or seclusion, and documentation of their completion of the division's training program;

7. Description of the incident, including the resolution and process of return of the student to the student's educational setting, if appropriate;

8. Detailed description of the physical restraint or seclusion method used;

9. Student behavior that justified the use of physical restraint or seclusion;

10. Description of prior events and circumstances prompting the student's behavior, to the extent known;

11. Less restrictive interventions attempted prior to the use of physical restraint or seclusion, and an explanation if no such interventions were employed;

12. Whether the student has an IEP, a Section 504 plan, a BIP, or other plan;

13. If a student, school personnel, or any other individual sustained bodily injury, the date and time of nurse or emergency response personnel notification and the treatment administered, if any;

14. Date, time, and method of parental notification of the incident, as required by this section; and

15. Date, time, and method of school personnel debriefing.

C. Review of the Use of Restraint or Seclusion

Within two (2) school days following an incident of physical restraint or seclusion, the principal or designee must review the incident with all school personnel who implemented the use of physical restraint or seclusion to discuss:

1. Whether the use of restraint or seclusion was implemented in compliance with this Regulation; and

2. How to prevent or reduce the future need for physical restraint or seclusion.

As appropriate, depending on the student's age and developmental level, **within two (2) school days** following each incident of physical restraint or seclusion and upon the student returning to school, the principal or designee shall review the incident with the student involved to discuss:

1. Details of the incident in an effort to assist the student and school personnel in identifying patterns of behaviors, triggers, or antecedents; and

2. Alternative positive behaviors or coping skills the student may utilize to prevent or reduce behaviors that may result in the application of physical restraint or seclusion.

The principal or designee shall regularly review the use of physical restraint or seclusion to ensure compliance with this Regulation. When there are multiple incidents within the same classroom or by the same individual, the principal or designee shall take appropriate steps to address the frequency of use.

VIII. Prevention/Multiple Uses of Restraint or Seclusion

A. Students with an IEP or a Section 504 Plan

In the **initial development and subsequent review and revision** of a student's IEP or Section 504 plan, the student's IEP or Section 504 team shall consider whether the student displays

behaviors that are likely to result in the use of physical restraint or seclusion. If the IEP or Section 504 team determines that future use is likely, the team shall consider, among other things, the need for (i) an FBA; (ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions; (iii) any new or revised behavioral goals; and (iv) any additional evaluations or reevaluations.

Within 10 school days following the second school day in a single school year on which an incident of physical restraint or seclusion has occurred, the student's IEP or Section 504 team shall meet to discuss the incident and to consider, among other things, the need for (i) an FBA; (ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions; (iii) any new or revised behavioral goals; and (iv) any additional evaluations or reevaluations.

B. General Education Students

Within 10 school days of the second school day in a single school year on which an incident of physical restraint or seclusion has occurred involving a general education student, a team consisting of the parent, the principal or the principal's designee, a teacher of the student, school personnel involved in the incident (if not the teacher or administrator already invited), and other appropriate school personnel, such as a school psychologist, school counselor, or school resource officer, as determined by the school division, shall meet to discuss the incident and to consider, among other things, the need for (i) an FBA; (ii) a new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions; and (iii) a referral for evaluation.

Nothing in this section shall be construed to (i) excuse the team convened for general education students or its individual members from the obligation to refer the student for evaluation if the team or members have reason to suspect that the student may be a student with a disability; or (ii) prohibit the completion of an FBA or BIP for any student, with or without a disability, who might benefit from these measures but whose behavior has resulted in fewer than two incidents of physical restraint or seclusion in a single school year.

IX. Training

A. Initial Training

All school personnel will receive initial training that focuses on skills related to positive behavior support, conflict prevention, de-escalation, and crisis response, including follow-up support and social-emotional strategy support for students, staff, and families.

Specifically, all school personnel must complete the following five modules offered by the Virginia Department of Education's Office of Dispute Resolution and Administrative Services (ODRAS), in partnership with the Center for Implementation and Evaluation of Education Systems (CIEES) at Old Dominion University (ODU): (1) General Overview of Restraint and Seclusion; (2) Policies and Procedures; (3) Safe and Supportive School Environments; (4) Conflict Resolution and De-Escalation, Preventing the Use of Restraint and Seclusion; and (5) Returning the Student to the Learning Environment after Restraint or Seclusion.

B. Advanced Training

In addition to the initial training, at least one administrator in every school building and for school personnel assigned to work with any student whose IEP or Section 504 team determines the student is likely to be physically restrained or secluded, must complete advanced training on restraint and seclusion. The advanced training on restraint and seclusion will be evidence-based.

X. Annual Reporting

The principal or designee shall submit to the division superintendent a report on the use of physical restraint and seclusion in the school based on the individual incident reports completed and submitted to the principal or designee by school personnel.

The division superintendent shall annually report the frequency of such incidents to the Superintendent of Public Instruction on forms that shall be provided by the Virginia Department of Education and shall make such information available to the public.

Effective: January 1, 2021

STUDENT FEES, FINES AND CHARGES

The School Board charges student fees and takes action to recover funds for the loss of or damage to School Board property in accordance with the state and federal law. No fee may be charged unless it has been approved by the School Board.

The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the School Board shall ensure that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees will not be charged to students for instructional materials, textbooks, or other materials used by a School Board employee that are not directly used by a public school student.

A list of fees can be found each year in the Student Handbook.

Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; and families that are homeless.

Each time a fee is charged, notice will be given that a fee waiver may be requested. The notice will include directions as to how to apply for a waiver.

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

The consequences for nonpayment of fees include exclusion from the activity related to the fee.

No student's report card, diploma or class schedule will be withheld because of nonpayment of fees or charges. No student will be suspended or expelled for nonpayment of fees or charges.

The School Board upon recommendation of the superintendent may take action against a pupil or the pupil's parent for any actual loss, breakage, or destruction of or failure to return property owned by or under the control of the School Board, caused or committed by such pupil in pursuit of his studies. Such action may include seeking reimbursement from a pupil or pupil's parent for any such loss, breakage, or destruction of or failure to return school property.

Adopted: July 1, 2001
Revised: June 23, 2008
July 10, 2008
August 14, 2008

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-6, 22.1-243, 22.1-280.4.

8 VAC 20-720-80.

Cross Refs.: ECAB Vandalism
IIA Instructional Materials

STUDENT RECORDS

Generally

The Patrick County School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The superintendent and/or his designee(s) is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Definitions

For the purposes of this policy, Patrick County Public Schools uses the following definitions.

Authorized representative – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

Directory information - information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors

that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children's cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

Education program - any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

Education records - any information recorded in any way including handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche maintained by the Patrick 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 Patrick 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 Patrick 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 Patrick 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 therefor. The parent or guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.

Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by him and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

Petitions and Reports

The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.
- If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Protective Orders and Orders Prohibiting Contact with a Child

Any school principal who receives notice that a circuit court, general district court, juvenile and domestic relations district court, or magistrate has issued a protective order for the protection of any child who is enrolled at the school, or any other order prohibiting contact with such a child, notifies licensed instructional personnel and other school personnel who (i) provide direct educational or support services to the protected child or the child subject to the order, (ii) have a legitimate educational interest in such information, and (iii) are responsible for the direct supervision of the protected child or the child subject to the order that such order has been issued.

Annual Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- the type of information designated as directory information and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Copies of Education Records

Patrick County Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

Fees for Copies of Records

The fee for copies will be $0.10 per page. The actual cost of copying time and postage will be charged. Patrick County Public Schools does not charge for search and retrieval of the records. Patrick County Public Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

Patrick County Public School shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

The following is a list of the types of records that Patrick County Public Schools maintain, their locations, and their custodians.

Types	**Location**	**Custodian**
Blue Ridge Elementary	5135 Ararat Hwy Ararat, VA 24053	School Principal
Hardin Reynolds Memorial	2597 Dogwood Ln Critz, VA 24053	School Principal
Meadows of Dan Elementary	1001 Jeb Stuart Hwy Meadows of Dan, VA 24120	School Principal
Patrick County High	215 Cougar Ln Stuart, VA 24171	School Principal
Patrick Springs Primary	75 Elementary Ln Patrick Springs, VA 24133	School Principal
Stuart Elementary	314 Staples Ave Stuart, VA 24171	School Principal
Woolwine Elementary	9993 Woolwine Hwy Woolwine, VA 24185	School Principal

Disclosure of Education Records

Patrick County Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.
   A school official is:
   - a person employed by the School Board
   - a person appointed or elected to the School Board
   - a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
   - a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education 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.
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 discloses or makes available to a guardian ad litem, on request, any information, records, or reports concerning a student for whom a petition for guardianship or conservatorship has been filed that the guardian ad litem determines are necessary to perform his duties under Va. Code § 64.2-2003.

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 Patrick County School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

Disclosure of Information Relating to Home Instructed Students

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student’s parent, such information to the extent provided by the parent’s consent. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

Any authorized representative other than an employee must be designated by a written agreement which

- designates the individual or entity as an authorized representative;
- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;
- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- specifies the time period in which the information must be destroyed; and
- establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

Patrick County Public Schools provides, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student. The school division notifies parents of the option to make a request and complies with any request.

The school division provides military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

Record of Disclosure

Patrick County Public Schools maintains a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his assistants who are responsible for the custody of such records and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

Directory Information

The Patrick County School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

No school discloses the address, telephone number, or email address of a student pursuant to the Virginia Freedom of Information Act unless the parent or eligible student affirmatively consents in writing to such disclosure. Except as required by state or federal law, no school discloses the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11) unless (a) the disclosure is to students enrolled in the school or to school board employees for educational purposes or school business and the parent or eligible student has not opted out of such disclosure in accordance with Virginia law and this policy or (b) the parent or eligible student has affirmatively consented in writing to such disclosure.

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.

Directory information will include student's name, participation in officially recognized activities and sports, address, telephone listing, date and place of birth, major field of study, email address, the weight and height of members of athletic teams, dates of attendance, degrees or awards received by student, grade level, most recent education agency or institution attended and a photograph.

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 Patrick 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. Patrick 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, Patrick 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. Patrick 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 Patrick 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 Patrick County Public Schools decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

Confidentiality of HIV and Drug and Alcohol Treatment Records

The Patrick 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.

Adopted: April 13, 2017
Revised: April 12, 2018
August 8, 2019
June 25, 2020

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.
20 U.S.C. §§1232g, 7908.
42 U.S.C. § 290dd-2.

34 C.F.R. 99.3, 99.7, 99.10, 99.11, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37.

Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3705.4, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-254.1, 22.1-279.3:2, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23.1-405, 32.1-36.1, 64.2-2003.

Cross Refs.: IJ Guidance and Counseling Program

JEC	School Admission
JEC-R	School Admission
JECA	Admission of Homeless Children
JFC	Student Conduct
JGDA	Disciplining Students with Disabilities
JGD/JGE	Student Suspension/Expulsion
JHCB	Student Immunizations
JHCD	Administering Medicines to Students
JOA	Student Transcripts
JRCA	School Service Providers' Use of Student Personal Information
KBA-R	Requests for Public Records
KBC	Media Relations
KNB	Reports of Missing Children
KP	Parental Rights and Responsibilities
LBD	Home Instruction
LEB	Advanced/Alternative Courses for Credit

STUDENT TRANSCRIPTS

Generally

Secondary school transcripts contain information as specified by the Virginia Board of Education.

Test Record

The superintendent is responsible for establishing a procedure by which parents, guardians or others with legal control of a student can elect in writing to have the student's test record excluded from the student transcript. The test record includes at least the highest score earned, if applicable, on college performance-related standardized tests such as SAT and ACT, excluding Standards of Learning (SOL) test scores.

High School Credit-Bearing Courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The superintendent specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Adopted: 4/13/17

Legal Refs.: 8 VAC 20-131-90.

8 VAC 20-160-30.

Cross Refs.: JO Student Records

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File: JOA – R

REMOVAL OF ITEMS FROM STUDENT TRANCRIPTS REGULATIONS

Generally

There are certain items that a parent can request to have removed from the student transcripts. A parent may request that college performance-related standardized tests such as the SAT and ACT. Parents may also request that high-school bearing courses taken for credit in the eighth grade be removed from the student's transcript, however, the student will not earn high school credit for the course taken.

Procedure:

1. For the removal of the college performance-related test score to be removed, the parent will need to submit in writing the request stating which test score should be removed. The deadline for the request will be six weeks from the test administration date.
2. For the removal of high school credit-bearing courses taken in the eighth grade, the parent will need to submit the writing the request stating the class and grade. The deadline for the request should be made within four weeks of the end of the semester.

Adopted: 4/13/17

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ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

I. Instructional Materials and Surveys

1. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program are available for inspection by the parents or guardians of the student in accordance with Policy KBA Requests for Public Records.

2. Participation in Surveys and Evaluations

No student is required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning

(1) political affiliations or beliefs of the student or the student's parent,
(2) mental or psychological problems of the student or the student's family,
(3) sex behavior or attitudes,
(4) illegal, anti-social, self-incriminating, or demeaning behavior,
(5) critical appraisals of other individuals with whom respondents have close family relationships,
(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
(7) religious practices, affiliations, or beliefs of the student or student's parent, or
(8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

3. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board notifies the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice informs the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any

case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey do not disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

4. Additional Protections

In the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered is protected by:

(1) Requiring no indicators which could lead to an individual student's identity
(2) Creation of an environment for survey administration which will protect the privacy of student responses and safeguard identity of students.
(3) Requiring that all statistical data reported from the survey administration appear in pre-approved formats to protect the student's privacy and identity.

II. Physical Examinations and Screenings

If the Patrick County School Division administers any physical examinations or screenings other than

- those required by Virginia law, and
- surveys administered to a student in accordance with the Individuals with Disabilities Education Act,

policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. Commercial Use of Information

Questionnaires and surveys are not administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment;
- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;
- tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

IV. Notification

Notification of Policies

The Board provides notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board also offers an opportunity for the parent (or emancipated student) to opt the student out of participation in

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
    - required as a condition of attendance;
    - administered by the school and scheduled by the school in advance; and
    - not necessary to protect the immediate health and safety of the student, or of other students.

Notification of Specific Events

The Board directly notifies the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
    - required as a condition of attendance;
    - administered by the school and scheduled by the school in advance; and
    - not necessary to protect the immediate health and safety of the student, or of other students.

V. Definitions

Instructional material: the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive physical examination: the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent: the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Personal information: the term "personal information" means individually identifiable information including

- a student or parent's first and last name;
- a home or other physical address (including street name and the name of the city or town);
- a telephone number; or
- a Social Security identification number

Survey: the term “survey” includes an evaluation.

Adopted: April 14, 2003
Revised: May 11, 2006
August 10, 2006
November 13, 2014
June 4, 2015
August 8, 2019

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, § 22.1-79.3.

Cross Refs.:	INB	Teaching About Controversial Issues
	JHDA	Human Research
	KBA	Requests for Public Records
	KF	Distribution of Information/Materials

RELEASE OF STUDENT DATA/RECORDS

The parent/legal guardian of any student enrolled in Patrick County School Division may authorize the release of their student's data/records to any individual or Agency upon completion and execution of the Consent for Release of Student Data/Records form accompanying this policy.

This form may be used by Community Policy and Management Teams, and the Departments of Health, Social Services, Juvenile Justice, and Behavioral Health and Development Services.

Adopted: July 11, 2013
Revised: March 12, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §22.1-79.3.

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CONSENT FOR RELEASE OF STUDENT DATA/RECORDS

Student Name: _____ Date of Birth _____

Name of School_____ School ID # _____

Student Address _____

Home Telephone #: _____

Parent/Legal Guardian (1) Mobile Telephone # _____

Parent/Legal Guardian (2) Mobile Telephone # _____

I authorize the _____ Division to release to the individual or Agency identified below identifying educational/medical data and records (the "Records") of the student listed above. I understand that in addition to educational records and data, such Records may also contain health information pertaining to diagnosis and treatments, immunization records, suspensions/office referral data, attendance data, referrals to student service teams, as well as written communications with school staff related to mental health interventions.

Time Period During Which Release of Student/Data is Authorized:

From: Date that form is signed below.

Until:_____

Name of Authorized Individual or Agency

Name and Title_____

Agency Name (if applicable)_____

Address (1)_____

Address (2)_____

Email Address _____

Phone Number_____

Fax Number_____

Signature of Parent/Guardian _____

Name of Parent/Guardian _____

Relationship to Student _____

Date _____

Witness _____

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ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORDS

Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Patrick County School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

Definitions

"Attribution" – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

"Electronic Signature"- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Electronic Record" – Any record created, generated, sent, communicated, received or stored by electronic means.

Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the division; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the Patrick County School Board agrees to accept or send such communication electronically; and

2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non-electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;

2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;

3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;

4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with School Board business.

The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

Adopted: July 11, 2013
Revised: June 5, 2014

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-79 (3)(G); § 59.1-479 et seq.

Cross Ref.: JO Student Records

STUDENT PUBLICATIONS

Definition of Official School Publications

Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. With regard to these publications, the School Board is the publisher, the principal is the editor, the faculty sponsor is the co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

Responsibilities of Student Editors and Journalists

Student assistant editors and journalists are responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that

- is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
- advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
- advertises or advocates illegal products or services; or
- advocates prejudice, hatred, violence, or harassment.

Responsibilities of Student Publications Faculty Co-Editor

School publications faculty co-editors instruct students in the recognized practices and ethical considerations of journalism. Faculty members instruct students in appropriate journalistic techniques and consult with the principal regarding material that may violate the law or the recognized principles of journalism. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal.

Responsibilities of the School Principal

The school principal is responsible for approving all publications in accordance with School Board policy and the principal's judgment and discretion.

Adopted: September 8, 1997
Revised: April 7, 2005
June 5, 2014
August 8, 2019

Legal Refs Hazelwood School Dist. v. Kuhlmeier, 484 U.S. 261, 108 S. Ct. 562, 98 L.Ed.2d 592 (1988).
Cross Refs: AC Nondiscrimination

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GB	Equal Employment Opportunity/Nondiscrimination
GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
JB	Equal Educational Opportunities/Nondiscrimination
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JFHA/GBA	Prohibition Against Harassment and Retaliation

SCHOOL SERVICE PROVIDERS' USE OF STUDENT PERSONAL INFORMATION

Definitions

For the purposes of this policy:

"Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Machine-readable format" means a structured format that can automatically be read and processed by a computer such as comma-separated values (CSV), JavaScript Object Notation (JSON) or Extensible Markup Language (XML). "Machine-readable format" does not include portable document format (PDF).

"Personal profile" does not include account information that is collected and retained by a school service provider and remains under control of a student, parent or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

"School service" means a website, mobile application or online service that (i) is designed and marketed solely for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses or shares student personal information. "School service" does not include a website, mobile application or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with the school division.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online

behavior, use of applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

Required Contract Terms

The contract between a school service provider and the School Board shall require the school service provider

- to provide clear and easy-to-understand information about the types of student personal information it collects through any school service and how it maintains, uses or shares such student personal information;
- to maintain a policy for the privacy of student personal information for each school service and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service;
- to maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality and integrity of student personal information and makes use of appropriate administrative, technological and physical safeguards;
- to facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used or shared by the school service provider, or by such student's parent, either directly or through the student's school or teacher;
- to collect, maintain, use and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the School Board and the school service provider;
- when it collects student personal information directly from the student, to obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service, and when it collects student personal information from an individual or entity other than the student, to obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service;
- to require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information; ~~and~~
- to require that, upon the request of the school or School Board, the school service provider will delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than

18 years of age, his parent consents to the maintenance of the student personal information by the school service provider; and
- to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. Contracts between local school boards and school service providers may require that such electronic copy be in a machine-readable format.

The contract will also prohibit the school service provider from knowingly
- using or sharing any student personal information for the purpose of targeted advertising to students;
- using or sharing any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider; or
- selling student personal information except to the extent that such student personal information is sold to or acquired by a successor entity that purchases, merges with or otherwise acquires the school service provider.

Nothing in this policy shall be construed to prohibit school service providers from
- using student personal information for purposes of adaptive learning, personalized learning or customized education;
- using student personal information for maintaining, developing, supporting, improving or diagnosing the school service;
- providing recommendations for employment, school, educational or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;
- disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability or (iii) protect the security or integrity of its school service; or
- disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider to any third party unless such disclosure is permitted by Va. Code § 22.1-289.01(B)(7) and (iii) requires the service provider to comply with the requirements set forth Va. Code § 22.1-289.01(B) and the prohibitions set forth in Va. Code § 22.1-289.01(C).

Nothing in this policy shall be construed to:

- impose a duty upon a provider of an electronic store, gateway, marketplace, forum or means for purchasing or downloading software or applications to review or enforce compliance with this policy with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum or means;
- impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; or
- prohibit any student from downloading, exporting, transferring, saving or maintaining his personal information, data or documents.

Adopted: June 23, 2016
Revised: June 8, 2017

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-289.01.

Cross Refs.:	ET	Educational Technology Foundation and Public School Foundations
	JO	Student Records
	KMA	Relations with Parent Organizations

GOALS FOR SCHOOL-COMMUNITY RELATIONS

The School Board recognizes that good school-community relations are essential to securing public input and public support for educational programs. The School Board sets goals and standards for school-community relations and regularly evaluates its relationship with the public. The School Board also regularly evaluates its programs for maintaining open channels of communication and good relations with parents, community organizations, other governmental organizations, non-profit organizations, businesses and industries and the community at large.

Through its school-community relations program, the Board encourages the community to

- take an active interest in the schools and participate in school activities,
- place a high priority on education and make funds available for an educational system that supports learning for all children, and
- establish partnerships with the schools to enhance learning opportunities.

Adopted: September 8, 1997
Revised: April 14, 2003
November 10, 2004
June 23, 2008
April 12, 2012
March 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.C.4.

Cross Refs :

AF	Comprehensive Plan
KBC	Media Relations
KB	Public Information Program
KF	Distribution of Information/Materials
KG	Community Use of School Facilities
KMA	Relations with Parent Organizations
KNAJ	Relations with Law Enforcement Authorities
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships
IGBC	Parental Involvement

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File: KA – R

GOALS FOR SCHOOL-COMMUNITY RELATIONS

Relations with the Public

The superintendent shall maintain an open line of communication between the citizens of the division and their schools. The superintendent shall keep the community informed of the objectives, achievements and needs of the school division and shall establish a channel through which citizens may make their desires and/or criticisms known to the board.

Every person requesting information regarding the schools or visiting the schools shall be treated in a courteous manner and may expect a prompt and informative reply to legitimate questions.

It is the policy of the Patrick County School Board that each individual school develop a school/community interaction plan pertinent to its own location situation.

The plan should address the following areas:

1. Statement of Purpose
2. Community Participation
3. Interpretation of School Program
4. Relationship with Community Agencies, Businesses, and Industry
5. Utilizing Community Resources
6. Parent-Teacher Groups

Adopted: September 8, 1997

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PUBLIC INFORMATION PROGRAM

The Patrick County School Board recognizes the importance of providing information regarding the school division to the community. The Board will utilize all appropriate means and media in order to

- explain the programs, achievements, and needs of the school division;
- keep students, parents/guardians, and staff members fully informed about Board policies and procedures as well as their own rights and responsibilities;
- communicate factual information regarding the school division: and
- involve students, parents/guardians, and the community in discussions regarding education programs, student activities, and Board policy.

Adopted: September 8, 1997
Revised: April 12, 2012
August 8, 2019

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

Cross Refs.:

KA	Goals for School Community Relations
KBA	Requests for Public Records
KBC	Media Relations

REQUESTS FOR PUBLIC RECORDS

The Patrick County School Board complies with the Virginia Freedom of Information Act (FOIA). Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. All requests for information are processed in accordance with KBA-R Requests for Public Records.

Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to $100 per record altered or destroyed.

The name(s) and contact information for the person(s) Patrick County School Board has designated as its Freedom of Information Act (FOIA) Officer(s) is listed in regulation KBA-R Requests for Public Records and posted at the school board office and on the division's website. The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the school board's compliance with FOIA. The FOIA officer(s) receive(s) training at least once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session by the school board's legal counsel or the Virginia Freedom of Information Advisory Council.

Adopted: September 8, 1997
Revised: April 12, 2012
June 23, 2016
June 8, 2017
May 9, 2019
August 8, 2019
June 25, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2, 2.2-3714.

Cross Ref.: KBA-R Requests for Public Records

Rights & Responsibilities

The Rights of Requestors and the Responsibilities of Patrick County Public Schools under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials and public employees.

A public record is any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or record in any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open to the public and may only be withheld if a specific statutory exemption applies.

The policy of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

FOIA Rights

- A citizen of the Commonwealth has the right to request to inspect or receive copies of public records, or both.
- A citizen of the Commonwealth has the right to request that any charges for the requested records be estimated in advance.
- If a citizen of the Commonwealth believes that their FOIA rights have been violated, the citizen may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, they may contact the FOIA Council for a nonbinding advisory opinion.

Making a Request for Records from Patrick County Public Schools

- A citizen of the Commonwealth may request records by U.S. Mail, fax, e-mail, in person or over the phone. FOIA does not require that a request be in writing, nor that it specifically state that records are being requested under FOIA.
- As a practical matter, it may be helpful to both the requestor and the person receiving the request to put the request in writing. This creates a record of the request. It also gives us a clear statement of what records are requested, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to a FOIA request if it is not put in writing.
- A request must identify the records sought with “reasonable specificity.” This is a common-sense standard. It does not refer to or limit the volume or number of records requested; instead, it requires the requestor to be specific enough so that we can identify and locate the records that are requested.

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- A request must ask for existing records or documents. FOIA creates a right to inspect or copy records; it does not apply to general questions about the work of Patrick County Public Schools, nor does it require Patrick County Public Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by Patrick County Public Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor you may elect to receive those records electronically, via e-mail or on a computer disk or to receive a printed copy of those records.
- If we have questions about a request, please cooperate with staff's efforts to clarify the type of records sought, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss a request to ensure that we understand what records are being sought.

To request records from Patrick County Public Schools, direct your request to Patrick County Public Schools' designated Freedom of Information Act Officer (FOIA Officer) who is responsible for serving as a point of contact for members of the public who wish to request public records. The Patrick County Public Schools FOIA Officer is:

Assistant Superintendent of Operations
P. O. Box 346 / 104 Rucker Street, Stuart, VA 24171
276-694-3163

In addition, the FOIA Advisory Council is available to answer questions about FOIA. The Council may be contacted by e-mail at **foiacouncil@dls.virginia.gov** or by phone at (804) 225-3056 or 1-866-448-4100.

Patrick County Public Schools' Responsibilities in Responding to Your Request

Patrick County Public Schools must respond to a request within five working days of receiving it. "Day One" is considered the day after the request is received. The 5-day period does not include weekends or holidays.

The reason behind a request for public records from Patrick County Public Schools is irrelevant and a requestor does not have to state why they want the records before we respond to the request. FOIA does, however, allow Patrick County Public Schools to require a requestor to provide their name and legal address.

FOIA requires that Patrick County Public Schools make one of the following responses to a request within the 5-day time period:

1. We provide the records requested in their entirety.
2. We withhold all of the records requested, because all of the records are subject to a specific statutory exemption or exemptions. If all of the records are being

withheld, we must send a response in writing. That writing must identify the volume and subject matter of the records withheld and state the specific section(s) of the Code of Virginia that allows us to withhold the records.

3. We provide some of the records requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide the remainder of the record. We must provide the requestor a written response stating the specific section(s) of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform the requestor in writing that the requested records cannot be found or do not exist (we do not have the records requested). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response.
5. If it is practically impossible for Patrick County Public Schools to respond to the request within the 5-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us 7 additional working days to respond to the request, giving us a total of 12 working days to respond to the request.

If a request is made for a very large number of records and we feel that we cannot provide the records within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to the request. However, FOIA requires that we make a reasonable effort to reach an agreement with the requestor concerning the production of the records before we go to court to ask for more time.

Costs

Patrick County Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records. Patrick County Public Schools will not impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the schools. Any duplicating fee charged by Patrick County Public Schools will not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the requestor as set forth in subsection Va. Code § 2.2-3704.F.

The requestor may have to pay for the records requested from the Patrick County Public Schools. FOIA allows us to charge for the actual costs of responding to FOIA requests. This includes items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It does not include general overhead costs.

If we estimate that it will cost more than $200 to respond to a request, we may require the requestor to pay a deposit, not to exceed the amount of the estimate, before

proceeding with the request. The five days that we have to respond to the request does not include the time between when we ask for a deposit and when the requestor responds.

A requestor may request that we estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs.

If a requestor owes us money from a previous FOIA request that has remained unpaid for more than 30 days, Patrick County Public Schools may require payment of the past-due bill before it will respond to a new FOIA request.

Types of Records

The following is a general description of the types of records held by Patrick County Public Schools:

- Personnel records concerning employees and officials of Patrick County Public Schools
- Scholastic records
- Business and finance records
- Operational records involving support departments such as Technology, Transportation, Facilities, Food Services, etc.
- Agendas, minutes and other records of the meetings of the School Board and committees appointed by the School Board (which are also available on the Patrick County Public Schools website at www.patrick.k12.va.us
- Records of contracts to which Patrick County Public Schools is a party

Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. Patrick County Public Schools commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))
- Records related to critical incident response (§ 2.2-3705.2 (14))
- Scholastic records (§ 2.2-3705.4(1) and 20 U.S.C. § 1232g)

Policy Regarding the Use of Exemptions

The general policy of Patrick County Public Schools is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Patrick County Public Schools.

The general policy of Patrick County Public Schools is to invoke the contract negotiations exemption whenever it applies in order to protect Patrick County Public Schools bargaining position and negotiating strategy.

The general policy of Patrick County Public Schools is to invoke the scholastic records exemption in those instances where it applies in order to protect the privacy of students and comply with other state and federal laws governing the privacy of student records.

Adopted: June 22, 2017

RECORD OF INSPECTION and/or DELIVERY OF COPIES

Inspection of Public Records

Date _____ Time In _____ Time Out _____

Person Inspecting Records

_____ _____
Name Signature

Staff Person in Attendance

_____ _____
Name Signature

Records Reviewed (describe)

Copies of Public Records

Record	No. Pages	Delivery Method (mail, e-mail, etc.)	Date of Delivery	Cost (if any)	Date and Method of Payment

Staff Person Providing Copies _____ _____

Name Signature

REQUESTS FOR PUBLIC RECORDS

Patrick County School Board is committed to full compliance with the Virginia Freedom of Information Act (FOIA) and processes all requests for public records in accordance with the following procedures.

The Director of Operations is Patrick County School Board's FOIA Officer(s). The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the school board's compliance with FOIA. The FOIA Officer(s) may be reached at 276-694-3163

Access to Records

1. When practicable, the following records are available on request at the central office:
    i. Approved school board minutes
    ii. Current operating budget
    iii. Documents for which public input is solicited
    iv. General demographic information about school division
2. Unless otherwise specified by the FOIA Officer, inspection of records takes place at the central office of Patrick County School Board during its regular office hours and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Patrick County School Board, including posting the records on a website or delivering the records through an electronic mail address provided by the requester. Requesters must provide their legal name and address and verification that the requester is a citizen of the Commonwealth, a representative of a newspaper or magazine with circulation in the Commonwealth, or a representative of a radio or television station broadcasting in or into the Commonwealth.
4. The FOIA Officer or designee is present during inspection or copying of records. A record of each inspection is made, using form KBA-F2 Record of Inspection and/or Delivery of Copies.

Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the Patrick County Public Schools FOIA Officer at: 104 Rucker Street, Stuart, VA 24171
3. Requesters should make their requests using Form KBA-F1 Request for Public Records. Requests received via telephone are transcribed onto Form KBA-F1 Request for Public Records by school board staff. Written requests other than on Form KBA-F1 Request for Public Records are appended to a copy of the form by staff, who fill out as much of the form as possible.
4. School board staff provide Form KBA-F1 Request for Public Records and a copy of this regulation upon request to any person interested in obtaining access to records, and shall instruct the requester to direct the request to the FOIA Officer. Telephone

inquiries are redirected to the FOIA Officer. Any written requests received by building personnel are immediately forwarded to the FOIA Officer with a notation indicating the date and time the request was received.

Responding to Requests

1. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester or makes one of the following responses in writing:
   (a) The requested records are being entirely withheld. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section(s) or other law that authorizes the withholding of the records.
   (b) The requested records are being provided in part and are being withheld in part. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records.
   (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body.
   (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

   No public record is withheld in its entirety on the grounds that some portion of the public record is excluded from disclosure by law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion may be withheld, and all portions of the public record that are not so excluded are disclosed.

   The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.
2. The five-day period begins on the first working day following the day the request is received by the school division. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures

detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

Processing of Requests

1. The FOIA Officer, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.
2. If the FOIA Officer is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought.
3. If the FOIA Officer is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist.
4. If the requested records will be made available either in whole or in part, the FOIA Officer promptly consults with school board staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:
    - Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, current hourly rate may apply.
    - Computer search time, current hourly rate may apply.
    - Computer printouts, charged at the rate of 40 cents per page
    - Photocopies (including those necessary to perform redactions), charged at the rate of 40 cents per page.
    - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed $200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed $200, the school board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
6. Before processing a request for records, the FOIA Officer may require the requester to pay any amounts owed to the school board for previous requests for records that remain unpaid 30 days or more after billing.
7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.
8. Any records to be disclosed are assembled for inspection and copying by school board staff, under the direction and supervision of the FOIA Officer.

9. School board staff are responsible for recording the date the request was received, verifying identification and recording and assembling additional information about the request as indicated on Form KBA-F1 Request for Public Records.

Adopted: April 14, 2003
Revised: February 11, 2004
August 9, 2007
April 10, 2008
September 10, 2009
June 24, 2010
October 10, 2013
March 12, 2015
June 23, 2018
July 12, 2018
May 9, 2019

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.2.

Cross Ref.: KBA Requests for Public Records

MEDIA RELATIONS

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities.

News and information concerning school events, personnel, students, and programs shall be released to the press only with the approval of the principal and in accordance with State and federal laws regarding confidentiality. All other matters representing the official position of the Board prepared for publication by any of its employees shall be approved by the superintendent or his/her designee prior to release to the press.

The principal of each school, with the approval of the superintendent or his/her designee, is authorized to arrange for announcements in the schools regarding community programs and activities or events that have educational or recreational value.

Adopted: September 8, 1997
Revised: November 10, 2004
Revised: August 9, 2007
Revised: June 23, 2008

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-253.13:7.C.4, 22.1-293, 22.1-287, 22.1-287.1.

Cross Refs.: JO Student Records

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File: KBC – R

MEDIA RELATIONS

A. Generally

The board shall cooperate with the news media in providing the public with pertinent facts concerning the schools. The superintendent shall establish a basic and reliable source to which the news media may turn for information regarding the division schools.

B. Attendance at Board Meetins

The board encourages the attendance of the news media at all open board meetings.

C. Interviews

The board permits the interviewing of students and teachers during the school day only when such interviews, in the judgment of the principal or superintendent, do not disrupt the educational program or tend to cause undue confusion.

D. Broadcasting of Athletic Contests

The superintendent may permit the broadcasting of athletic contests by radio or television in accordance with the regulations of the Virginia High School League and provided either that the broadcast is done as a public service or that the sponsor of the broadcast is appropriate. It shall be clearly understood that the board does not endorse the product of any sponsor.

Adopted: September 8, 1997

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INTERNET PRIVACY

The Patrick County School Board is committed to complying with the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act. The Patrick County School Board does not collect unnecessary personal information by means of its website, and collects only appropriate personal information to the extent necessary to serve its constituents and the community.

Our website does not place any "cookies" on your computer.

The Superintendent is responsible for creating and updating, as necessary, an internet privacy policy statement. The statement is available of the division's website in a conspicuous manner.

Adopted: April 9, 2001
Revised: August 8, 2019

Legal Refs: Code of Virginia, 1950, as amended, § 2.2-3803.

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COMMUNITY INVOLVEMENT IN DECISION MAKING

The Patrick County School Board will call meetings of the people of the school division for consultation in regard to school interests thereof when it deems such meetings to be necessary.

The Board may appoint a committee of not less than three nor more than seven members for each public school in the school division. The committee's duty will be to advise the members of the School Board with reference to matters pertaining to the school and to cooperate with the School Board in the care of the school property and in the successful operation of the school. Such committees shall serve without compensation.

Adopted: September 8, 1997
Revised: April 12, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-86, 22.1-253.13:7.C.4.

Cross Ref.:

AF	Comprehensive Plan
BCF	Advisory Committees to the School Board
BDDH/KD	Public Participation at Board Meetings
CA	Administration Goals

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PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

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

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

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

Adopted: September 8, 1997
Revised: November 10, 2004
June 23, 2008
June 23, 2016

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

Cross Ref.: BDDE Rules of Order

Policy and Legal References updated.

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DISTRIBUTION OF INFORMATION/MATERIALS

The Patrick County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. Approval must be obtained from the superintendent, or superintendent's designee, before any materials may be distributed or made available at the request of non-school organizations. Approval will be granted only for materials from governmental organizations and nonprofit community organizations regarding activities related to the educational mission of the Patrick County School Division.

Approval will not be given for materials which

- are likely to cause substantial disruption of, or a material interference with, school activities;
- endorse or encourage the use of alcohol, tobacco products, nicotine vapor products, or any illegal substance or action;
- endorse or encourage any violation of the Standards of Student Conduct (see Policy JFC-R); or
- are obscene, pornographic, or defamatory.

Materials from nonprofit community organizations approved for distribution must clearly indicate their source and must include the following statement: "These materials and the activity described herein, are not sponsored or endorsed by the Patrick County School Board."

The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

Political Communications

Students shall not be required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress

This Policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

Adopted: March 8, 2007
Revised: June 5, 2014
August 8, 2019

Legal Refs.: U. S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4th Cir. 2006)

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-79.5, 22.1-131, 22.1-279.6 and 22.1-293.

Acts 2016, c. 647.

Cross Refs.:	JFC-R	Standards of Student Conduct
	JOB	Administration of Surveys and Questionnaires
	KG	Community Use of School Facilities
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

COMMUNITY USE OF SCHOOL FACILITIES

The School Board may permit use of school property by members of the community when such use will not impair the efficiency of the school. The superintendent shall develop guidelines and applications for use of school property. Requests for the use of any school facilities shall be made to the superintendent or superintendent's designee. The superintendent shall report actions taken under this policy to the School Board at the end of each month.

If the School Board permits the use of its facilities by members of the community or the distribution of literature on school property or at school functions, it will permit such use or such distribution by the Boy Scouts of America, the Girl Scouts of the United States of America, and other youth groups designated as patriotic societies by federal law, to the same extent and in the same manner as all other persons or groups.

Revised: April 13, 2017
August 8, 2019

Legal Refs.: 20 U.S.C. § 7905

Code of Virginia, 1950, as amended, §§ 22.1-79.3, 22.1-130.1, 22.1-131, 22.1-132.

Acts 2016, c. 647.

Cross Refs.:		
	GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
	IGDA	Student Organizations
	KF	Distribution of Information/Materials

SALES AND SOLICITATIONS IN SCHOOLS

No one may sell or offer for sale, within the schools, on school grounds, or at school-sponsored activities, any product or service except when the sale will benefit the educational program of the schools.

Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours. Individual discussions between school division employees during school hours are not prohibited.

Adopted: September 8, 1997
Revised: April 10, 2008
September 11, 2008
May 9, 2019

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

Cross Refs.:

DJG	Vendor Relations
GAH	School Employee Conflict of Interests
GCQAB	Tutoring for Pay
JHCH	School Meals and Snacks
JL	Fund Raising and Solicitation
KG	Community Use of School Facilities
KJ	Advertising in the Schools
KK	Visitors to the Schools

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PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors must register at the school office on arrival.

No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

In accordance with Policy KGC Tobacco Products and Nicotine Vapor Products, use of tobacco products and nicotine vapor products is not permitted in schools, at school-sponsored events, or in school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local law enforcement authorities.

Any person who willfully and maliciously damages, destroys or defaces any school district building, or damages or removes any school property from a school building, will be required to compensate the school division and may be prosecuted.

Any person who willfully interrupts or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be ejected and/or prosecuted.

Adopted: September 8, 1997
Revised: May 8, 2008
June 23, 2008
March 13, 2014
June 5, 2014
August 8, 2019

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 4.1-309, 18.2-415, 18.2-128, 18.2-138, 22.1-78, 22.1-79.5.

Cross Refs:		
	ECAB	Vandalism
	GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
	KK	School Visitors
	KN	Sex Offender Registry
	KNA	Violent Sex Offenders on School Property

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TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

Definitions

“Nicotine vapor product” means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: May 12, 1997
Revised: April 14, 2002
April 10, 2008
August 13, 2009
June 5, 2014
August 8, 2019

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.:

CLA	Reporting Acts of Violence and Substance Abuse
JFC-R	Standards of Student Conduct
JFCH/KGC	Tobacco Products and Nicotine Vapor Products
KG	Community Use of School Facilities
KGB	Public Conduct on School Property

USE OF TOBACCO AND ELECTRONIC CIGARETTES ON SCHOOL PREMISES

Smoking is prohibited

- in the interior of indoor facilities owned or leased or contracted for and utilized for the provision of regular kindergarten, elementary, or secondary educational or library services to children;
- on every public school bus and all other vehicles used by the division for transporting students, staff, visitors, or other persons; and
- in every indoor facility, or portion of such facility, owned or leased or contracted for and utilized for the provision of regular or routine health care, day care, or early childhood development (Head Start) services.

For purposes of this policy, “smoking” means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria or other dining facility in the school.

Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Adopted: September 8, 1997
Revised: April 14, 2003
April 10, 2008
August 13, 2009

Legal Refs.: 20 U.S.C. §§ 6083, 7183.
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827, 22.1-78, 22.1-79.5, 22.1-279.6.

Cross Refs.:		
	JFCH/GBEC	Tobacco-Free School for Staff and Students
	GBECA	Electronic Cigarettes
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property

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PATRICK COUNTY PUBLIC SCHOOLS
USE OF SCHOOL FACILITIES APPLICATION

PART 1: (To be completed by Requestor)

NAME AND ADDRESS OF ORGANIZATION:_____
_____
NAME OF THE PERSON OR AUTHORIZED AGENT OF THE GROUP WHO ASSUMES RESPONSIBILITY FOR ANY DAMAGE TO THE FACILITY, CONTENTS, OR GROUNDS:_____
ADDRESS:_____
CONTACT NUMBER (HOME):_____ CONTACT NUMBER (OTHER)_____

SCHOOL SITE REQUESTED: _____

PURPOSE OF REQUEST:_____

DATE(S) REQUESTED:_____TIME REQUESTED:_____# ANTICIPATED_____
AREAS OF SCHOOL REQUESTED: (Check all that apply)
_____Auditorium _____Cafeteria _____Kitchen
_____Gymnasium _____Athletic Field _____Classroom
ADDITIONAL EQUIPMENT REQUESTED: (Check all that apply)
_____Audio _____Sound Booth Audio _____Theatrical Lighting
_____Acoustical Shell Unit (No:)
Note: ***Individuals requesting additional equipment will be responsible for arranging a time with the principal or designee to receive instructions or other requirements relative to requested equipment.***

Attach a certificate of insurance (one-page certificate, not policy itself or application for insurance coverage). Patrick County Public Schools must be listed as additional insured. Does the description/location/operations section include detailed information about the vent, location, date, etc? _____Yes _____ No

In connection with the use of this facility, the undersigned agrees to the following conditions:

1. To accept full responsibility and liability for building, contents and grounds.
2. To absolve the Patrick County School Board and it employees of any responsibility for opinions expressed or entertainment provided at the event.
3. To indemnify and hold harmless the Patrick County School Board and all of its members and all of its employees.
4. To use no equipment of the school without first gaining permission of the principal.
5. To have all literature or announcements advertising the event approved by the principal before dissemination.
6. To abide by all rules and requirements that the school principal may specify for use of facilities.
7. To pay rental fees in advance.

The signature of the person responsible for the event indicates that the individual has read and will adhere to the accompanying regulations governing for use of school facilities.

_____ _____
Signature Date

After consultation with the principal, complete and forward this document, the rental fee check/money order (not cash) payable to Patrick County Public Schools, and the certificate of insurance to the school principal, who will estimate the personnel fees. If the activity is not approved, the principal will return the rental payment. The School Board Office will invoice the user for the personnel fees after receiving the actual personnel/time report from the principal for the activity. Under no circumstances should the user make any personnel payments directly to the school employee(s) involved; the School Board Office will make payment with the legally required deductions for FICA and Medicare.

PATRICK COUNTY PUBLIC SCHOOLS
USE OF SCHOOL FACILITIES APPLICATION

PART 2: (To be completed by Principal)

Name of responsible school employee: _____

Name of cafeteria employee (if needed): _____

Name of audio-visual technician (if needed): _____

Name of any other school employees who will be present: _____
_____

Was the agent of the requesting group provided a copy of School Board Regulation KG-R? _____

Is a copy of the group's liability certificate of insurance attached? _____ Yes _____ No
Does the certificate appear to be valid and complete? _____ Yes _____ No

Estimated usage charges (an official invoice will be sent to the group):

Rate	Times	Number	Units	Equal	Charge
Rental Fee: _____	X			=	$
Custodial Fee: _____	X		Hours	=	$
Cafeteria Employee Fee: _____	X		Hours	=	$
Officer Fee: _____	X		Hours	=	$
Additional Equipment: _____	X			=	$
Other Charges[1]: _____	X			=	$
Total Estimated Charge:		Sum of above		=	$

[1] Other charges may include an excess user charge, which applies only to organizations that use the facilities more than three consecutive months.

**Employees wishing to volunteer their time in lieu of compensation will to complete the associated from for Policy GAA-E

If applicable, was the rental fee in above received and forwarded to the School Board Office? _____

If use is scheduled to occur outside normal operating hours, should Facilities & maintenance override the HVAC exterior lighting, etc. to run for the event? _____ Yes _____ No

As principal of the requested facility, I have approved use of the stated facility for the intended purpose. I have determined the personnel and the time personnel are required to work for the event, and have completed an estimate of associated charges, along with an estimate usage charge for the event. The School Board Clerk will complete the final the final invoice for all appropriate fees and final charges for the event.

_____ _____
Principal Signature Date

PATRICK COUNTY PUBLIC SCHOOLS
COMPLETION OF USE OF SCHOOL FACILITIES

User Organization/Activity/Date of Use: _____
_____

Custodial staff fee: Minimum of $100.00 plus time and a half based on custodian current hourly rate of pay for time over 5 hours.

Name: _____ Hours Worked: _____ Amount: $_____

Name: _____ Hours Worked: _____ Amount: $_____

Name: _____ Hours Worked: _____ Amount: $_____

Cafeteria staff fee: Minimum of $100.00 plus time and a half based on cafeteria worker's current hourly rate of pay for time over 5 hours.

Name: _____ Hours Worked: _____ Amount: $_____

Name: _____ Hours Worked: _____ Amount: $_____

Name: _____ Hours Worked: _____ Amount: $_____

Audio-Visual Technician fee (adult or student): Minimum of $100.00, with each hour beyond two hours at $20.00/hour.

Name: _____ Hours Worked: _____ Amount: $_____

Name: _____ Hours Worked: _____ Amount: $_____

If applicable, check the following:

_____ Activity cancelled by user organization, and no charges are appropriate.

_____ A problem occurred with activity or user organization (serious conflict with normal school operation, damage to school operation, damage to school facilities or equipment, etc.) Describe details of concern and attach on additional sheet of paper.

By signing below, I certify that I have complied with established School Board procedures concerning the use of school facilities by outside organizations. For personnel services, there have been no payments or compensation of any kind to the individuals listed on this form or to any other individuals (such action would evade payment of FICA and Medicare to the Internal Revenue Service).

_____ _____
Principal Signature Date

FEE STRUCTURE

Note: In cases where a minimum charge and hourly rate are shown, the fee shall be whichever of the two figures is the greater.

FACILITY

High School Auditorium	$125 Minimum or $25.00 per hour
Gymnasium	$125 Minimum or $25.00 per hour
Athletic Field (No Lights)	$75 Minimum or $25.00 per hour
Athletic Field (Lights)	$125 Minimum or $25.00 per hour
Cafeteria	$75 Minimum or $25.00 per hour
Cafeteria (Kitchen or Kitchen Equipment)	$125 Minimum or $25.00 per hour (Food Service Worker Pay: $75.00 minimum plus7.65% for FICA or minimum plus time and a half based on Food Service Employee's current hourly rate of pay for time over 5 hours)
Classroom	$15 Minimum or $5.00 per hour
Custodian	$100 Minimum plus 7.65% for FICA (Plus time and a half based on custodian's current hourly rate of pay for time over 5 hours)
Audio Technician	$20 per hour
Theatrical Lighting Technician	$100 Minimum (Plus $20 per hour for each hour over 2 hours) (Audio and/or Theatrical Lighting Techs must be selected from the Qualified Approved List)
Indirect Lighting Technician	10% of costs

ADDITIONAL EQUIPMENT

Sound Booth Audio (Requires Technician)	$125 per day
Theatrical Lighting (Requires Technician)	$125 per day
Acoustical Shell Panel	$25 per panel

- **Electrical Surcharge will be assessed when facility is used on weekends or during summer.**

SCHOOL BOARD OBJECTIVE

The Patrick County School Board endorses the use of facilities by the county recreation department and community groups to the extent that costs are not prohibitive. The School Board will periodically review fees and determine and assign fees reflecting costs incurred by the School Board.

REGULATIONS GOVERNING USE OF SCHOOL FACILITIES

1. An application for the use of a school facility may be obtained from the building Principal.
2. The Principal and Superintendent prior to use must approve the School Facilities Application.
3. Payment of associated rental fees must be made payable to the Patrick County School Board within three (3) business days prior to use of the facility. All other fees will be invoiced and payment should be made to the Patrick County School Board within 10 days of the receipt of the invoice. Failure to pay associated fees will result in revocation of future permission to utilize school facilities as well as may lead to legal actions.
4. Priority of use:
    - The requirements of the regular school program will receive priority over requests by any other groups.
    - School-related support organizations, such as PTO or Booster organizations, shall be given priority over non-school organizations.
    - Approved student and youth groups, such as recreation league, AAU, Dixie Youth, 4-H, Boy Scouts, Girl Scouts, shall have priority over adult groups.
    - If regular school programs have to be rescheduled on dates previously approved for other groups, the regular school program will take priority and the principal will work with the outside group to select an alternate date for the approved event.
5. The individual indicated on the facilities use application will be responsible for the proper care of the facility and will also be responsible for the appropriate behavior of individuals attending the event.
6. Any organization, individual, or group using the facility will be responsible for any damage to the building and/or equipment incurred in conjunction with the approved use. Responsibility shall include repair of said damage up to and including full replacement.
7. It shall be the responsibility of the requesting organization, individual, or group to obtain any and all permits required by local, state or federal regulations.
8. Any individual or group using a school system facility assumes full financial responsibility and liability for any loss or damages to person or property or claims resulting or arising from the use of school system property or facilities of grounds (including parking areas) and those granted access to the facility. The user holds the school system harmless from any such loss, damage, or claim including, but not limited to, attorneys'' fees and costs paid or incurred by the school system to enforce any obligations.
9. The user organization must provide or obtain general liability insurance coverage in the amount of at least $300,000. Amendments or riders to the school system's insurance policies are not available. The required certificate of insurance (not the policy itself) must be in the office of the Superintendent at least ten calendar days prior to the beginning of the approved event, with a copy of the certificate of insurance also sent to the principal or supervisor of the school or facility. Waivers of responsibility are not acceptable.
10. No alcoholic or tobacco products are permitted on school property during the use of the facilities.
11. Provisions shall be made for at least one (1) presently employed Food Service employee to be present and paid when the school kitchen or kitchen equipment is used. The individual or organization requesting use of the facility will assume responsibility for contacting a Food Service worker, utilizing the approved list, to meet the regulations when the kitchen or kitchen equipment is used. If the Food Service employee desires to volunteer his or her time for the event, he or she cannot do so as an employee of the School System according to the provisions of the Fair Labor Standards Act if the event requires working in excess of 40 hours per week.
12. Provisions shall be made for at least one (1) presently employed Custodian to be present and paid when a facility is being used. If the custodian desires to volunteer his or her time for the event, he or she cannot

do so as an employee of the School System according to the provisions of the Fair Labor Standards Act if the event requires working in excess of 40 hours per week. The Principal will determine when a custodial staff member is needed for an event. The individual or organization requesting use of the facility will assume responsibility for contacting a custodian, utilizing the approved list, to meet the regulations when custodial services are required.

13. Provisions shall be made for at least one (1) Audio Technician and/or (1) Lighting Technician to be present and paid when the Sound Booth Audio and/or the Theatrical Lighting equipment is used. The individual or organization requesting use of the facility will assume responsibility of contacting a Technician, utilizing the approved list, which will be provided. If the Audio and/or Lighting Technician desire to volunteer his or her time for the event, they may do so.
14. The Principal assumes control and responsibility of keys to the requested facility and will determine if a key is issued to the responsible individual signing the agreement.
15. PTO or Booster organizations, Recreation league sports programs, AAU and Dixie Youth sports programs, 4-H organizations, Boy Scouts and Girl Scouts will not be required to pay a fee for the use of the facility. However, if custodial services, food service workers or audio/theatrical lighting are required then the organization will be required to pay associated fees to cover the work hours of the school employee for the event.
16. If the user group plans to use any means of widespread promotion or advertising of the group's activity, any such literature document, brochure, newspaper copy, or video copy should follow Policy KF – Distribution of Information/Materials and be submitted to the building principal for review and approval.
17. Violation of the regulations shall be reported to the respective principal and then to the Superintendent of Schools. Violations will be considered in reviewing future requests for use of school facilities.
18. Patrick County Fire and Rescue or other Patrick County 501(c)(3) organizations will be allowed to use the facilities free of charge, exclusive of personnel costs, for one fundraising event per fiscal year. For additional uses, Patrick County Fire and Rescue or other Patrick County 501(c)(3) organizations will get a 50% discount on using the school facilities when they are used in conjunction with a fundraising event.

** Patrick County Public Schools will not be able to commit to long-term Use of Facilities (more than a month) to organizations that do not support the instructional program of the school division. Should an organization be permitted to use the facilities for a month ten that organization will have a three month wait period before reapplying.

Adopted:
Revised:

PUBLIC GIFTS TO THE SCHOOLS

The School Board acts on offers of gifts to schools or to the school division. The School Board may impose reasonable conditions on donations.

When any real or personal property is given to and accepted by the Board, it vests in the Board unless inconsistent with the terms of the gift, devise or bequest, and is managed by the Board, according to the wishes of the donor or testator. The Board in addition to the regular settlement it is required to make of all school funds, settles annually before the commissioner of accounts so far as the management of the property bequeathed or devised is concerned.

In the case of any change in the boundaries of the division, the Board shall make provision for continuing the fulfillment of the purposes of the donor as far as practicable and settlement shall be made as provided for above.

Revised: August 8, 2019

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-126.

Cross Ref:	FFA	Naming School Facilities
	KJ	Advertising in the Schools
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

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ADVERTISING IN THE SCHOOLS

Individual schools may not endorse or imply endorsement of any product. All requests for endorsement must be directed to the superintendent or superintendent's designee.

School organizations must secure approval from the principal before soliciting advertisements for school publications. If there is need for policy clarification, the principal consults with the superintendent.

Commercial establishments whose primary source of revenue is the sale of intoxicants may not advertise in school publications.

Adopted: September 8, 1997
Revised: April 14, 2003
April 10, 2008
March 13, 2014
August 8, 2019

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

Cross Refs.:

DJG	Vendor Relations
JP	Student Publications
KF	Distribution of Information/Materials
KGA	Sales and Solicitations in Schools
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

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SCHOOL VISITORS

Generally

Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office. Potential visitors, including parents, who are registered sex offenders, should consult Policy KN Sex Offender Registry Notification and Policy KNA Violent Sex Offenders on School Property before arriving at school property or school sponsored activities. The school division expects mutual respect, civility and orderly conduct from all individuals on school property and at school events. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator. Unauthorized persons who fail to leave the school grounds or school activity as requested will be considered trespassers. The School Board authorizes the superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on School Board property or at school division sponsored activities. Law enforcement may be called to enforce this policy.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

Parents

Parents are encouraged to visit the schools on scheduled days for conferences with teachers, assemblies, PTA meetings, volunteer service and other school programs. Noncustodial parents are not denied, solely on the basis of their noncustodial status, the opportunity to participate in any of the student's school or day care activities in which such participation is supported or encouraged by the policies of the School Board.

Board Members

Periodically, Board members may visit schools within the division. The purpose of these visits is to assist in fulfilling their responsibilities and increase understanding of actual educational practices. School Board members follow the same procedures applicable to all other visitors when visiting a school.

Adopted: September 8, 1997
Revised: April 10, 2008
June 23, 2008
October 14, 2010
March 12, 2015
July 12, 2018

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-128; 18.2-415, 22.1-4.3, 22.1-79.

Cross Refs.:

DJG	Vendor Relations
ECA	Inventory and Reporting of Loss or Damage
IGBC	Parental Involvement
KGB	Public Conduct on School Property
KN	Sex Offender Registry Notification
KNA	Violent Sex Offenders on School Property
KP	Parental Rights and Responsibilities

SERVICE ANIMALS IN PUBLIC SCHOOLS

A. Service Animals

An individual with a disability is permitted to be accompanied by his/her service animal on school property when required by law, subject to the conditions of this policy.

A "service animal" means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (See, however, Section D regarding miniature horses.) The work or tasks performed by a service animal must be directly related to the individual's disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing as a service animal.

B. Requirements That Must be Satisfied Before a Service Animal Will be Allowed on School Property

Vaccination: The service animal must be immunized against diseases common to that type of animal.

Health: The service animal must be in good health.

Control: A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack or vest identifying the dog as a trained service dog, a leash (blaze orange in color) for hearing dogs, a harness for guide dogs, or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

C. Service Dogs in Training

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing

training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

Use of Harnesses, Vests, etc. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

All requirements of this policy which apply to service animals, such as annual written requests, and supervision, care and damages, also apply to dogs in training.

D. Miniature Horses

The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division must consider the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

E. Extra Charges

The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

F. Supervision and Care of Service Animals

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

G. Damages to School Property and Injuries

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

H. Removal of Service Animals From School Property

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

I. Denial of Access and Grievance

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division's Section 504 Coordinator.

Adopted: September 11, 2008
Revised: April 14, 2011
November 13, 2014
September 13, 2018
March 10, 2020

Legal Refs.: 28 C.F.R. 35.104, 35.136

Code of Virginia, 1950, as amended, § 51.5-44.

Cross Refs.: DJG Vendor Relations

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GB	Equal Employment Opportunity/Nondiscrimination
JB	Equal Educational Opportunities/Nondiscrimination
JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
JFHA/GBA	Prohibition Against Harassment and Retaliation
KK	School Visitors
KGB	Public Conduct on School Property
KN	Sex Offender Registry Notification
KNA	Violent Sex Offenders on School Property

PATRICK COUNTY SCHOOL DIVISION
REQUEST FOR RECONSIDERATION OF LEARNING RESOURCES

Request By _____

Representing _____ Myself

_____ Organization or Group (please identify) _____

Address _____ E-mail address _____

Telephone _____

How do you prefer to be contacted? _____

Title or Description of Item _____

Author or Editor _____

Type of Material (book / film / record / speaker / software / other (specify)) _____

1. Did you examine, review, or listen to this learning resource or presentation in its entirety?

   ❑ YES ❑ NO

2. Have you discussed this material with school staff who ordered it or who use it?
   ❑ YES ❑ NO

   If yes, please identify the staff person(s) with whom you had the discussion:

   _____
   [Print name of staff person(s)]

   Are you aware of evaluations of this material by professional critics?
   ❑ YES ❑ NO

   If no, would you be interested in receiving this information?
   ❑ YES ❑ NO

3. Describe what prompted your concern about the material. Please cite page numbers and/or specific information from the material to support your concerns (attach additional material, if necessary).

4. Does the general purpose for the use of the material, as described by the school staff or in the Patrick County school division's program objectives, seem a suitable one for you?
   ❑ YES ❑ NO

   If not, please explain (attach additional material, if necessary)

5. What action[s] would you like to see the school take regarding this material?

   ❑ Do not assign it to my child ❑ The school should reevaluate the material

   ❑ Other—
   Explain:_____
   _____

6. Are there other materials of the same subject and format that you would suggest for consideration in place of this material? ❑ YES ❑ NO

   If yes, please identify your suggestions.
   _____
   _____
   _____

Signature _____ Date _____

RETURN COMPLETED FORM TO SCHOOL PRINCIPAL

PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES

Despite the care taken in selecting suitable learning resources, and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving concerns about learning resources, including instructional materials, used in teaching the curriculum.

Complaints about learning resources should be presented in writing using KLB-E, "Request for Reconsideration of Learning Resources" form, which may be obtained from the principal or the central office. The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval. Challenges which are not resolved at the building level may be submitted to the superintendent or superintendent's designee. The decision of the superintendent may be appealed to the School Board or reviewed at the School Board's request. The decision of the School Board will be final.

Adopted: September 8, 1997
Revised: May 11, 2006
June 23, 2008
March 13, 2014
November 12, 2015

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.2.

8 VAC 20-720-160.

Cross Refs.:	IIA	Instructional Materials
	IGAH	Family Life Education
	INB	Teaching About Controversial Issues
	KL	Public Complaints
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

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PUBLIC COMPLAINTS

Complaints involving a particular school are handled within the school through the established channel of responsibility. If the complaint cannot be resolved at the level of the principal, it is referred to the superintendent or superintendent's designee. If the central office staff and complainant cannot reach a satisfactory solution, the matter may, at the School Board's discretion, be heard at a regular board meeting.

Any parent, custodian, or legal guardian of a pupil attending the Patrick County public schools who is aggrieved by an action of the School Board may, within thirty days after such action, petition the local circuit court to review the action of the School Board. The court will sustain the action of the School Board unless the School Board exceeded its authority, acted arbitrarily or capriciously or abused its discretion.

Adopted: September 8, 1997
Revised: August 10, 2006
March 13, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-87, 22.1-253.13:7.

Cross Refs.:		
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBLA	Third Party Complaints Against Employees
	JB	Equal Educational Opportunities/Nondiscrimination

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RELATIONS WITH PARENT ORGANIZATIONS

The Patrick County School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state and federal law. The School Board requests that parent-teacher organizations maintain a close relationship with the Board, administration and staff, and that they consider School Board and school policies when planning activities.

Adopted: September 8, 1997
Revised: April 10, 2008
June 23, 2008
March 13, 2014
June 5, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-253.13:7.C.4.

Cross Refs.: IGBC Parental Involvement
KF Distribution of Information/Materials

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SEX OFFENDER REGISTRY NOTIFICATION

The Patrick County school division recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school or are at school-related activities, each school in the Patrick County school division shall request electronic notification of the registration or reregistration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police).

Annual Notification

At the beginning of each school year, the Patrick County school division shall notify parents and employees of this policy. The school board will also annually notify the parent of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

Dissemination of Sex Offender Registry Information

Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property including but not limited to:

- school bus drivers
- employees responsible for visitor registration
- employees responsible for bus duty
- security staff
- coaches
- playground supervisors, and
- maintenance personnel.

When registry information is disseminated, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed below. Employees who share registry information with others may be disciplined.

The Patrick County school division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not disseminate registry information to parents.

Use of Sex Offender Registry Information

Registry information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.

1. Registered Sex Offender Sighted. If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Superintendent or his designee shall be notified immediately. The Superintendent or his designee may, in his or her discretion, notify local law-enforcement.

2. School Volunteers and Student Teachers. Each staff member shall submit to the Principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. The Principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the Principal shall notify the Superintendent, who shall confirm the match. If the match is confirmed, the Superintendent shall inform the individual, in writing, that he or she may not serve as a volunteer or student teacher. The notice shall provide the reason with reference to this policy. The Superintendent shall provide a copy of the notice to the Principal and staff member.

3. Contractors' Employees. In addition to ensuring that the certification requirements of Policy DJF Purchasing Procedures are met, the Superintendent shall include the following language in all Division contracts that may involve an employee of the contractor having any contact with a student:

> The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.

4. School Division Employees. Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the School Board. The School Board will take the appropriate action to comply with state law which may include termination of employment.

5. Applicants for Employment. Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the division.

6. Parents of Students and other Visitors.

Persons who have been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may be present at school during school hours or during school related or school sponsored activities only as provided in Policy KNA Violent Sex Offenders on School Property.

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present.

When a parent who is a registered sex offender is permitted at school or at school functions he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school functions, he or she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent which are as follows:

- The principal will notify the superintendent that a request has been made by a parent. Request from nonparents will not be considered.
- Requests will only be considered for special events. (i.e. graduation, honors banquet).
- The principal will validate that sufficient staff is available to monitor the parent that will be present.
- The Superintendent will notify the principal of final approval or disapproval.
- The parent will be notified by the principal that they will be monitored during the visit if the request is granted.

7. Precautions to Protect Students. When the Superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect division students.

Requests for Registry Information

Anyone requesting registry information from the school division shall be referred to the State Police.

Adopted: November 4, 2010

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-914, 9.1-918, 18.2-370.5, and 19.2-390.1.

Commonwealth v. Doe, No. 081691(Va. Sept. 18, 2009).

Cross Ref:

BBA	School Board Powers and Duties
DJF	Purchasing Procedures
KK	School Visitors
KNA	Violent Sex Offenders on School Property
KNAJ	Relations with Law Enforcement Authorities

VIOLENT SEX OFFENDERS ON SCHOOL PROPERTY

No adult who has been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, unless

- he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote;
- he is a student enrolled at the school; or
- he has obtained a court order allowing him to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the school boards' terms and conditions and those of the court order.

Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy KN Sex Offender Registry Notification.

Adopted: 10/14/2010

Legal Ref: Code of Virginia, 1950, as amended, §§ 9.1-902, 18.2-370.5.

Commonwealth v. Doe, 278 Va. 223 (2009).

Cross Ref: KK School Visitors
KN Sex Offender Registry Notification

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RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the principal is contacted immediately. The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the interrogation. If the parent or guardian cannot be present for the interrogation, then the principal or principal's designee is present throughout the interrogation.

Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender Registry Notification.

Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a felony offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school

property or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or

3. any threats against school personnel while on a school bus, on school property or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1 or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity; or
6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity.

If the local law-enforcement agency employs school resource officers, the School Board and the agency have a memorandum of understanding that sets forth the powers and duties of the school resource officers. The memorandum of understanding addresses the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously published on the division website.

Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-280.2:3, 22.1-293.

8 VAC 20-750-70.

Cross Refs.:

JFC	Student Conduct
JGD/JGE	Student Suspension/Expulsion
CLA	Reporting Acts of Violence and Substance Abuse
KN	Sex Offender Registry Information

REPORTS OF MISSING CHILDREN

The Patrick County School Division shall receive reports of the disappearance of any child living within the school division from local law enforcement pursuant to Va. Code § 52-31.1.

Upon notification by a local law-enforcement agency of a child's disappearance, the principal of the school in which the child was enrolled at the time of the disappearance shall indicate, by mark, in the child's cumulative record that the child has been reported as missing. Upon notification by law enforcement that the child is located, the principal shall remove the mark from the record.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, without alerting the requestor of such report.

For the purposes of this policy, a "mark" means an electronic or other indicator that (i) is readily apparent on the student's record and (ii) will immediately alert any school personnel that the record is that of a missing child.

Adopted: April 12, 2007

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-288.1; 52-31.1.

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PARENTAL RIGHTS AND RESPONSIBILITIES

A. When parents of a student are estranged, separated, or divorced, all personnel will respect the parental rights of both parents. Unless there is a court order to the contrary, both parents have the right to

1. view the child's school records, in accordance with Policy JO Student Records;

2. receive school progress reports, the school calendar, and notices of major school events;

3. visit the school in accordance with Policies KK School Visitors, KN Sex Offender Registry Notification, and KNA Violent Sex Offenders on School Property;

4. participate in parent-teacher conferences; in the case of the noncustodial parent, after a timely request is made;

5. receive all notifications in accordance with the Individuals with Disabilities Education Act; and

6. receive notice of the student's extended absence, as defined in and pursuant to Policy JED Student Absences/Excuses/Dismissals, if both parents have joint physical custody.

B. Parent Responsibilities

The custodial parent has the responsibility to~~:~~

1. keep the school office informed of his address and how he or she may be contacted at all times;

2. provide the current address and phone number of the noncustodial parent at registration unless such address is unknown and the parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent; and

3. provide a copy of any legal document which restricts the educational and/or contact rights of the noncustodial parent.

The noncustodial parent has the responsibility to keep the school office apprised of changes in his or her current phone number and address. Further, the noncustodial parent may make timely requests to participate in parent-teacher conferences. At the request of a noncustodial parent, such parent will be included as an emergency contact for the student's activities unless a court order has been issued to the contrary.

Adopted: July 9, 2001
Revised: April 14, 2003
August 4, 2005
April 12, 2012

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Legal Refs: 20 U.S.C. §1232g.

34 C.F.R. § 99.4.

Code of Virginia, 1950, as amended, §§ 22.1-4.3, 22.1-78, 22.1-287

Cross Refs:

JED	Student Absences/Excuses/Dismissals
JO	Student Records
KK	School Visitors
KN	Sex Offender Registry Notification
KNA	Violent Sex Offenders on School Property

COMMERCIAL, PROMOTIONAL AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS

Generally

The Patrick County School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the Board. For that reason, the Patrick County School Board may enter into commercial, promotional and corporate sponsorship and partnership arrangements under certain conditions.

Definitions

An “educational partnership” is a mutually beneficial, co-operative relationship in which partners share values, objectives and/or human or financial resources to enhance learning for students.

An “educational sponsorship” is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services or other benefits in exchange for recognition of its products or entity for a specified period of time.

Authority to Enter into Agreements

On behalf of the School Board, principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed $5,000 in value to the school.

On behalf of the School Board, the superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds $5,000 in value.

The School Board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The School Board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the School Board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

Requirements

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.

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- A statement that the School Board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.
- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the School Board and the partner or sponsor whose agreement has been terminated for a specified period of time.
- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and, if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the School Board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or School Board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or School Board must approve its identification as a partner or co-sponsor in all publicity materials.
- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or School Board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, School Board employee, School Board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances, school division policies and regulations, and all preexisting School Board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the sponsor or partner must certify

that all such persons have not been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.01; any offense involving the sexual molestation or physical or sexual abuse or rape of a child, or any crime of moral turpitude.

- A statement that if the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the individuals acting on behalf of the partner or sponsor may have been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, the individual's civil rights have been restored by the Governor.
- A statement that no partnership or sponsorship shall exploit any student or School Board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or School Board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or School Board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or School Board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the School Board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

Prohibitions

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or School Board policy;
- promotion of the use of drugs, alcohol, tobacco products, nicotine vapor products, or firearms;
- promotion of sexual, obscene or pornographic activities; or
- promotion of any image that is not in keeping with the established goals and purposes of the School Board.

Adopted: April 14, 2003
Revised: May 11, 20006
June 23, 2008
July 16, 2009
March 13, 2014
June 5, 2014
August 8, 2019
June 25, 2020

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-89.4, 22.1-296.1.

Cross Refs.:	DJF	Purchasing Procedures
	DJG	Vendor Relations
	DO	Non-Locally Funded Programs
	IIAA	Textbook Selection, Adoption, and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	IICB/IICC	Community Resource Persons/School Volunteers
	JFCB	Sportsmanship, Ethics and Integrity
	JHCF	Student Wellness
	JL	Fund Raising and Solicitation
	KA	Goals for School-Community Relations
	KH	Public Gifts to the School
	KLB	Public Complaints about Learning Resources

EDUCATION AGENCY RELATIONS GOALS

The Patrick County School Board supports the endeavors of other educational institutions whose goals are compatible with those of the division.

To the extent appropriate, the school division utilizes the resources of other educational institutions for the benefit of its students and the development of its staff.

The school division cooperates with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise interact with students or division personnel must be submitted directly to the superintendent or superintendent's designee.

The school division strives to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The school division cooperates with professional educational organizations whose goals are compatible with those of the division.

Adopted: September 8, 1997
Revised: April 14, 2003
April 12, 2012
March 10, 2020

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

Cross Refs.:	EGAA	Reproduction and Use of Copyrighted Materials
	GCQB	Staff Research and Publishing
	JHDA	Human Research
	JOB	Administration of Surveys and Questionnaires
	LEA	Student Teachers

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RELATIONS WITH PRIVATE SCHOOLS

The School Board and superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. The School Board will not enter into agreement with any nonpublic school within the division to provide student transportation to and from such schools.

Adopted: September 8, 1997
Revised: April 12, 2007

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78; 22.1-176.1

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HOME INSTRUCTION

GENERALLY

The Patrick County School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if the parent

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides the child with a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
- provides evidence that the parent is able to provide an adequate education for the child.

DEFINITION

For purposes of this policy, "parent" means any parent, guardian, legal custodian or other person having control or charge of a child.

NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the superintendent no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

EVIDENCE OF PROGRESS

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine any nationally normed standardized achievement test or an equivalent score on the ACT, SAT or PSAT test or (ii) an evaluation or assessment which the superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an evaluation letter from a person

licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program or home-education correspondence school.

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

IMMUNIZATIONS

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

NOTIFICATION TO PARENTS

Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and PreACT examinations are available to students receiving home instruction pursuant to Va. Code § 22.1-254.1. The superintendent establishes a schedule identifying the dates by which students receiving home instruction must register to participate in such examinations. The superintendent notifies students receiving home instruction and their parents of the registration

deadlines and the availability of financial assistance to low-income and needy students to take such examinations.

DISCLOSURE OF INFORMATION

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

JROTC MEMBERSHIP FOR HOMESCHOOLED STUDENTS

Homeschooled students who reside in the division and who are otherwise eligible for membership in a Junior Reserve Officers' Training Corp (JROTC) unit maintained by a secondary school but for their lack of enrollment in the division are permitted to be members of the unit.

Homeschooled students who are members in the division's JROTC units must comply with behavioral, disciplinary, attendance and other rules applicable to all students, including rules governing the use of the division's computer systems. If a student fails to comply, the school may withhold credit and/or terminate the student's participation in addition to taking any disciplinary action that would be taken against a full-time student for similar conduct.

Adopted: September 8, 1997
Revised: April 9, 2001
November 10, 2004
August 4, 2005
August 10, 2006
June 23, 2008
July 12, 2012
June 4, 2015
June 8, 2017
March 10, 2020

Legal Refs.: 10 U.S.C. § 2031.

Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

Cross Ref.: IIBEA Acceptable Computer System Use
JFC Student Conduct
JO Student Records

CHARTER SCHOOLS

Purpose

In order to (1) encourage the development of innovative programs; (2) provide opportunities for innovative instruction and student assessment; (3) provide parents and students more choices; (4) provide innovative scheduling, structure and management; (5) encourage the use of performance-based educational programs; (6) establish high standards for teachers and administrators; and (7) develop models for replication in other public schools, the Patrick County School Board receives and considers applications for the establishment of charter schools.

Definition of Charter School

A charter school is a public, nonreligious or non-home-based alternative school located within the Patrick County School Division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs are not permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board gives priority to public charter school applications designed to increase the educational opportunities of at-risk students. At least one half of the public charter schools in the division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the one-half requirement.

Enrollment in a charter school is open to any child who resides within the school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis*,* except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process. Students eligible to enroll in the school division pursuant to Va. Code § 22.1-3.B because they are the children of military personnel on active military duty who will reside in the division may participate in the lottery process for charter schools in the division at the same time and in the same manner as students who reside in the division.

Public charter schools are subject to all federal laws and authorities as set forth in law and the charter contract. Public charter schools are subject to the same civil rights, health and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided by law.

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Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the School Board approves such measures.

Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

No public charter school shall discriminate against any individual on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division.

No public charter school shall discriminate against any student on the basis of limited proficiency in English and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.

No public charter school shall engage in any sectarian practices in its educational program, admissions or employment policies or operations.

Application Process

Any person, group or organization may submit an application for the formation of a public charter school to the Patrick County School Board. A complete application includes the applicant's Virginia Public Charter School Application package submitted to the Board of Education, the result of the Board of Education's review of the application and the Charter School Application Addendum (LC-E [School Division] Charter School Application Addendum). Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Patrick County School Board must conform to the Virginia Public Charter School Application. However, such applications are not required to receive Board of Education review and comment prior to action by the School Board.

The Board of Education examines all applications, other than those initiated by the School Board, for feasibility, curriculum, financial soundness and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment is for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

All public charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit

LC-E [School Division] Charter School Application Addendum. The School Board shall establish a “review team” consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

The Patrick County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division’s website and a copy shall be made available to any interested party upon request.

School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, or the charter agreement is revoked or fails to be renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of

reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement is final and not subject to appeal. Following a decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the School Board submits documentation to the Board of Education as to the rationale for the School Board's decision. The Board of Education has no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement but may communicate any Board finding relating to the rationale for the School Board's denial of the public charter school application or revocation of or failure to renew the charter agreement based on the documentation submitted in any school division in which at least half of the schools receive funding pursuant to Title I, Part A.

Nothing in this policy prohibits an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

Charter Contract

Within 90 days of approval of a charter application, the School Board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth (i) the academic and operational performance expectations and measures by which the public charter school will be judged and (ii) the administrative relationship between the School Board and public charter school, including each party's rights and duties. The 90-day period may be extended by up to 30 days by mutual agreement of the parties. Such performance expectations and measures shall include applicable federal and state accountability requirements and may be refined or amended by mutual agreement after the public charter school has collected baseline achievement data for its enrolled students.

The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures and metrics that will guide the School Board's evaluations of the public charter school. The performance framework shall include indicators, measures and metrics for:

- student academic proficiency;
- student academic growth;
- achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status;
- attendance;
- recurrent annual enrollment;

- postsecondary education readiness of high school students;
- financial performance and sustainability; and
- the performance and stewardship of the management committee, including compliance with all applicable laws, regulations and terms of the charter contract.

The performance framework shall allow the inclusion of additional rigorous, valid and reliable indicators proposed by the charter school to augment external evaluations of its performance, provided that the School Board approves the quality and rigor of such indicators.

The performance framework shall require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status.

Annual performance targets shall be set by the public charter school and the School Board and shall be designed to help each school meet applicable federal, state and School Board expectations.

The charter contract shall be signed by the chairman of the School Board and the president or chairman of the public charter school's management committee. Within 10 days of executing a charter contract, the School Board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

No public charter school shall commence operations without a charter contract executed in accordance with this policy and approved in an open meeting of the School Board.

Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any

other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

Personnel

Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2 and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in

the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

Revocation and Renewal of the Charter Contract

The School Board may revoke a charter contract if

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);

- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which it was not specifically exempted.

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by January 1st of the school year before the charter expires.

The application for renewal shall contain

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations
- other information the School Board may require

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

Reports

The School Board reports the following to the Board of Education:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract; for any such denial, revocation or failure to renew, the report to the Board of Education contains documentation as to the reason for the denial or revocation
- whether a public charter school is designed to increase the educational opportunities of at-risk students

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

Adopted: September 11, 2000
Revised: November 10, 2004
April 7, 2005
August 4, 2005
July 12, 2012
July 11, 2013

June 5, 2014
November 13, 2014
June 23, 2016
June 8, 2017
August 8, 2019
June 25, 2020

Legal Refs: 20 U.S.C. § 6311(b)(1)(B).

Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-212.5 et seq.

Cross Refs:

KBA	Requests for Public Records
KBA-F1	Request for Public Records
KBA-F2	Record of Inspection and/or Delivery of Copies
KBA-R	Requests for Public Records
LC-E	[School Division] Charter School Application Addendum

PATRICK COUNTY CHARTER SCHOOL APPLICATION ADDENDUM

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. A complete Patrick County School Application ("Application") consists of (i) the Applicant's *Virginia Public Charter School Application* package submitted to the State Board of Education, (ii) the result of the State Board of Education's review of the Applicant's state application, and (iii) the Patrick County *Charter School Application Addendum* prepared in accordance with this policy. However, Charter School applications initiated by the Patrick County SCHOOL BOARD are not required to receive Board of Education review and comment prior to action by the School Board.

Applications must be received by the Assistant Superintendent of Instruction on or before January 1prior to the year in which the charter school desires to open. An original plus 15 copies of the application must be submitted. An application fee of $2500 shall be submitted with the application. Applicants must follow the application addendum format provided below.

I. Goals and Objectives; Educational Program

Provide a statement of the goals and objectives of the proposed public charter school. The following components must be addressed:

A. A description of the performance-based goals. To the extent possible, the application should include the academic performance indicators, measures and metrics that will guide Patrick County School Board's evaluations of the charter school and should include, at minimum:
    1. student academic proficiency;
    2. student academic growth;
    3. academic gaps in both proficiency and growth between major student subgroups;
    4. attendance;
    5. recurrent enrollment from year to year; and
    6. postsecondary readiness (for high schools).

B. A description of the measurable educational objectives to be achieved by the public charter school.

C. A description of the pupil performance standards and curriculum, which must meet or exceed any applicable Virginia Standards of Quality.

D. A description of how the Virginia Standards of Learning (SOL) and the corresponding SOL Curriculum Framework will be used as the foundation for curricula to be implemented for each grade or course in the public charter school. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia Standards of Learning, address

student performance standards related to state and federal assessment standards and include measurable outcomes.

E. A description of any internal and external assessment to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the SOL assessments prescribed by Va. Code § 22.1-253.13:3.

F. A description of the public charter school assessment plan to obtain student performance data, which includes how the data will be used to monitor and improve achievement and how program effectiveness will be measured over a specified period of time. Also provide benchmark data on how student achievement will be measured and how these data will be established and documented in the first year of operation and how the data will be measured over each year of the term of the charter. The benchmark data should address targets for student improvement to be met in each year.

G. The timeline for achievement of pupil performance standards, in accordance with the Virginia SOL.

H. An explanation of the corrective actions to be taken in the event that pupil performance at the public charter school falls below the standards outlined in the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.

I. Information regarding the minimum and maximum enrollment per grade for each year during the term of the charter contract, as well as class size and structure for each grade served by the public charter school.

J. Information regarding the proposed calendar and a sample daily schedule, including any plans to open prior to Labor Day.

K. A description of plans for identifying and successfully serving students with disabilities, English Learners, academically at-risk students and gifted and talented students which include the extent of the involvement of the School Board in providing such services.

L. If applicable, the following components should be addressed:
   1. any plans to utilize virtual learning in the educational program, including identification of the virtual learning source and a description of how virtual learning will be used and an estimate of how many students are expected to participate.
   2. a general description of any alternative accreditation plans, in accordance with the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-420), that the public charter school will request the School Board to submit to the

Virginia Board of Education for approval.

3. a general description of any alternative accreditation plan for serving students with disabilities, in accordance with the Virginia Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia* that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.

II. Evidence of Support

Provide evidence that an adequate number of parents, teachers, pupils or any combination thereof, supports the formation of a public charter school. The following components must be addressed:

- Information and materials indicating how parents, the community and other stakeholders were involved in supporting the application for the public charter school.
- Tangible evidence of support for the public charter school from parents, teachers, students and residents, or any combination thereof, including but not limited to information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school.
- A description of how parental involvement will be used to support the education needs of the students, the school's mission and philosophy and its educational focus.

III. Statement of Need

Describe the need for a public charter school in the school division or relevant part of the school division. The following components must be addressed:

- A statement of the need for a public charter school that describes the targeted school population to be served and the reasons for locating the school in its proposed location.
- An explanation of why the public charter school is being formed. (Is the school being formed at the requests of parents or community organizations? How was the need determined? What data were examined as part of the needs assessment? Briefly describe the need and include a summary of the quantitative data.)
- An explanation of why a public charter school is an appropriate vehicle to address the identified need.

IV. Applicant Information

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

V. Facility

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. The description should address

- how the facility provides suitable instructional space;
- provisions for library services;
- provisions for the safe administration and storage of student records;
- provisions for the safe administration and storage of student medications;
- the applicant's plan for complying with building and fire codes and the federal Americans with Disabilities Act (ADA);
- information on emergency evacuation plans;
- information regarding site location and preparation;
- the structure of operation and maintenance services; and
- financial arrangements for the facility, including any lease arrangements with the School Board or other entities and whether any debt will be incurred.

If the facility is not property of the school division, then the following must be provided:

- a certificate of occupancy;
- a health inspection certificate;
- an annual fire certificate of inspection;
- proof of compliance with federal, state and local health and safety laws and regulations; and
- a copy of the lease or contract under which the charter school will use the facility.

If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

VI. Enrollment Process

Describe the enrollment process that is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions. The following components must be addressed:

- A description of the lottery process to be used for the establishment of a waiting list for students for whom space is not available.
- A description of a tailored admission policy that meets the specific mission or focus of the public charter school, if applicable.
- A timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process.
- A description of any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable.

- An explanation of how the applicant will ensure that, consistent with the public charter school's mission and purpose, community outreach has been undertaken so that special populations are aware of the formation of the public charter school and that enrollment is open to all students residing in the school division where the public charter school is located or in school divisions participating in a regional charter school.
- A description of how the transfer of student records and other program information to and from the public charter school will be accomplished.
- A description of how students seeking enrollment after the school year begins will be accommodated.

In the case of the conversion of an existing public school, describe how students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process.

VII. Employment Terms and Conditions

Provide an explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees. At the discretion of the School Board, charter school personnel may be employees of the School Board, or Boards, granting the charter. Any personnel not employed by the School Board shall remain subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4. The following components must be addressed:

- A plan that addresses the qualification of teachers and administrators at the public charter school, including compliance with state law and regulation regarding Virginia Board of Education licensing requirements.
- A plan to provide high-quality professional development programs.
- Provisions for the evaluation of staff at regular intervals and in accordance with state law and regulation.
- Provisions for a human resource policy for the public charter school that is consistent with state and federal law.
- Notification to all school employees of the terms and conditions of employment.

VIII. Transportation

Describe how the public charter school plans to meet the transportation needs of its pupils. The following components must be addressed:

A. A description of how the transportation of students will be provided:
   1. by the local school division;
   2. by the public charter school;
   3. by the parent(s); or
   4. though a combination of these options.

B. If transportation services will be provided by the public charter school, explain whether the school will contract for transportation with the School Board or with another entity or have its own means of transportation and indicate whether transportation will be provided to all students attending the school.

C. A description of transportation services for students with disabilities in compliance with Va. Code § 22.1-221 and the Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia*.

D. A description of transportation services for students in foster care in compliance with federal law.

IX. Residential Charter Schools

If the application is for a residential charter school for at-risk students, the following components must be addressed:

A. A description of the residential program to include:
   1. the educational program;
   2. a facilities description to include grounds, dormitories and staffing;
   3. a program for parental education and involvement;
   4. a description of after-care initiatives;
   5. the funding sources for the residential facility and other services provided;
   6. any counseling and other social services to be provided and their coordination with current state and local initiatives; and
   7. a description of enrichment activities available to students.

B. A description of how the facility will be maintained including, but not limited to:
   1. janitorial and regular maintenance services and
   2. security services to ensure the safety of students and staff.

X. Services to be Provided by the School Board

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.

XI. Timeline

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor's Schools, it will take at least 8-12 months to implement the proposal.**

XII. Health and Safety

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including:

- how and if the management committee will conduct a state criminal record check on all employees;
- how the charter school will conduct fingerprinting and federal criminal record checks, if applicable;
- how the charter school will comply with the requirement to report child abuse; and
- how the charter school will comply with Occupational Safety & Health Act requirements.

XIII. Indemnity

Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.

XIV. Renewal

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

XV. Displacement Plans: Pupils and Employees

A. Describe the plan for the displacement of pupils, teachers and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers and employees upon termination or revocation of the charter.

The following components must be addressed:

1. Identification of a member of the school's leadership who will serve as a single point of contact for all activities that may need to take place for the school to close, including but not limited to the transfer of students to another school, the management of student records and the settlement of financial obligations.
2. A notification process to parents/guardians of students attending the school and teachers and administrators of the closure date.
3. A notification process to parents/guardians of students attending the public charter school of alternative public school placements within a set time period from the date that the closure is announced.
4. Provisions for ensuring that student records are provided to the

parent/guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student's record to the school division to which the student transfers shall be made upon request of that school division.

5. Notification to the School Board of a list of all students in the school and the names of the schools to which these students will transfer.
6. A placement plan for school employees that details the assistance to be provided, if any, within a set period of time from the date of closure. For teachers and administrators, the plan of assistance should address finding employment with the school division where the public charter school is located or other public school divisions.
7. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and/or disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the school records and financial accounts upon closure.

B. Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire) or unable to be occupied for any reason.

XVI. Management and Operation

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses and relevant experience of the proposed management committee. This section should include:

- a detailed description of the relationship between the management committee and the School Board, including the charter school spokesperson (i.e. who is accountable to the School Board);
- how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act and reporting requirements;
- how the management committee is selected and its relationship to the teachers and administrators;
- a description of the rules and procedures followed to arrive at policy and operational decisions; and
- summaries of the job descriptions of key personnel, including the school leader/principal.

The following components must also be addressed:

A. An explanation of how support services will be funded and delivered. These services include, but are not limited to:

1. food services;
2. school health services;
3. custodial services;

4. extracurricular activities; and
5. security services

B. An explanation of any partnership or contractual relationships (education management organization, food services, school health services, custodial services, security services, etc.) central to the school's operations or mission, including information regarding the relationship of all contractors to the governing board of the public charter school, and information regarding how contractors and the employees of the contractors having direct contract with students will comply with Va. Code § 22.1-296.1.

C. Plans for recruiting and developing school leadership and staff.

XVII. Financial Plan: Evidence of Economical Soundness, Proposed Budget and Annual Audit

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included. The following components must also be included:

- Proposed start-up and three-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
- Proposed start-up and three-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.
- A proposed funding agreement with the School Board including information regarding anticipated local, state and federal per-pupil-amounts to be received and any information pertaining to the maintenance of facilities. In accordance with Va. Code § 22.1-212.14, the per pupil funding provided to the charter school will be negotiated in the charter agreement and will be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost. To the extent discussions have been held with the school division, please describe the outcome of those discussions. If there have been no discussions to date, please indicate the reason.

XVIII. Legal Liability and Insurance Coverage

Describe the proposed arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage, including the types of insurance that will be obtained for the public charter school, its property, its employees, the charter school management committee and the School

Board and its agents and the levels of insurance sought. Types of insurance include, but are not limited to,

- general liability;
- health;
- property;
- property and casualty (including vehicle coverage);
- officer and employee liability; and
- workers' compensation.

XIX. Disclosures

Disclose ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and require that the applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of the charter. The following components must be addressed:

- A description of how the applicant and members of the management committee will disclose any ownership or financial interest.
- Information regarding the frequency by which such disclosures will be made during the term of the charter.
- A description of ownership or financial interest of the applicant and/or members of the management committee in the proposed charter school. This includes any relationships that parties may have with vendors performing services at the school.

XX. Waivers

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation. No waiver of state statutes or federal statutes or regulations is permitted.**

XXI. Discrimination

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

XXII. Assurance

By signing and submitting this application for a public charter school, the applicant expressly assures the School Board that if the application is approved by the School Board, the school leadership of the public charter school will be retained on contract no later than 60 days prior to the opening date of the school.

XXIII. Signatures

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

Name of Authorized Official: **Title:**

_____ _____

Signature of Authorized Official: **Date:**

_____ _____

Regulations Regarding the Receipt and Review of Charter School Applications

Pursuant to School Board Policy LC, Patrick County Public Schools shall receive and consider applications for the establishment of charter schools within the school division. These regulations shall govern the process for receiving, reviewing and ruling on charter school applications. A copy of these regulations shall be made available to any interested party upon request.

A. Submission of Application; Application Fee

Any person group or organization, including any institution of higher education, may submit an application for the formation of a charter school. Each charter school applicant shall submit an original and fifteen (15) copies of the charter school application, which shall be in the format provided in LC-E of these regulations, to the Director of Instruction on or before January 1 prior to the year in which the charter school desires to open. The application shall be accompanied by a $2500.00 application processing fee.

B. Acknowledgement of Receipt of Application

The Director of Instruction shall, within five (5) working days, acknowledge in writing the receipt of the original and required number of copies of the application, as well as the required filing fee. The Director of Instruction shall also notify the Chairman of the Review Team (described below) in writing of the receipt of the application. The Director of Instruction may contact the applicant to obtain additional copies and/or the filing fee if they are insufficient to meet the requirements of these regulations, and shall provide the applicant with a reasonable deadline for submission.

C. Application Review Team

The School Board shall convene a review team to evaluate charter school applications (the "Review Team"). The Review Team shall consist of a minimum of six (6) and no more than nine (9) members. Among the members of the Review Team shall be the Assistant Superintendent, the Director of Instruction, a PCPS principal of a school serving the same grade levels as proposed for the charter school, a local business representative, and a resident charter school proponent. The Clerk of the School Board shall serve in an ex-officio capacity and vote only in the event of a tie. The Assistant Superintendent and the Director of Instruction shall serve as standing members of the Review Team for a period of time consistent with the holding of their positions. All other members of the Review Team shall serve for a period of not less than two (2) years and no more than (4) years. The Assistant Superintendent shall serve as chairman of the Review Team.

D. Duties of the Review Team

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts. The Chairman of the Review Team shall serve as the contact for answering questions about the application process and receiving applications.

E. Application Review Process and Timeline

(1) Within thirty (30) days of the School Board's receipt of the required number of copies of the application and the application fee, the Review Team shall convene to evaluate the application.
(2) If the application is incomplete, the Review Team shall send written notice to the applicant requesting the necessary information and advising the applicant that if the necessary information is not provided within a reasonable timeframe, as established by the Review Team, the application may be denied.
(3) The Review Team shall, within six (6) months of its receipt by the Review Team, review and evaluate the application based on the criteria outlined in these regulations. The Review Team may recommend to the School Board approval or denial of the application, that it be placed on a waiting list or that it be returned the applicant with suggestions for improvement. The applicant shall be notified in writing of the Review Team's recommendation prior to its submission to the School Board for decision.
(4) The Review Team shall convene as often as needed to evaluate fully the application based upon each of the criteria outlined in these regulations. A quorum of no less than a majority of the members of the Review Team shall be required for the conduct of business. The affirmative vote of a majority of members present shall be required to forward a recommendation regarding the application to the School Board.
(5) The Review Team will select a date to receive input from parents, teachers, citizens, and other interested parties and to obtain information to assist the school board in its decision to grant or deny a public charter school application. At least 14 days' notice will be given prior to the date selected to receive public comment on the application.
(6) The failure of either the Review Team or the School Board to adhere to any of the deadlines outlined in these regulations shall not be grounds for the approval of any charter school application.

F. Decision of the School Board

The School Board shall render its decision within thirty (30) days of its receipt of the Review Team's recommendation. Written notice of the School Board's decision shall be sent to the applicant and if the application is denied, the written notice shall include the reasons for the denial. If the application is returned to the applicant, the notice shall include suggestions for improvement of the application.

A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled to petition the school board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application was denied, revoked, or not renewed.

The petition of reconsideration may include an amended application based on the reasons given by the school board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal. The petition for reconsideration will follow the above Application Review Process and Timeline.

The School Board's decision to grant or deny the application shall be final and is not subject to appeal.

G. Criteria for Review of Charter School Applications

The Review Team shall evaluate charter school applications based upon the following criteria:

(1) the proposed mission of the charter school, including its purpose and core philosophy;
(2) the proposed goals and educational objectives, and whether they meet or exceed the Standards of Learning;
(3) evidence of the level of support for formation of the charter school;
(4) the need for the charter school within the school division;
(5) the curriculum, methods of instruction, teaching materials and innovative techniques to be employed, and whether they meet or exceed the Standards of Learning;
(6) the plan for evaluation of student performance, including any assessments to be used to measure pupil progress towards achievement of the school's performance standards;
(7) the proposed admissions process;

(8) the financial plan, including sources of revenues and expenditures, and audit procedures;
(9) the charter school's plan for addressing the displacement of students and employees when the application proposes the conversion of an existing public school to a charter school, or in the event of termination or revocation of a charter;
(10) the proposed management and operation of the charter school, including the nature and extent of parent, professional educator and community involvement;
(11) the relationship between the charter school and its employees, including the proposed terms and conditions of employment;
(12) the arrangements regarding legal liability and applicable insurance coverage;
(13) the plan for transporting charter school students to and from school;
(14) whether the school shall be nonsectarian and has committed to compliance with all state and federal laws, including those that prohibit discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services, as well as any court-ordered desegregation plan in effect in the school division;
(15) The facility or facilities to be used for the charter school, including any plan for acquisition, if required;
(16) whether students may attend the charter school tuition free;
(17) the procedures to be used to ensure the health and safety of students and employees, including compliance with all applicable state and federal laws; and
(18) any other criteria recommended by the Review Team and approved by the School Board.

H. Charter Schools for At-Risk Students

Priority shall be given to charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation. An "at-risk student" is a student having a physical, emotional, intellectual, socioeconomic or cultural risk factor, as defined in Virginia Department of Education criteria, which research indicates may negatively influence educational success.

STUDENT TEACHERS

The Patrick County School Board cooperates with accredited colleges and universities ~~in~~ to provide opportunities for student teaching in accordance with the following guidelines:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.

2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.

3. Teachers who serve as supervising teachers will have at least three years of teaching experience, with at least one of those years having been in the school to which the student teacher is assigned.

4. All teachers who serve as supervising teachers will be recommended by the principal of the school to the superintendent or designee for approval.

5. A class will have no more than one student teacher during the regular school year.

6. No supervising teacher will have a student teacher assigned to him for more than one semester during the regular school year.

7. A principal may reject or terminate any student teacher who has a negative effect on the instruction or welfare of students.

8. Information concerning students may be available to student teachers at the discretion of the supervising teacher and/or principal. Student teachers will respect the confidential nature of information provided.

9. Student teachers will follow all the policies and regulations of the Patrick County School Board that apply to teachers.

Adopted: September 8, 1997
Revised: April 12, 2012

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

Cross Refs.: JO Student Records
KN Sex Offender Registry Notification

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ADVANCED/ALTERNATIVE COURSES FOR CREDIT

Patrick County School Board has an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

Patrick County School Board may enter into agreements for postsecondary credential, certification or license attainment with community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 of the Code of Virginia that offer a career and technical education curriculum. Such agreements shall specify (i) the options for students to take courses as part of the career and technical education curriculum that lead to an industry-recognized credential, certification or license concurrent with a high school diploma and (ii) the credentials, certifications or licenses available for such courses.

Beginning in the middle school years, students are counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible. Wherever possible, students are encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- Written approval of the high school principal prior to participation in dual enrollment must be obtained.
- The college must accept the student for admission to the course or courses.
- The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Adopted: April 13, 2017

Revised: July 12, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

8 VAC 20-131-140.

Cross Ref.: IGBI Advanced Placement Classes and Special Programs
IKF The Virginia Assessment Program and Graduation Requirements

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RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

All BLANK Public Schools are accredited according to standards developed by the Board of Education. The School Board reports the accreditation status of each school in the division annually in a public session of a board meeting.

The School Board recognizes individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The School Board may ask the Board of Education for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation. A request for a waiver from state regulations that are not (i) mandated by state or federal law or (ii) designed to promote health or safety will be made by the superintendent and chairman of the School Board on behalf of the School Board. The waiver request will describe how release from state regulations is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

The School Board, by the superintendent and chairman of the School Board, may also request that the Board of Education grant waivers of specific requirements in Va. Code § 22.1-253.13:2, permitting the School Board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by Va. Code § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of Va. Code § 22.1-253.13:2 are met. In its request, the School Board will demonstrate that the waivers from specific Standards of Quality staffing standards will increase the quality of instruction and improve the achievement of students in the affected school or schools.

Adopted: September 8, 1997
Revised: April 14, 2003
November 10, 2004
July 11, 2013
May 10, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:3, 22.1-253.13:9.

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Your Rights
under the
Family and Medical Leave Act of 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for their employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles. The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances.

Reasons for Taking Leave:

Unpaid leave must be granted for *any* of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of *paid* leave may be substituted for unpaid leave.

Advance Notice and Medical Certification:

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Job Benefits and Protection:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Unlawful Acts by Employers:

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA:
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For Additional Information:

If you have access to the Internet visit our FMLA website: **http://www.dol.gov/esa/whd/fmla.** To locate your nearest Wage-Hour Office, telephone our Wage-Hour toll-free information and help line at 1-866-4USWAGE (1-866-487-9243): a customer service representative is available to assist you with referral information from 8am to 5pm **in your time zone;** or log onto our Home Page at **http://www.wagehour.dol.gov**.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

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