

# VIRGINIA SCHOOL BOARDS ASSOCIATION

## POLICY MANUAL



THE POLICY MANUAL, OR ANY PORTION THEREOF,  
MAY NOT BE REPRODUCED WITHOUT THE PRIOR  
WRITTEN PERMISSION OF THE VIRGINIA SCHOOL  
BOARDS ASSOCIATION

© 2012

## **TABLE OF CONTENTS**

<b>A</b>	<b>FOUNDATIONS AND BASIC COMMITMENTS</b>
<b>B</b>	<b>BOARD GOVERNANCE AND OPERATIONS</b>
<b>C</b>	<b>GENERAL SCHOOL ADMINISTRATION</b>
<b>D</b>	<b>FISCAL MANAGEMENT</b>
<b>E</b>	<b>SUPPORT SERVICES</b>
<b>F</b>	<b>FACILITIES DEVELOPMENT</b>
<b>G</b>	<b>PERSONNEL</b>
<b>H</b>	<b>NEGOTIATIONS</b>
<b>I</b>	<b>INSTRUCTION</b>
<b>J</b>	<b>STUDENTS</b>
<b>K</b>	<b>SCHOOL-COMMUNITY RELATIONS</b>
<b>L</b>	<b>EDUCATION AGENCY RELATIONS</b>

# CODE FINDER INDEX

## A

<b>Absences</b> (also see <b>Leaves</b> )	
Military Leave and Benefits	GCBEB
Staff Leaves and Absences	GCBD
<b>Abuse of Children</b>	
Child Abuse and Neglect Reporting	JHG
Reports of Missing Children	KNB
<b>Academics</b>	
Academic Freedom	IB
Locally Awarded Verified Credits	IKFA
Standards of Learning Tests and Graduation Requirements	IKF
<b>Acceleration</b>	
Acceleration of Students	IKEB
<b>Access</b>	
Public Information Program	KB
Student Records	JO
<b>Accountability</b>	
Comprehensive Plan	AF
<b>Accommodations</b>	
Accommodations for the Disabled	FECBB
<b>Accounting</b>	
Financial Accounting and Reporting	DI
<b>Accreditation Agencies</b>	
Relations with Educational Accreditation Agencies	LI
<b>Administration</b>	
Administration Goals	CA
Administration in Policy Absence	CHD
Administration of Surveys and Questionnaires	KFB
Adult Education	IGE
<b>Administrative</b>	
Appointment and Term of the Division Superintendent	CBB
Policy Implementation	CH
Qualifications and Duties for the Superintendent	CBA
School Building Administration	CF
<b>Administrators</b> (see policy codes under <b>Professional Staff</b> )	
<b>Admissions, Student Admissions/Withdrawals from School</b>	
Admission of Homeless Children	JECA
Admission of Nonpublic Students for Part-Time Enrollment (Options 1 and 2)	JECB
School Admission	JEC/JEC-R
<b>Adoption</b>	
Family and Medical Leave	GCBE
Supplementary Materials Selection and Adoption	IIAB
Textbook Selection, Adoption, and Purchase	IIAA
<b>Adult</b>	
Adult Education	IGE
<b>Advanced/Alternative Courses for Credit</b>	LEB

<b>Advanced Placement Classes and Special Programs</b>	IGBI
<b>Advertising</b>	
Advertising in the Schools	KJ
<b>Age</b>	
Entrance Age/Admission of Persons Not of School Age	JEB
<b>AIDS</b>	
Blood Borne Contagious or Infectious Disease	JHCCA
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
<b>Alcohol</b>	
Teaching about Drugs, Alcohol, and Tobacco	IGAG
<b>Alternative School Programs</b>	
Alternative School Programs	IGBH
Online Courses and Virtual School Programs	IGBGA
<b>Animals</b>	
Service Animals in Public Schools	KKK
<b>Annual Report Card</b>	
School Division Annual Report Card	CMA
<b>Assignment</b>	
Classroom Assignments for Twins	JCJ
Homework	IKB
Professional Staff Assignments and Transfers	GCI
Support Staff Assignments and Transfers	GDI
<b>Attendance</b>	
Compulsory Attendance Option 1 School Board	JEA (Option 1)
Compulsory Attendance Option 2 Superintendent	JEA (Option 2)
Entrance Age/Admission of Persons Not of School Age	JEB
Exclusions and Exemptions from School Attendance	JEG
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
Leave Without Pay	GCBEA
School Attendance Areas	JC
Staff Leaves and Absences	GCBBD
Student Absences/Excuses/Dismissals	JED
<b>Attorney for the Board</b>	
School Attorney/Legal Services	BCG
<b>Authority</b>	
Board Member Authority	BBAA

## B

<b>Basic</b>	
Adult Education	IGE
Basic Instructional Program	IGA
<b>Behavior</b>	
Restraint and Seclusion of Students	JM
Student Conduct	JFC
<b>Benefits</b>	
Military Leave and Benefits	GCBEA
Severance Benefits	CBE
Staff Fringe Benefits	GCBC
<b>Bequests</b>	

Public Gifts to the Schools	KH
<b>Bill of Rights</b>	
Bill of Rights of the Constitution of the United States	IEC
<b>Bill Payment</b>	
Payment Procedures	DK
<b>Books</b>	
Supplementary Materials Selection and Adoption	IIAB
Textbook Selection, Adoption, and Purchase	IIAA
<b>Budget/Annual Budget</b>	DB
<b>Buildings and Grounds</b>	
Buildings and Grounds Inspection	EBA
Buildings and Grounds Management and Maintenance	EC
Reporting of Hazards	EBAA
<b>Bus/Buses/Student Transportation</b>	
School Bus Drivers	GDQ
Student Conduct	JFC
<b>C</b>	
<b>Calendar</b>	
School Year/School Day	IC/ID
<b>Career and Technical Education</b>	IGAD
<b>Cash in School Buildings</b>	DM
<b>Censorship</b>	
Academic Freedom	IB
Student Publications	JP
<b>Certificated/Certified Personnel</b>	
Local Licenses for Teachers	GCA
Professional Staff	GC
<b>Challenged Materials</b>	
Public Complaints about Learning Resources	KLB
Teaching about Controversial Issues	INB
<b>Character Education</b>	IGAI
<b>Charges</b>	
Search and Seizure	JFG
Student Fees, Fines, and Charges	JN
<b>Charter Schools</b>	LC
[SCHOOL DIVISION] Charter School Application Addendum	LC-E
<b>Child</b>	
Child Abuse and Neglect Reporting	JHG
Family and Medical Leave	GCBE
Reports of Missing Children	KNB
<b>Civil</b>	
Equal Educational Opportunities/Nondiscrimination	JB
<b>Class</b>	
Class Size	IHB

Classroom Assignments for Twins	JCJ
Teacher Removal of Students from Class	JFCA
<b>Classroom Assignments for Twins</b>	JCJ
<b>Classified/Support Personnel</b> (See policy codes in Section G)	
<b>Closed Board Meeting (Executive Session)</b>	BDC
<b>Coaches</b>	
Professional Staff Contracts	GCB
<b>College Courses</b>	
Advanced/Alternative Courses for Credit	LEB
<b>Committees</b>	
Advisory Committees	BCF
Board Committees	BCE
Disciplinary Committees	BCEA
<b>Communicable Diseases</b>	
Blood Borne Contagious or Infectious Diseases	JHCCA
Communicable Diseases	JHCC
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
<b>Communications</b>	
Board-Staff Communications	BG, GBD
<b>Community</b>	
Community Involvement in Decision Making	KC
Community Resource Persons	IICB
Goals for School-Community Relations	KA
School Volunteers	IICC
<b>Community Relations/School, Community, and Home</b>	
Community Resource Persons/School Volunteers	IICB/IICC
Community Use of School Facilities	KG
Relations with Community Organizations	KM
Service Animals in Public Schools	KKA
<b>Compensation</b>	
School Board Member Compensation and Benefits	BHD
Staff Compensation Procedures (Options 1 and 2)	GBC
(Option 1) Deferred Wage Payment Election Form	GBC-E1
(Option 2) Notice of How Employees Who Work Less Than 12 Months Are to be Paid	GBC-E2
Superintendent's Compensation and Benefits	CBD
<b>Complaints/Concerns</b>	
Professional Staff Grievances	GBM
Third Party Complaints Against Employees	GBLA
<b>Composition of the School Board/School Board Legal Status</b>	BB
<b>Comprehensive Plan</b>	AF
<b>Compulsory Attendance</b>	
Compulsory Attendance Option 1 (School Board)	JEA (Option 1)
Compulsory Attendance Option 2 (Superintendent)	JEA (Option 2)
<b>Computer Use—Staff and Students</b>	
Acceptable Computer System Use	IIBEA, GAB/IIBEA, GAB-R/IIBEA-R
Acceptable Computer System Use Agreement	GAB-E1/IIBEA-E2

<b>Concerns/Complaints/Grievances</b>		
Professional Staff Grievances		GBM
Public Complaints		KL
Support Staff Grievances		GBMA
<b>Conduct</b>		
Restraint and Seclusion of Students		JM
Student Conduct		JFC
Student Conduct on School Buses		JFCC
Teacher Removal of Students from Class		JFCA
<b>Conferences, Conventions, and Workshops</b>		
School Board Member In-Service Activities		BHB
<b>Confidential Information</b>		
Personnel Records		GBL
Student Records		JO
<b>Conflict of Interest</b>		
School Board Members Conflict of Interest		BBFA
<b>Construction</b> (see policy codes)		Section F
Construction Planning		FEG
<b>Contagious Diseases/Communicable Diseases</b>		
Blood Borne Contagious or Infectious Diseases		JHCCA
Communicable Diseases		JHCC
Guidelines for School Attendance for Students with Human Immunodeficiency Virus		JHCCA-E
Staff Health		GBE
<b>Continuing Education</b>		
Adult Education		IGE
<b>Contracts</b>		
Petty Cash Funds		DJB
Professional Staff Contracts		GCB
Purchasing Procedures		DJF
<b>Controversial Issues</b>		
Teaching about Controversial Issues		INB
<b>Corporal Punishment</b>		JGA
<b>Correspondence Courses</b>		
Homebound, Correspondence, and Alternative Means of Instruction		IGBG
Online Courses and Virtual School Programs		IGBGA
<b>Court/Relations with Juveniles</b>		
Notification Regarding Prosecution of Juveniles as Adults		JFCL
Relations with Law Enforcement Authorities		KNAJ
<b>Criminal</b>		
Criminal Conviction, Effect of or Founded Complaint of Child Abuse or Neglect		GCDA
Notification Regarding Prosecution of Juveniles as Adults		JCFL
Violent Sex Offenders on School Property		KNA
<b>Crisis and Emergency Management Response Plan</b>		
School Crisis, Emergency Management, and Medical Emergency Response Plan		EB
<b>Curriculum</b>		
Advanced Placement Classes and Special Programs		IGBI
Alternatives to Animal Dissection		IGAK
Character Education		IGAI

Curriculum Development and Adoption	IF
Curriculum Guides and Course Outlines	IFE
Online Courses and Virtual School Programs	IGBGA

## D

<b>Dangerous Weapons in Schools</b>	
Staff Weapons in School	GBEB
Weapons in School	JFCD
<b>Decision Making</b>	
Community Involvement in Decision Making	KC
Staff Involvement in Decision Making	GBB
Student Involvement	JFB
<b>Delinquent Behavior</b>	
Notification Regarding Prosecution of Juveniles as Adults	JFCL
Restraint and Seclusion of Students	JM
Student Conduct	JFC
<b>Desegregation</b>	
Equal Educational Opportunities/Nondiscrimination	JB
Nondiscrimination	AC
<b>Destaffing/Reduction in Work Force</b>	
Reduction in Professional Staff Work Force	GCPA
<b>Development</b>	
Policy Adoption	BFC
Policy Implementation	CH
Professional Staff Development	GCL
School Board Member In-Service Activities	BHB
<b>Discharge of Staff Members/Dismissal</b>	
Professional Staff Discipline	GCPD
Suspension of Staff Members	GCPF
<b>Disciplinary Committee</b>	BCEA
<b>Discrimination</b>	
Equal Educational Opportunities/Nondiscrimination	JB
Nondiscrimination	AC
Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion	JFHA/GBA
<b>Disease/Disease Prevention</b>	
Blood Borne Contagious or Infectious Diseases	JHCCA
Communicable Diseases	JHCC
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
Health Education/Physical Education	IGAE/IGAF
School Admission	JEC/JEC-R
Staff Health	GBE
<b>Disposal/Disposition of School Property</b>	DN
<b>Dissection</b>	
Alternatives to Animal Dissection	IGAK
<b>Distribution of Information/Material (Options 1 &amp; 2)</b>	KF
<b>Donations to Schools</b>	
Public Gifts to the Schools	KH
<b>Donations by Schools</b>	DN



<b>Driver Education</b>	IGAJ
<b>Drugs</b>	
Administering Medicines to Students	JHCD
Drugs in School	JFCF
School Bus Drivers	GDQ
Teaching about Drugs, Alcohol, and Tobacco	IGAG
<b>Duties</b>	
Board Member Authority	BBAA
Qualifications and Duties for the Superintendent	CBA
School Board Powers and Duties	BBA
<b>E</b>	
<b>Early Childhood Education</b>	
Parental Assistance with Instruction	IKA
<b>Educational Philosophy</b>	AD
<b>Educational Technology Foundation</b>	ET (Optional)
<b>Electronic Meetings</b>	
Electronic Participation in Meetings From Remote Locations	BDD
<b>Employment</b>	
Equal Employment Opportunity/Nondiscrimination	GB
Part-Time and Substitute Professional Staff Employment	GCE
Support Staff Employment Status	GDB
Staff Hiring Procedures	GBN
<b>Energy-Efficient Construction</b>	FECBA
<b>Enrichment Programs</b>	
Programs for Gifted Students	IGBB
<b>Entrance Age/Admission of Persons Not of School Age</b>	JEB
<b>Equal Educational Opportunities/Nondiscrimination</b>	JB
<b>Equal Employment Opportunity/Nondiscrimination</b>	GB
<b>Equipment</b>	
Playground Equipment	FE
<b>Evaluation</b>	
Evaluation of Professional Staff	GCN
Evaluation of Support Staff Members	GDN
Evaluation of the Superintendent	CBG
<b>Examination/Testing</b>	
Human Research	JHDA
Physical Examination of Students	JHCA
School Bus Drivers	GDQ
Staff Health	GBE
<b>Exclusions and Exemptions from School Attendance</b>	
Blood Borne Contagious or Infectious Diseases	JHCCA
Exclusions and Exemptions From School Attendance	JEG
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
School Admission	JEC/JEC-R

<b>Executive Sessions (Closed Meetings)</b>	BDC
<b>Expenditure of Funds</b>	
Custody and Disbursement of Funds	DG
<b>Expenses/Expense Reimbursements</b>	
Expense Reimbursements	DLC
School Board Member Compensation and Benefits	BHD
<b>Extra-Curricular Activities</b>	
Student-Athlete Concussions during Extra Curricular Activities	JJAC
<b>F</b>	
<b>Facilities Planning and Development</b>	
Accommodations for the Disabled	FECBB
Construction Planning	FEG
Educational Facilities Specifications	FEA
Energy-Efficient Construction	FECBA
Facilities Development	FA
Facilities Planning	FB
<b>Fair Employment</b>	
Equal Employment Opportunity/Nondiscrimination	GB
Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion	JFHA/GBA
<b>Family and Medical Leave</b>	GCBE
<b>Family Life Education</b>	IGAH
<b>Fees</b>	
Student Fees, Fines and Charges	JN
<b>Field Trips and Excursions</b>	
Field Trips	IICA
<b>Financial</b>	
Annual Budget	DB
Custody and Disbursement of School Funds	DG
Financial Accounting and Reporting	DI
Management of Funds	DA
Payment Procedures	DK
Petty Cash Funds	DJB
Purchasing Procedures	DJF
Reporting Per Pupil Costs	DIA
<b>Fines</b>	
Students Fees, Fines and Charges	JN
<b>Fire Drills</b>	EBCB
<b>Firearms</b>	
Staff Weapons in School	GBEB
Weapons in School	JFCD
<b>First Aid</b>	
First Aid/CPR Certified Personnel	EBBA
<b>Food Service</b>	
Food Sanitation Program	EFD
Food Service Management	EF
Free and Reduced Price Food Services	EFB
School Meals and Snacks	JHCH

<b>403(b) Program</b>	
Retirement Savings Program	GBR
<b>Freedom of Expression</b>	
Academic Freedom	IB
Student Publications	JP
<b>Fringe Benefits</b>	
Staff Fringe Benefits	GCBC
Superintendent's Compensation and Benefits	CBD
<b>Funding Proposals and Applications</b>	
Non-Locally Funded Programs	DO
<b>Fund-Raising</b>	
Fund-Raising and Solicitation	JL
Staff Gifts and Solicitations	GBI
<b>Funds</b>	
Activity Funds	DGC
Cash in School Buildings	DM
Custody and Disbursement	DG
Funds for Instructional Materials and Office Supplies	DGD
Management of Funds	DA
Petty Cash Funds	DJB

## G

<b>Gangs</b>	
Gang Activity or Association	JFCE
<b>GED Programs/Diplomas</b>	
Adult Education	IGE
<b>Gifted and Talented Programs</b>	
Programs for Gifted Students	IGBB
<b>Gifts</b>	
Staff Gifts and Solicitations	GBI
<b>Graduation</b>	
Adult Education	IGE
Standards of Learning Tests and Graduation Requirements	IKF
<b>Graduation Requirements</b>	
Retaking SOL Assessments	IKH
Standards of Learning Tests and Graduation Requirements	IKF
<b>Grievances</b>	
Professional Staff Grievances	GBM
Support Staff Grievances	GBMA
<b>Grouping for Instruction</b>	IHA
<b>Guidance and Counseling Program</b>	IJ

## H

<b>Handbooks and Directives</b>	
Student Conduct	JFC
<b>Health</b>	
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E

Health Education/Physical Education	IGAE/IGAF
School Meals and Snacks	JHCH
Staff Health	GBE
Student Blood Borne Contagious or Infectious Diseases	JHCCA
Student Health Services and Requirements	JHC
Student Wellness	JHCF
<b>HIV/AIDS</b>	
Blood Borne Contagious or Infectious Diseases	JHCCA
Communicable Diseases	JHCC
Guidelines for School Attendance for Students with Human Immunodeficiency Virus	JHCCA-E
<b>Home Instruction</b>	LBD
<b>Homeless Students</b>	
Admission of Homeless Children	JECA
<b>Homework</b>	IKB
<b>Honors Programs</b>	
Programs for Gifted Students	IGBB
<b>Hours</b>	
School Year/School Day	IC/ID
Staff Time Schedules	GAA
<b>Human Research</b>	JHDA
<b>I</b>	
<b>Immunizations</b>	
Immunizations of Students	JHCB
<b>In God We Trust</b>	
National Motto	IEB
<b>Innovative Programs/Pilot Projects</b>	
Innovative or Experimental Programs	IIAE
<b>Insurance</b>	
Insurance Management	EI
<b>Instruction/Instructional</b>	Section I
Basic Instructional Program	IGA
Instructional Goals and Objectives	IA
Instructional Materials	IIA
<b>Integration</b>	
Equal Educational Opportunities/Nondiscrimination	JB
Nondiscrimination	AC
<b>Internet</b>	
Acceptable Computer System Use	GAB/IIBEA
Acceptable Computer System Use Agreement	GAB-E1/IIBEA-E2, IIBEA-E
Internet Privacy	KBE

**J - K**

## L

### Language Instruction

Limited English Proficient Students IGBF

### Law Enforcement Agencies

Relations with Law Enforcement Authorities KNAJ

### Layoffs

Reduction in Professional Staff Work Force GCPA

### Learning Disabilities

Programs for Students with Disabilities IGBA

### Leaves

Family and Medical Leave GCBE  
 Leave Without Pay GCBEA  
 Military Leave and Benefits GCBEB  
 Staff Leaves and Absences GCBD

### Legal

School Attorney BCG  
 School Board Legal Status BB

### Library

School Libraries/Media Centers IIBD

### Local Teachers License

Local Licenses for Teachers GCA

### Locally Awarded Verified Credits

IKFA

## M

### Media

Media Relations KBC

### Medical

Blood Borne Contagious or Infectious Diseases JHCCA  
 Communicable Diseases JHCC  
 Family and Medical Leave GCBE  
 Guidelines for School Attendance for Students with Human Immunodeficiency Virus JHCCA-E  
 Physical Examinations of Students JHCA  
 Staff Health GBE  
 Student-Athlete Concussions during Extra Curricular Activities JJAC

### Medicine Administration to Students

Administering Medicines to Students JHCD  
 Recommendation of Medication by School Personnel JHCE

### Meetings

Electronic Participation in Meetings from Remote Locations BDD  
 Regular School Board Meetings BDA  
 School Board Organizational Meeting BCA  
 Special School Board Meetings BDB

### Military Leave and Benefits

GCBEB

### Moment of Silence

IE

### Motto

National Motto IEB

## N

<b>National Motto</b>	IEB
<b>Nepotism</b>	
Employment of Family Members	GCCB
School Board Members Conflict of Interest	BBFA
<b>News/News Coverage</b>	
Media Relations	KBC
<b>Nondiscrimination</b>	
Equal Educational Opportunities/Nondiscrimination	JB
Equal Employment Opportunity/Nondiscrimination	GB
Nondiscrimination	AC
Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion	GBA/JFHA
<b>Nonschool Employment by Staff Members</b>	GCQA
<b>Notification of Learning Objectives</b>	IAA
<b>Notification of Parents</b>	
Written Notification of Violation of School Policies by Students in Alternative Education Programs	JFCJ

## O

<b>Oath of Office</b>	BBBC
<b>Officers of the Board/Board Officers</b>	BCB
<b>Online Courses and Virtual School Programs</b>	IGBGA
<b>Order of Business/Agenda</b>	BDDC
<b>Organization</b>	
Goals for School-Community Relations	KA
School Board Organizational Meeting	BCA

## P

<b>Parent/Parental</b>	
Family and Medical Leave	GCBE
Parental Assistance with Instruction	IKA
Parental Involvement	IGBC
Parental Rights and Responsibilities	KP
<b>Partnerships</b>	
Commercial, Promotional, and Corporate Sponsorships and Partnerships	KQ
<b>Part-Time and Substitute Professional Staff</b>	
Part-Time and Substitute Professional Staff Employment	GCE
<b>Paternity Leave</b>	
Family and Medical Leave	GCBE
<b>Payment Procedures</b>	DK
<b>Payroll Deductions</b>	DLB
<b>Payroll Procedures</b>	DL

<b>Personnel</b>	
Board-Staff Communications	GBD
Equal Employment Opportunity/Nondiscrimination	GB
Personnel Policies Goals	GA
Personnel Training-Viral Infections	EBBB
Professional Staff	GC
Professional Staff Development	GCL
Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion	GBA/JFHA
Staff Compensation Procedures (Options 1 and 2)	GBC
(Option 1) Deferred Wage Payment Election Form	GBC-E1
(Option 2) Notice of How Employees Who Work Less Than 12 Months are to be Paid	GBC-E2
Staff Involvement in Decision Making	GBB
Staff Participation in Political Activities	GBG
Staff Salary Schedules	GCBA
Staff Time Schedules	GAA
Support Staff	GD
Suspension of Staff Members	GCPF
Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance	GBEA
<b>Petty Cash Accounts</b>	DJB
<b>Physical Education</b>	
Health Education/Physical Education	IGAE/IGAF
<b>Physical Examinations</b>	
Physical Examination of Students	JHCA
Staff Health	GBE
<b>Pledge of Allegiance</b>	IEA
<b>Policy Manual</b>	BF
<b>Political</b>	
Staff Participation in Political Activities	GBG
<b>Powers</b>	
School Board Powers and Duties	BBA
<b>Privacy, Right to</b>	
Closed Meetings	BDC
Personnel Records	GBL
Student Records	JO
<b>Probation</b>	
Professional Staff Probationary Term and Continuing Contract	GCG
Support Staff Probationary Period	GDG
<b>Professional Staff</b> (only main codes starting with or having as main subject the words "professional staff" are listed below)	
Evaluation of Professional Staff	GCN
Part-Time and Substitute Professional Staff Employment	GCE
Professional Staff	GC
Professional Staff Assignments and Transfers	GCI
Professional Staff Contracts	GCB
Professional Staff Development	GCL
Professional Staff Discipline	GCPD
Professional Staff Probationary Term and Continuing Contract	GCG
Staff Leaves and Absences	GCBD
Supplementary Pay	GCBB
<b>Public</b>	
Community Involvement in Decision Making	KC
Community Use of School Facilities	KG
Goals for School-Community Relations	KA
Personnel Records	GBL

Public Complaints About Learning Resources	KLB
Public Conduct on School Property	KGB
Public Dedication of New Facilities	FF
Public Gifts to the Schools	KH
Public Information Program	KB
Public Participation at School Board Meetings	BDDH, KD
Request for Reconsideration of Learning Resources	KLB-E
Sales and Solicitations in Schools	KGA
Service Animals in Public School	KKA
Student Records	JO

#### **Publications**

Staff Research and Publishing	GCQB
Student Conduct	JFC
Student Publications	JP

#### **Pupil (see Student)**

#### **Purchase/Purchasing**

(Use codes under Instructional Materials for selection of textbooks, films, computers and other classroom resources).

Petty Cash Fund	DJB
Purchasing Authority	DJA
Purchasing Procedures	DJF
Small Purchasing	DJ

### **Q - R**

#### **Qualifications**

Qualifications and Duties for the Superintendent	CBA
Qualifications of School Board Members	BBBA

#### **Questionnaires**

Administration of Surveys and Questionnaires	KFB
--	-----

#### **Quorum**

BDDD

#### **Readmission of Students**

Student Suspension/Expulsion	JGD/JGE
------------------------------	---------

#### **Records**

Personnel Records	GBL
Student Records	JO

#### **Regular School Board Meetings**

BDA

#### **Regulations**

Policy Implementation	CH
-----------------------	----

#### **Reimbursement**

Reimbursement of Expenses	DLC
---------------------------	-----

#### **Relations**

Educational Agency Relations Goals	LA
Goals for School-Community Relations	KA
Relations with Educational Accreditation Agencies	LI
Relations with Community Organizations	KM
Relations with Law Enforcement Authorities	KNAJ
Relations with Parent Organizations	KMA
Relations with Private Schools	LB

#### **Release of Student Information**

Student Records	JO
-----------------	----

#### **Religion**



Religion in the Schools	INDC
<b>Remedial and Summer Instruction Program</b>	IGBE
<b>Remediation Recovery Program</b>	IKG
<b>Removal from Office/Board Member</b>	BBD
<b>Renewal of Contract</b>	
Professional Staff Probationary Term and Continuing Contract	GCG
<b>Reproduction of Copyrighted Materials</b>	EGAA
<b>Reports</b>	
Child Abuse and Neglect Reporting	JHG
Financial Reports and Statements	DI
Inventory and Reporting of Loss or Damage	ECA
Reporting Acts of Violence and Substance Abuse	CLA
Reports of Missing Children	KNB
School Division Annual Report	CM
School Division Annual Report Card	CMA
<b>Requests for Information</b>	KBA
<b>Requisitions/Purchasing Procedures</b>	DJF
<b>Resignation</b>	
Resignation of Staff Members	GCPB
<b>Resource</b>	
Community Resource Persons/School Volunteers	IICB/IICC
Qualifications and Duties for the Superintendent	CBA
<b>Responsibilities</b>	
School Board Powers and Duties	BBA
<b>Retirement</b>	
Retirement of Facilities	FG
Retirement Savings Program	GBR
Virginia Retirement System	GBO
<b>Rules of Order</b>	BDDE
<b>S</b>	
<b>Safety</b>	
School Crisis, Emergency Management, and Medical Emergency Response Plan	EB
<b>Salary Deductions</b>	DLB
<b>Salary Schedules</b>	
Staff Compensation Procedures (Options 1 and 2)	GBC
(Option 1) Deferred Wage Payment Election Form	GBC-E1
(Option 2) Notice of How Employees Who Work Less Than 12 Months Are to be Paid	GBC-E2
Staff Salary Schedules	GCBA
<b>Schedules</b>	
School Year/School Day	IC/ID
Staff Time Schedules	GAA
<b>School Assets</b>	
Authorized Use of School-Owned Materials	EDC

**School** (the following listings refer only to "school" matters, not to "School Board" topics.)

Community Resource Persons/School Volunteers	IICB/IICC
School Admission	JEC/JEC-R
School Attendance Areas	JC
School Attorney	BCG
School Choice for Students Enrolled in Schools Identified for Improvement	JCC
School Day/School Year	IC/ID
School Division Annual Report Card	CMA
School Division Goals and Objectives	AE
School Division Legal Status	AA
School Names	FFA
Violent Sex Offenders on School Property	KNA

**School Board**

	Section B
Administration in Policy Absence	BFE
Agenda Preparation and Dissemination	BDDC
Authority	BBAA
Board Committees	BCE, BCEA, BCF
Board Communications with Staff	BG, GBD
Board Legal Status	BB
Board Meetings	BDA
Board Officers	BCB, BCC
Board Policy Adoption	BFC
Board Powers and Duties	BBA
Calling and Certification of Closed Meetings	BDCA
Clerk	BCC
Closed Meetings	BDC
Compensation and Benefits	BHD
Conflict of Interest	BBFA
Electronic Participation in Meetings from Remote Locations	BDD
Evaluation of School Board Operational Procedures	AFA
In-Service Activities	BHB
Liability Insurance	BHE
Minutes	BDDG
Notification of School Board Meetings	BDDA
Oath of Office	BBBC
Organizational Meeting	BCA
Powers and Duties	BBA
Public Participation at Board Meetings	BDDH, KD
Qualifications	BBBA
Regular Meeting	BDA
Removal from Office	BBD
Rules of Order	BDDE
Special School Board Meetings	BDB
Student Liaison	BBBB
Unexpired Term Fulfillment	BBE
Voting Method	BDDF

**School Buses**

School Bus Safety Program	EEAC
School Bus Scheduling and Routing	EEAB
Special Use of School Buses	EEAD
Student Conduct	JFC
Student Transportation Services	EEA

**School Closings**

EBCD

**School Year/Day**

IC/ID

**Searches**

Search and Seizure	JFG
--------------------	-----

**Section 504 Nondiscrimination Policy and Grievance Procedures**

JBA

<b>Second Language Procedures</b>	
Limited English Proficient Students	IGBF
<b>Selection of Instructional Materials</b>	
Supplementary Materials Selection and Adoption	IIAB
Textbook Selection and Adoption	IIA
<b>Severance Benefits</b>	CBE
<b>Sex Discrimination</b>	
Equal Employment Opportunity/Nondiscrimination	GB
Nondiscrimination	AC
Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion	JFHA/GBA
<b>Sex Education</b>	
Family Life Education	IGAH
<b>Sex Offenders</b>	
Sex Offender Registry Notification	KN
Violent Sex Offenders on School Property	KNA
<b>Sick Leave</b>	
Family and Medical Leave	GCBE
Staff Leaves and Absences	G CBD
<b>Smoking</b>	
Teaching about Drugs, Alcohol, and Tobacco	IGAG
Tobacco Use on School Premises	KGC
Tobacco-Free School for Staff and Students	GBEC,JFCH
<b>Solicitations</b>	
Sales and Solicitations in Schools	KGA
Staff Gifts and Solicitations	GBI
<b>Special</b>	
Programs for Gifted Students	IGBB
Remedial and Summer Instruction Program	IGBE
<b>Special School Board Meetings</b>	BDB
<b>Sponsorships</b>	
Commercial, Promotional, and Corporate Sponsorships and Partnerships	KQ
Student Athlete Concussions during Extra Curricular Activities	JJAC
<b>Sports</b>	
Sportsmanship, Ethics and Integrity	JFCB
Student-Athlete Concussions during Extra Curricular Activities	JJAC
<b>Staff (see Personnel)</b>	
<b>Student</b>	Section J
Classroom Assignments for Twins	JCJ
Restraint and Seclusion of Students	JM
School Choice for Students Enrolled in Schools Identified for Improvement	JCC
School Meals and Snacks	JHCH
Search and Seizure	JFG
Student Suspension/Expulsion (Options 1 and 2)	JGD/JGE & JGD/JGE-R
Student Teachers	LEA
Student Wellness	JHCF
Student-Athlete Concussions during Extra Curricular Activities	JJAC
Substance Abuse - Student Assistance Program	JFCI
Suicide Prevention	JHH
Teacher Removal of Students from Class	JFCA
Transfers by Student Victims of Crime	JCA

Transfers by Students in Persistently Dangerous Schools	JCB
<b>Student Organizations</b>	IGDA
<b>Superintendent</b>	Section C
Disclosure Statement Required of Superintendent	CBCA
<b>Supplementary Materials Section and Adoption</b>	IIAB
<b>Supplementary Pay Plan</b>	
Supplementary Pay	GCBB
<b>Support Services</b>	EA
<b>Support Staff</b>	Sections E, G
Evaluation of Support Staff Members	GDN
Support Staff	GD
Support Staff Assignment and Transfers	GDI
Support Staff Employment Status	GDB
Support Staff Probationary Period	GDG
<b>Surveys</b>	
Administration of Survey and Questionnaires	KFB
<b>Suspension</b>	
Discipline of Students with Disabilities for Infliction of Serious Bodily Injury	JGDB
Disciplining Students with Disabilities	JGDA
Student Suspension/Expulsion	JGD/JGE & JGD/JGE-R (Options 1 & 2)
Suspension of Staff Members	GCPF
<b>Surplus</b>	
Disposal of Surplus Items	DN
<b>T</b>	
<b>Tax Sheltered Annuity</b>	
Retirement Savings Program	GBR
<b>Teacher</b> (entries filed under Professional Staff)	
<b>Temporary</b>	
Part-Time and Substitute Professional Staff Employment	GCE
<b>Termination of Employment</b>	
Professional Staff Discipline	GCPD
<b>Tests/Testing</b>	
Standards of Learning Tests and Graduation Requirements	IKF
Testing Programs	IL
<b>Textbooks/Instructional Materials</b>	
Public Complaints about Learning Resources	KLB
Supplementary Materials Selection and Adoption	IIAB
Textbook Selection, Adoption, and Purchase	IIAA
<b>Time Schedules</b>	
Staff Time Schedules	GAA
<b>Title IX</b>	
Nondiscrimination	AC
<b>Tobacco</b>	
Teaching about Drugs, Alcohol, and Tobacco	IGAG

Tobacco Use on School Premises	KGC
Tobacco-Free School for Staff and Students	JFCH, GBEC
<b>Tornado Drills</b>	EBCC
<b>Transfers of Personnel</b>	
Professional Staff Assignments and Transfers	GCI
Support Staff Assignments and Transfers	GDI
<b>Transfers of Students</b>	
School Choice for Students Enrolled in Schools Identified for Improvement	JCC
Transfers by Student Victims of Crime	JCA
Transfers by Students in Persistently Dangerous Schools	JCB
<b>Tuberculosis Examinations</b>	
Staff Health	GBE
<b>Tutoring for Pay</b>	GCQAB
<b>U - V</b>	
<b>Vacations</b> (see Leaves and Absences)	
<b>Vandalism</b>	ECAB
<b>Vendor Relations</b>	DJG
<b>Viral Infections</b>	
Possible Exposure to Viral Infections	EBAB
<b>Virtual School Programs and Online Courses</b>	IGBGA
<b>Visitors</b>	
School Visitors	KK
Service Animals in Public Schools	KKK
<b>Vocational Education</b> (see Career and Technical Education)	
<b>Volunteers</b>	
School Volunteers	IICB
<b>W</b>	
<b>Wages</b> (see Compensation)	
<b>Weapons</b>	
Staff Weapons in School	GBEB
Weapons in School	JFCD
<b>Wellness</b>	
School Meals and Snacks	JHCH
Student Wellness	JHCF
<b>Working Conditions</b>	
Tobacco Use on School Premises	KGC
<b>Workshops</b>	
School Board Member In-Service Activities	BHB

# TOPICAL INDEX

---

IB	Academic Freedom
IKEB	Acceleration
IIBEA	Acceptable Computer System Use
FECBB	Accommodations for the Disabled
JHCD	Administering Medicines to Students
CA	Administration Goals
CHD	Administration in Policy Absence (Also BFE)
BFE	Administration in Policy Absence (Also CHD)
KFB	Administration of Surveys and Questionnaires
JECA	Admission of Homeless Children
JECB	Admission of Nonpublic Students for Part-Time Enrollment
IGE	Adult Education
IGBI	Advanced Placement Classes and Special Programs
LEB	Advanced/Alternative Courses for Credit
KJ	Advertising in the Schools
BCF	Advisory Committees to the School Board
BDDC	Agenda Preparation and Dissemination
IGBH	Alternative School Programs
IGAK	Alternatives to Animal Dissection
DB	Annual Budget
CBB	Appointment and Term of the Division Superintendent
EDC	Authorized Use of School-Owned Materials and Equipment
IGA	Basic Instructional Program
IEC	Bill of Rights of the Constitution of the United States
JHCCA	Blood Borne Contagious or Infectious Diseases
BBAA	Board Member Authority
BBBC	Board Member Oath of Office
BBD	Board Member Removal from Office
BF	Board Policy Manual
GBD	Board-Staff Communications (Also BG)
EBA	Buildings and Grounds Inspection
EC	Buildings and Grounds Management and Maintenance
BDCA	Calling and Certification of Closed Meetings
IGAD	Career and Technical Education
DM	Cash in School Buildings
IGAI	Character Education
LC-E	Charter School Application Addendum
LC	Charter Schools
JHG	Child Abuse and Neglect Reporting
IHB	Class Size
JCJ	Classroom Assignments for Twins
BDC	Closed Meetings
KQ	Commercial, Promotional, and Corporate Sponsorship and Partnerships
JHCC	Communicable Diseases

KC	Community Involvement in Decision Making
IICB	Community Resource Persons
KG	Community Use of School Facilities
AF	Comprehensive Plan
JEA	Compulsory Attendance (Options 1 and 2)
FEG	Construction Planning
JGA	Corporal Punishment
IGBG	Correspondence Courses
IF	Curriculum Development and Adoption
IFE	Curriculum Guides and Course Outlines
DG	Custody & Disbursement of School Funds
GBC-E1(Option 2)	Deferred Wage Payment Election Form
BCEA	Disciplinary Committee
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JGDA	Disciplining Students with Disabilities
CBCA	Disclosure Statement Required of Superintendent (Optional)
DN	Disposal of Surplus Items
KF	Distribution of Information/Materials (Options 1 & 2)
IGAJ	Driver Education
JFCF	Drugs in School (Options 1 & 2)
LA	Education Agency Relations Goals
AD	Educational Philosophy
FEA	Educational Specifications
ET	Educational Technology Foundations and Public School Foundations (Optional)
GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
BDD	Electronic Participation in Meetings from Remote Locations
GCCB	Employment of Family Members
FECBA	Energy-Efficient Construction
JEB	Entrance Age/Admission of Persons Not of School Age
JB	Equal Educational Opportunities/Nondiscrimination
GB	Equal Employment Opportunity/Nondiscrimination
GCN	Evaluation of Professional Staff (Also AFC)
AFA	Evaluation of School Board Operational Procedures
GDN	Evaluation of Support Staff Members
CBG	Evaluation of the Superintendent (Also AFB)
JEG	Exclusions and Exemptions from School Attendance
DLC	Expense Reimbursements
FA	Facilities Development Goals
FB	Facilities Planning
GCBE	Family and Medical Leave
IGAH	Family Life Education
IICA	Field Trips
DI	Financial Accounting and Reporting
EBCB	Fire Drills
EBBA	First Aid/CPR Certified Personnel

EFD	Food Sanitation Program
EF	Food Service Management
EFB	Free and Reduced Price Food Services
JL	Fund Raising and Solicitations
DGD	Funds for Instructional Materials and Office Supplies
JFCE	Gang Activity or Association
KH	Gifts from the Public
IKF	Graduation Requirements, Standards of Learning and
IHA	Grouping for Instruction
IJ	Guidance and Counseling Program
JHCCA-E	Guidelines for School Attendance for Students with Human Immunodeficiency Virus
IGAE/IGAF	Health Education/Physical Education
LBD	Home Instruction
IGBG	Homebound, Correspondence, And Alternative Means of Instruction
IKB	Homework
JHDA	Human Research
JHCB	Immunization of Students
IIAE	Innovative or Experimental Programs
IA	Instructional Goals and Objectives
IIA	Instructional Materials
EI	Insurance Management
KBE	Internet Privacy
ECA	Inventory and Reporting of Loss or Damage
GCBEA	Leave Without Pay
IGBF	Limited English Proficient Students
GCA	Local Licenses for Teachers
IKFA	Locally Awarded Verified Credits
DA	Management of Funds
GCBEB	Military Leave and Benefits
BDDG	Minutes
IE	Moment of Silence
IEB	National Motto
KBC	News Media Relations
AC	Nondiscrimination
DO	Non-Locally Funded Programs
GCQA	Non-School Employment by Staff Members
GBC-E2	Notice of How Employees Who Work Less Than 12 Months Are to be Paid
IAA	Notification of Learning Objectives
BDDA	Notification of School Board Meetings
JFCL	Notification Regarding Prosecution of Juveniles as Adults
IGBGA	Online Courses and Virtual School Programs



IKA	Parental Assistance with Instruction
IGBC	Parental Involvement
KP	Parental Rights and Responsibilities
GCE	Part-Time and Substitute Professional Staff Employment
DK	Payment Procedures
DL	Payroll Procedures
GA	Personnel Policies Goals
GBL	Personnel Records
EBBB	Personnel Training-Viral Infections
DJB	Petty Cash Funds
JHCA	Physical Examinations of Students
FE	Playground Equipment
IEA	Pledge of Allegiance
BFC	Policy Adoption
CH	Policy Implementation
EBAB	Possible Exposure to Viral Infections
GC	Professional Staff
GCI	Professional Staff Assignments and Transfers
GCB	Professional Staff Contracts
GCL	Professional Staff Development
GCPD	Professional Staff Discipline
GCG	Professional Staff Probationary Term and Continuing Contract
IGBB	Programs for Gifted Students
IGBA	Programs for Students with Disabilities
KL	Public Complaints
KLB	Public Complaints About Learning Resources (Options 1 & 2)
KGB	Public Conduct on School Property
FF	Public Dedication of New Facilities
KB	Public Information Program
KD	Public Participation at School Board Meetings (Also BDDH)
DJA	Purchasing Authority
DJF	Purchasing Procedures
CBA	Qualifications and Duties for the Superintendent
BBBA	Qualifications of School Board Members
BDDD	Quorum
JHCE	Recommendation of Medication by School Personnel
GCPA	Reduction in Professional Staff Work Force
BDA	Regular School Board Meetings
JBA	Rehabilitation Act, Section 504 Nondiscrimination Policy and Hearing Procedures
KM	Relations with Community Organizations
LI	Relations with Educational Accreditation Agencies
KNAJ	Relations with Law Enforcement Authorities
LB	Relations with Other Schools and School Divisions
KMA	Relations with Parent Organizations
INDC	Religion in the Schools

IGBE	Remedial and Summer Instruction Program
IKG	Remediation Recovery Program
GB-F	Report of Discrimination
CLA	Reporting Acts of Violence and Substance Abuse
EBAA	Reporting of Hazards
DIA	Reporting Per Pupil Costs
KNB	Reports of Missing Children
EGAA	Reproduction of Copyrighted Materials
KLB-E	Request for Reconsideration of Learning Resources
KBA	Requests for Information
GCPB	Resignation of Staff Members
JM	Restraint and Seclusion of Students
IKH	Retaking SOL Assessments
FG	Retirement of Facilities
GBR	Retirement Savings Program
BDDE	Rules of Order
DLB	Salary Deductions
KGA	Sales and Solicitations in Schools
DGC	School Activity Funds
JEC/JEC-R	School Admission
JC	School Attendance Areas
BCG	School Attorney
BCC	School Board Clerk
BCE	School Board Committees
BB	School Board Legal Status
BHD	School Board Member Compensation and Benefits
BHB	School Board Member In-Service Activities
BHE	School Board Member Liability Insurance
BBFA	School Board Members Conflict of Interest
BCB	School Board Officers
BCA	School Board Organizational Meeting
BBA	School Board Powers and Duties
CF	School Building Administration
GDQ	School Bus Drivers
EEAC	School Bus Safety Program
EEAB	School Bus Scheduling and Routing
JD	School Census
JCC	School Choice for Students Enrolled in Schools Identified for Improvement
EBCD	School Closings
EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
IC/ID	School Day/School Year
CM	School Division Annual Report
CMA	School Division Annual Report Card
AE	School Division Goals and Objectives
AA	School Division Legal Status
IIBD	School Libraries/Media Centers
JHCH	School Meals and Snacks

FFA	School Names
IICC	School Volunteers
IC/ID	School Year/School Day
KA	School-Community Relations Goals
JFG	Search and Seizure
KKA	Service Animals in Public Schools
CBE	Severance Benefits
KN	Sex Offender Registry Notification
JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
DJ	Small Purchasing
BDB	Special School Board Meetings
EEAD	Special Use of School Buses
JFCB	Sportsmanship, Ethics and Integrity
GBC (Option 1)	Staff Compensation Procedures
GBM	Staff Complaints and Grievances
GCBC	Staff Fringe Benefits
GBI	Staff Gifts and Solicitations
GBE	Staff Health
GBN	Staff Hiring Procedures (formerly GCA)
GBB	Staff Involvement in Decision Making (Also ABB)
GCBD	Staff Leaves and Absences
GBG	Staff Participation in Political Activities
GCQB	Staff Research and Publishing (Options 1 & 2)
GCBA	Staff Salary Schedules
GAA	Staff Time Schedules
GBEB	Staff Weapons in School
IKF	Standards of Learning Tests and Graduation Requirements
JFC-R	Standards of Student Conduct (Options 1 & 2)
JED	Student Absences/Excuses/Dismissals
JFC	Student Conduct
JGD/JGE	Student Expulsion
JN	Student Fees, Fines, and Charges
JHC	Student Health Services and Requirements
JFB	Student Involvement in Decision Making
BBBB	Student Liaison to the School Board
IGDA	Student Organizations
JP	Student Publications
JO	Student Records
JGD/JGE	Student Suspension/Expulsion (Options 1 & 2)
JGD/JGE-R	Student Suspension/Expulsion (Options 1 & 2)
LEA	Student Teachers
EEA	Student Transportation Services
JHCF	Student Wellness
JJAC	Student-Athlete Concussions During Extra Curricular Activities
JFCI	Substance Abuse - Student Assistance Program
JHH	Suicide Prevention
CBD	Superintendent's Compensation and Benefits

IIAB	Supplementary Materials Selection and Adoption
GCBB	Supplementary Pay
EA	Support Services
GD	Support Staff
GDI	Support Staff Assignments and Transfers
GDB	Support Staff Employment Status
GBMA	Support Staff Grievances
GDG	Support Staff Probationary Period
GCPF	Suspension of Staff Members
JFCA	Teacher Removal of Students from Class
INB	Teaching About Controversial Issues
IGAG	Teaching About Drugs, Alcohol, and Tobacco
IL	Testing Programs
IIAA	Textbook Selection, Adoption, and Purchase
GBLA	Third Party Complaints against Employees
KGC	Tobacco Use on School Premises
JFCH	Tobacco-Free School for Staff and Students (Also GBEC)
EBCC	Tornado Drills
JCA	Transfers by Student Victims of Crime
JCB	Transfers by Students in Persistently Dangerous Schools
GCQAB	Tutoring for Pay
BBE	Unexpired Term Fulfillment
ECAB	Vandalism
DJG	Vendor Relations
KNA	Violent Sex Offenders on School Property
GBO	Virginia Retirement System
KK	Visitors to the Schools
BDDF	Voting Method
JFCD	Weapons in Schools
JFCJ	Written Notification of Violation of School Policies by Students in Alternative Education Programs

SOUTHAMPTON COUNTY PUBLIC SCHOOLS  
COURTLAND, VIRGINIA

SCHOOL BOARD POLICY MANUAL

INTRODUCTION

This manual contains the policies of the Southampton County School Board.

Policy development in a modern, forward-looking school system is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones. This is why the Board employs the loose-leaf format for this manual. It is easy to keep up to date.

Each person holding a copy of this manual is to make a diligent effort to keep it up to date as new policies are distributed by the superintendent's office of the Southampton County Public Schools. The clerk of the Board will provide up-to-date policies to each person, office, or library holding a copy of this manual.

**How to Use This Manual**

The Southampton County Public Schools operate according to policies established by the Southampton County School Board. The Board, which represents the state and local community, develops policies after careful deliberation, and the school administration implements these policies through specific regulations and procedures. The Board then evaluates the effects of its policies and makes revisions as necessary.

In the interests of harmony, efficiency, uniformity of interpretation, coordination of effort, and in fairness to all concerned, the Board makes this manual available to all who are affected by its policies. Copies are to be maintained in school libraries, public libraries, principals' offices, teacher lounges, and School Board/superintendent's office.

---

**Please Note:** All copies of this policy manual are the property of the Southampton County Public Schools.

Codification system is copyrighted by the National School Boards Association. Used with permission. No part of this manual may be reproduced, or transmitted, in any form, without the prior written permission of the Virginia School Boards Association.

## **How the Manual is Organized**

The manual is organized according to the classification system developed by the Educational Policies Services of the National School Boards Association. The system provides an efficient means of coding, filing, and finding policies, regulations, and other documents.

There are 12 major classifications, each bearing an alphabetical code:

- A FOUNDATIONS AND BASIC COMMITMENTS
- B SCHOOL BOARD GOVERNANCE AND OPERATIONS
- C GENERAL SCHOOL ADMINISTRATION
- D FISCAL MANAGEMENT
- E SUPPORT SERVICES
- F FACILITIES DEVELOPMENT
- G PERSONNEL
- H NEGOTIATIONS
- I INSTRUCTIONAL PROGRAM
- J STUDENTS
- K SCHOOL-COMMUNITY RELATIONS
- L EDUCATION AGENCY RELATIONS

Sub-classification under each heading is based on logical sequence and alphabetical sub-coding. Each of the 12 major classifications is tabbed. Following the tab page is a table of contents for that section.

## **How to Find a Policy**

Consider where the policy would be filed among the 12 major classifications. Turn to the tab and table of contents for that section and glance down the listing until you find the term that most closely fits the topic that you are seeking. Use the code letters given for the term to locate the sheet which will appear in alphabetical order by code within the particular section. (All pages of the manual are coded in the upper right-hand corner.)

## **What If You Can't Find The Policy That You Are Seeking?**

If the policy that you are seeking is not included, look for a synonymous, more general, or more specific policy appropriate to the topic.

## **What If You Can't Find the Policy and There Is No Such Policy?**

This probably means that the school system has not written policy in the particular area. However, if you are still interested in the particular area, please contact the superintendent who will explain the administration's interpretation of that particular area.

### **Dates**

Wherever possible the original date of adoption/approval appears immediately following the policy.

### **Legal Reference**

Pertinent legal references are given to advise the reader the legal authority for the policy. References direct the reader to Title 22.1 of the Code of Virginia, the bylaws and regulations of the Board of Education of the Commonwealth of Virginia (referred to in this manual as "Regulations of the Virginia Board of Education"), and to some other federal laws, regulations and cases.

### **About Board Policies**

Generally, the role of a School Board is to set policy and the role of the administration is to execute it. The basic distinction as set forth by the National School Boards Association is as follows:

Policies are principles adopted by a School Board to chart a course of action. They tell what is to be done and may also include why and how much. They are broad enough to indicate a line of action to be taken by the administration in dealing with day to day activities. They are narrow enough to give the administration clear guidance. Policies are binding.

Regulations are the detailed directions developed to put policy into practice. They are the administrative procedures. Superintendents may promulgate regulations without prior School Board approval unless board action is required by law or unless the board has specifically asked that certain types of regulations be given prior board approval. The Board shall be kept informed of all regulations issued by the administration. Regulations are binding.

### **Guidelines: set forth best practice and procedures for implementing policy.**

The administration develops guidelines unless board action is required by law or unless the Board has specifically asked that certain types of guidelines be given prior Board approval. Guidelines are not binding, they are discretionary.

These distinctions are serviceable most of the time. They reflect sound theory of government and administration. But the real world does not always conform. For example, often the state and federal governments require School Boards to make detailed rules; and many regulations are established by law or by the Virginia Board of Education. Additionally, the public may demand that a School Board itself, not the administration, establish the specific rules and procedures in certain sensitive areas. Thus, the separation of policies and administrative regulations in this manual follows several rules of thumb in addition to "basic theory" as follows:

1. All edicts of the Virginia Board of Education are considered mandated Board policy;
2. When the School Board has written regulations required by law or in particularly sensitive areas and has incorporated them in policy, the entire statement is to be considered Board policy; and
3. When the School Board has adopted rules (bylaws) concerning its own operations, (for example, how to conduct meetings), these statements concerning operations of the Board appear as Board policy.

As long as the administration operates within the guidelines of policy adopted by a School Board, it may issue regulations without prior Board approval unless board action is required by law or unless the Board has specifically asked that certain types of regulations be given prior Board approval. The Board, of course, is kept informed of all school system regulations issued by the administration, and all are subject to Board review. Also, in the absence of policy thought necessary, it is the superintendent's responsibility to recommend policy to the School Board.

### **Is the Manual Complete?**

No. The manual contains all the current written policies of the School Board. But there is a continual need to adopt new policies, and revise old ones. Additionally, state and federal laws and agency regulations change. No matter how well conceived and well developed, a policy manual can never be 100% complete and 100% up-to-date. Policy development is a continuing process.

### **Order of Precedence**

School Board policies and regulations must be read and interpreted in the light of the federal and Virginia statutes and regulations. Wherever inconsistencies of interpretation arise, federal and Virginia law and regulations prevail.

\*\*\*\*\*  
\*\*\*\*\*

It is the hope of the School Board that this collection of policies will make a greater harmony and efficiency possible in all areas of school operations. This will enable the Board to devote more time to its primary duty - the development of long-range policies and planning for the future of the school system.



---

## **SECTION A: Foundations and Basic Commitments**

---

AA	School Division Legal Status
AC	Nondiscrimination
AD	Educational Philosophy
AE	School Division Goals and Objectives
AF	Comprehensive Plan
AFA	Evaluation of School Board Operational Procedures

## SCHOOL DIVISION LEGAL STATUS

The Constitution of the Commonwealth provides that the General Assembly establish a system of free public elementary and secondary schools for all children of school age throughout the state, and seek to ensure that an educational program of high quality is established and continually maintained. The General Assembly has required that such an educational system be maintained and administered by the State Board of Education, the Superintendent of Public Instruction, division superintendents and school boards. The supervision of schools in each school division shall be vested in a school board selected in accordance with the applicable provisions of the Code of Virginia.

The school board is a corporate body whose official title shall be "The School Board of the County of Southampton".

Adopted:

---

---

---

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

Code of Virginia, 1950, as amended, sections 15.2-410, 22.1-1, 22.1-2, 22.1-28, 22.1-71.

Cross Ref.: BB School Board Legal Status

## NONDISCRIMINATION

The **Southampton County** School Board is committed to a policy of nondiscrimination with regard to race, color, sex, age, religion, disability, national origin, or status as a parent. This attitude will prevail in all of its policies concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

Adopted:

---

---

---

Legal Refs.: 20 U.S.C. sections 1400 et seq., 1681 et seq.  
29 U.S.C. sections 621 et seq., 794.  
42 U.S.C. sections 2000 et seq., 12101 et seq.

45 CFR Parts 81, 86.

Executive Order 11246, as amended by Executive Orders 11375, 11478, and 12086.

Constitution of Virginia, article I, section 11.

Cross Refs.:	GB/JB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion.

## EDUCATIONAL PHILOSOPHY

It shall be the philosophy of the Southampton County School Board to provide equal opportunity for every student to achieve maximum intellectual, social, emotional and physical growth, to ensure that each individual 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.

It shall be the policy of the School Board to:

Provide the necessary trained and dedicated leadership, qualified personnel, equipment and materials to assure an appropriate education for every student;

Treat all personnel equitably with the highest degree of respect;

Appropriate funds fairly and efficiently; and

Attend to the property and equipment of all schools to work toward achieving parity among schools in the division.

Adopted:

---

---

---

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

Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-79, 22.1-293, 22.1-295.

8 VAC 20-131-20.

Cross Refs.:	AC	Nondiscrimination
	GB/JB	Equal Employment Opportunity/Nondiscrimination
	GBA/JFHA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
	IGBC	Parental Involvement

## SCHOOL DIVISION GOALS AND OBJECTIVES

### A. Generally

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

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

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

### B. Standards of Quality and Objectives

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

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

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

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

Adopted:

---



---



---

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

8 VAC 20-131-20.

## COMPREHENSIVE PLAN

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

The divisionwide comprehensive plan will include

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

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

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

Adopted:

---

---

---

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

## EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The School Board will review its performance annually to ensure its proper discharge of responsibilities to the community. Evaluation will be based on a positive approach, which will indicate the strengths of the School Board and the areas that need improvement.

To help the School Board meet this goal, the following elements will be included in the self-evaluation process:

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

Upon final discussion of the results, the School Board will develop 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:

---

---

---

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



---

## **SECTION B: School Board Governance and Operations**

---

BB	School Board Legal Status
BBA	School Board Powers and Duties
BBAA	Board Member Authority
BBBA	Qualifications of School Board Members
BBBB	Student Liaison to the School Board
BBBC	Board Member Oath of Office
BBD	Board Member Removal from Office
BBE	Unexpired Term Fulfillment
BBFA	School Board Members Conflict of Interest
BCA	School Board Organizational Meeting
BCB	School Board Officers
BCC	School Board Clerk
BCE	School Board Committees
BCEA	Disciplinary Committee
BCF	Advisory Committees to the School Board
BCG	School Attorney
BDA	Regular School Board Meetings
BDB	Special School Board Meetings
BDC	Closed Meetings
BDCA	Calling and Certification of Closed Meetings
BDD	Electronic Participation in Meetings From Remote Locations
BDDA	Notification of School Board Meetings
BDDC	Agenda Preparation and Dissemination

---

## **SECTION B: School Board Governance and Operations**

---

BDDD	Quorum
BDDE	Rules of Order
BDDF	Voting Method
BDDG	Minutes
BDDH	Public Participation at School Board Meetings (Also KD)
BF	Board Policy Manual
BFC	Policy Adoption (Options 1 & 2)
BFE	Administration in Policy Absence (Also CHD)
BG	Board-Staff Communications (Also GBD)
BHB	School Board Member In-Service Activities
BHD	School Board Member Compensation and Benefits
BHE	School Board Member Liability Insurance

## SCHOOL BOARD LEGAL STATUS

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

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

The Southampton County School Board governs the school division.

The School Board is a corporate body whose official title shall be "The School Board of the County of Southampton".

Adopted:

---

---

---

Legal Refs.: Constitution of Virginia, article VIII, §7  
Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-2, 22.1-28, 22.1-31, 22.1-71.

Cross Ref.: AA School Division Legal Status

## SCHOOL BOARD POWERS AND DUTIES

The School Board shall:

1. Adopt policy to provide for the day-to-day supervision of schools;
2. See that the school laws are properly explained, enforced and observed;
3. Secure, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and take care that they are conducted according to law and with the utmost efficiency;
4. Care for, manage and control the property of the school division and provide for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
5. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
6. Insofar as not inconsistent with state statutes and regulations of the State Board of Education, operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools; and,
7. Perform such other duties as shall be prescribed by the State Board of Education or as are imposed by law.
8. Obtain 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. If a public hearing has been held prior to the effective date of this provision on a proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the effective date of this provision, an additional public hearing shall not be required.
9. Survey, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or request the division superintendent to conduct such survey and submit such report to

the school board, the Superintendent of Public Instruction, and the Virginia Retirement System.

10. Ensure that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to § 9.1-914.

Adopted:

---

---

---

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

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

BOARD MEMBER AUTHORITY  
(and Duties)

The 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:

---

---

---

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

## 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/she 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/she represents, his/her position on the School Board shall be deemed vacant.

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

Adopted:

---

---

---

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

Cross Ref.: BBE Unexpired Term Fulfillment





## BOARD MEMBER OATH OF OFFICE

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

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 15.2-1522, 15.2-1524, 22.1-31, 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:

---

---

---

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

## UNEXPIRED TERM FULFILLMENT

Vacancies occurring in the membership of the School Board shall be filled as provided by law.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 15.2-627, 22.1-39, 22.1-44, 22.1-50, 22.1-57.3, 24.2-226, 24.2-228.

## SCHOOL BOARD MEMBERS CONFLICT OF INTEREST

### A. Purpose

The Southampton 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.

### B. Areas of Regulation

The State and Local Government Conflict of Interests Act establishes five principal areas of regulation applicable to board members, officers, and employees of the Southampton 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
- Disclosure required from certain School Board members

### C. Definitions

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

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

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

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

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

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated

by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

"Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"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 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 or other admission or pass unless the ticket, admission, or pass is used. "Gift" does not include honorary degrees and presents from relatives. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

"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 residing in the same household as the officer or employee, who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

"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 an officer or employee or to a member of his immediate family. 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, \$10,000 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 \$10,000 annually;
- ownership of real or personal property if the interest exceeds \$10,000 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 (i) or (iv) 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

- 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 or employee of a local governing body is appointed by the local governing body 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 to the officer or employee.

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

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

1. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law, of the superintendent or of a School Board member. This provision shall not be construed to prohibit the employment, promotion, or transfer within the school division, of any person within a relationship described above when such person

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

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

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

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

1. Prohibited Conduct

Neither the School Board collectively, nor any member 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 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 or service that might reasonably tend to influence the discharge of duties;
  - accept any business or professional opportunity from which a School Board member may gain a financial benefit, where the member knows or should know that there is a reasonable likelihood that the opportunity is being offered with intent to influence his or her conduct in the performance of official duties.
2. Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of Southampton 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 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 shall not be 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
  - 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 an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof
  - The publication of official notices
  - Contracts between the government or school board of a town or city with a population of less than 10,000 and an officer or employee of that town or city government or school board when the total of such contracts between the town or city government or school board and the officer or employee of that town or city government or school board or a business controlled by him does not exceed \$10,000 per year or such amount exceeds \$10,000 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 \$10,000 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 § 2.2-3115E 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 G;
- 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 H; 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 for School Board Members

1. School Board members<sup>1</sup> will file, as a condition of assuming office, with the clerk of the school board a disclosure statement of their personal interests and other information as is specified on the form set forth in Va. Code § 2.2-3117 and shall thereafter file such statement annually on or before January 15.
2. 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.
3. 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.

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.

Adopted:

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3119.

Cross Ref.: GCCB Employment of Family Members



## SCHOOL BOARD ORGANIZATIONAL MEETING

The School Board shall organize annually by the election of officers at the first meeting. The first order of business shall be the election of the School Board Chairman. The new chairman shall then assume office and preside over the remainder of the meeting.

### **CHOOSE ONE BASED ON APPLICABILITY:**

- If your School Board serves a city or town constituting a school division regardless of whether its members are appointed, elected, or any combination, the organizational meeting shall be held in January or July.
- If your School Board serves a county constituting a school division and all the board members are appointed, the organizational meeting shall be held in July.
- If your School Board serves a county constituting a school division and the board members are elected in whole or in part, the organizational meeting shall be held in January or July.

At this meeting the School Board shall elect a chairman. The School Board also shall appoint a clerk and approve a designee of the division superintendent to attend meetings of the School Board in the absence or inability of the superintendent to attend. The School Board may elect a vice-chairman of the board and may appoint a deputy clerk. The term of office for the above positions shall be one year. The agenda for the organizational meeting shall include setting time, place and dates of regular School Board meetings and other items of annual business as appropriate.

Adopted:

---

---

---

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

## SCHOOL BOARD OFFICERS

The officers of the School Board shall be a Chairman and Vice-Chairman. The Chairman and the Vice-Chairman shall be elected annually at the organizational meeting of the School Board.

### School Board Chairman

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

Adopted:

---

---

---

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

## SCHOOL BOARD CLERK

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

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

Adopted:

---

---

---

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 Southampton County School Board, except, at the School Board's option, a Student Disciplinary Committee and/or an Equal Employment Opportunity/Nondiscrimination Committee. Special committees may be appointed by the chairman or created by School Board action. These committees shall be appointed or created for a specific purpose and shall expire upon completion of the assigned task unless School Board action authorizes temporary continuance of such committees.

Adopted:

---

---

---

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

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



## DISCIPLINARY COMMITTEE

A Disciplinary Committee composed of at least three School Board members shall preside over all cases of student suspensions of more than 10 days and expulsions within the Southampton County School Division. The decision of the committee shall, if unanimous, be the final decision of the School Board. In non-unanimous decisions, the student shall have the right to appeal his/her case to the full School Board. The School Board shall render a final decision in such cases within thirty days of the Committee decision.

The Disciplinary Committee shall follow the procedures set forth in Policy JGD/JGE.

Membership on the Disciplinary Committee shall be determined by the School Board.

Adopted:

---

---

---

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

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

## ADVISORY COMMITTEES TO THE SCHOOL BOARD

It is the duty of the School Board to 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 the Code of Virginia, Board of Education regulations, and federal law, the School Board shall establish advisory committees for the following programs: special education and career and technical education. These committees shall serve without compensation for one-year terms.

### **[Insert the following provisions if the Board chooses to establish any of the following]**

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

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

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

[A School Safety Audit Committee will be established to evaluate, in accordance with the directions of the School Board, the safety of each school and submit a plan for improving school safety at a public meeting of the School Board. The committee shall include representatives of parents, teachers, local law-enforcement agencies, judicial and public safety personnel, and the community-at-large.]

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

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

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

Adopted:

---

---

Legal Refs.: 20 U.S.C. §§ 5964(a)(6), 6318(e)(12), 7115(a)(1)(E).

Code of Virginia, 1950, as amended, §§ 22.1-18.1, 22.1-86, 22.1-275.1, 22.1-279.8.

8 VAC 20-40-60.

8 VAC 20-81-230.D.

8 VAC 20-120-50.

Cross Ref.: EB School Crisis, Emergency Management, and Medical Emergency  
Response Plan  
IGBB Programs for Gifted Students

## SCHOOL ATTORNEY

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

Adopted:

---

---

---

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

## REGULAR SCHOOL BOARD MEETINGS

The School Board will transact all business at official School Board meetings. The School Board will not vote by secret or written ballot. Except as otherwise provided by law, all meetings of the School Board shall be open to the public.

All meetings of the School Board shall be open, except as otherwise permitted by law.

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

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

At least one copy of all agenda packets and, unless exempt, all materials furnished to the members of the School Board for a meeting shall be 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 shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of an open meeting. The School Board will not conduct any open meeting in any building or facility where such recording devices are prohibited.

Adopted:

---

---

---

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

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 may hold special meetings when necessary. These meetings shall be held when called by the chairman or when requested by two or more members.<sup>2</sup> Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member. Notice, reasonable under the circumstances, shall be given contemporaneously with the notice provided to members of the School Board.

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

Adopted:

---

---

---

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

## CLOSED MEETINGS

A Closed meetings may be held 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.
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 Southampton 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; and consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. For purposes of this subdivision, "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. Discussion or consideration of honorary degrees or special awards.

9. Discussion or consideration of tests or examinations or other records excluded from public disclosure pursuant to Va. Code § 2.2-3705.1.
  10. 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.
  11. Discussion or consideration of medical and mental records excluded from disclosure under Va. Code § 2.2-3705.5.
  12. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; 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.
  13. Discussion or consideration of records excluded from mandatory disclosure pursuant to 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 records.
  14. 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.

Adopted:

---

---

---

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



## CALLING AND CERTIFICATION OF CLOSED MEETINGS

- A. No closed meetings shall be held unless the School Board 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 the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act, and stated in Policy BDC. 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 notice provisions of the Virginia Freedom of Information Act shall 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 for the purpose of interviewing candidates 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.
- C. The School Board, 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 part A, above.
- D. At the conclusion of any closed meeting, the School Board shall reconvene in open meeting immediately thereafter and shall take a roll call or other recorded vote to be included in the Board 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 by the School Board. Any member of the Board 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 School Board minutes.
- E. Failure of the certification required by subsection D, above, to receive the affirmative vote of a majority of the members of the School Board 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 these provisions.
- F. The School Board may permit non-members to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the Board in its consideration of a topic which is a subject of the meeting.
- G. Except as specifically authorized by law, in no event may the School Board 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 and Policy BDDA.

Adopted:

---

---

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

Cross Refs.: BDC Closed Meetings  
BDDA Notification of School Board Meetings

## ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

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

### I. Quorum Physically Assembled

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

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

Such participation by a school board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the School Board, whichever is fewer; or

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

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

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

### II. Quorum Not Physically Assembled

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

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

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

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

The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes of the meeting.

If the School Board meets by electronic means as provided in this section, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

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

Adopted:

---

---

---

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

Cross Ref.: BDDG Minutes

## NOTIFICATION OF SCHOOL BOARD MEETINGS

### Regular Meetings

The School Board shall give notice of the date, time, and location of its regular meetings by 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 shall publish notice of its meetings by electronic means whenever feasible. At least one copy of all agenda packets and other nonexempt materials furnished to members of the School Board shall be made available for public inspection at the same time the documents are furnished to School Board members.

### Special Meetings

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

### Direct Notification

Notice of all school board 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:

---

---

---

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

Cross Refs.:	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings

## AGENDA PREPARATION AND DISSEMINATION

The preparation of the agenda shall be 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 agenda.

A copy of the agenda packet and materials shall be 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:

---

---

---

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

Cross Ref.: BDDA Notification of School Board Meetings

## QUORUM

At any meeting of a School Board, a majority of such Board shall constitute a quorum.

Adopted:

---

---

---

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

## RULES OF ORDER

Each School Board shall establish its own rules of order and shall adopt bylaws, policies and regulations.

Adopted:

---

---

---

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



## VOTING METHOD

The official vote on all decisions that are unanimous shall be recorded in the official minutes. The minutes of the meeting shall reflect the method and result of all votes. No votes shall be taken by secret or written ballot.

In any case in which there shall be 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 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<sup>1</sup>, to vote as provided in the Code of Virginia, § 22.1-75. If no tie breaker has been appointed as authorized by state law, any tie vote shall defeat the motion, resolution or issue voted upon.

Adopted:

---

---

---

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

## MINUTES

Complete and accurate minutes of all open School Board meetings shall be recorded by the clerk, 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.

Except as otherwise specifically provided by law, minutes and other official records of the School Board, including the School Board meeting agenda packets, shall be open to inspection and copying by any citizen of Virginia during the hours when the School Board office is regularly open to the public. Draft minutes and all other records of open meetings, including audio or audio/visual records, shall be deemed public records and subject to production pursuant to the Virginia Freedom of Information Act. The superintendent is authorized to make a charge for the copying and search time expended by School Board employees in supplying requested records, provided such charges do not exceed the actual cost to the School Board in supplying these services.

Minutes may be taken during closed meetings of the School Board, but shall not be required. Such minutes shall not be 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 shall 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; and
- a summary of the discussion on matters proposed, deliberated or decided; and
- a record of any votes taken.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3701, 2.2-3704, 2.2-3707, 2.2-3712, 22.1-74.

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

## PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Any citizen may address the Board at any regular meeting. Persons wishing to appear before the School Board are requested to contact the superintendent, the School Board chairman, or their designee for placement on the agenda.

The chairman is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and length of time for such presentation. No one will be allowed to make additional presentations until everyone 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 citizens to present matters of concern.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.C.4.

## BOARD POLICY MANUAL

The School Board shall be 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 division policies will be posted on the division's website. The school board will ensure that printed copies of the policies are available as needed to citizens who do not have online access. The superintendent shall ensure that an annual announcement is made in each division 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.

Adopted:

---

---

---

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

Cross Ref.: CH Policy Implementation



## POLICY ADOPTION

### Policy

Southampton County School Board is a member of Virginia School Boards Association (VSBA) Policy Services. As a member, the Board receives new and revised policies from VSBA based on legal research and analysis. It is the policy of Southampton County School Board that upon receipt by the division's Policy Contact person of new and revised policies developed by the VSBA legal and policy staff, such policies shall be the policy of the Southampton County school division.

### Rationale

Upon receipt of new and revised VSBA-developed policies, the division Policy Contact person shall immediately incorporate the new and revised policies into the division's policy manual (both electronic and hard copy versions) and ensure that all copies of the policy manual are current.

This policy does not replace the local review of new and revised policies. New and revised policies received from VSBA still will be provided to an editorial committee of staff and community members for review for the purpose of recommending editorial suggestions to the Board and Superintendent.

The purpose of this policy is to eliminate lag time between receipt of a new or revised policy and its implementation.

### Adopted:

---

---

---

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

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

## ADMINISTRATION IN POLICY ABSENCE

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

Adopted:

---

---

---

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

## BOARD-STAFF COMMUNICATIONS

The Southampton 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:

---

---

---

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

Cross Ref.: GBB                      Staff Involvement in Decision Making



## 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; 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:

---

---

---

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

## SCHOOL BOARD MEMBER COMPENSATION AND BENEFITS

Each member of the Southampton County School Board shall receive an annual salary as provided by law.<sup>1</sup>

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

School board members may participate in the division's group insurance plan.<sup>2</sup>

Adopted:

---

---

---

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

Cross Ref.: BHE School Board Member Liability Insurance

## SCHOOL BOARD MEMBER LIABILITY INSURANCE

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

Adopted:

---

---

---

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

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

---

## **SECTION C: General School Administration**

---

CA	Administration Goals
CBA	Qualifications and Duties for the Superintendent
CBB	Appointment and Term of the Division Superintendent
CBCA	Disclosure Statement Required of Superintendent
CBD	Superintendent's Compensation and Benefits
CBE	Severance Benefits
CBG	Evaluation of the Superintendent
CF	School Building Administration
CH	Policy Implementation
CHD	Administration in Policy Absence (Also BFE)
CLA	Reporting Acts of Violence and Substance Abuse
CM	School Division Annual Report
CMA	School Division Annual Report Card

## ADMINISTRATION GOALS

The Southampton 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:

---

---

---

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

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

## QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

### I. QUALIFICATIONS

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

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

### II. MAJOR DUTIES

1. Serves as chief executive officer of the School Board.
  - A. Attends School Board meetings.
  - B. Implements policies of the School Board.
  - C. Reports to the School Board about the status of programs, personnel and operations of the schools.
  - D. Recommends actions to the School Board.
  - E. Communicates as liaison between the School Board and school personnel.
  - F. Assists the chairman in developing and distributing notices and agenda of meetings of the School Board.
2. Acts as the educational leader of the schools.
  - A. Supervises the principals and assistant superintendents.
  - B. Oversees planning and evaluation of curriculum and instruction.
  - C. Develops for approval by the School Board procedures for adopting textbooks and other instruction materials.
  - D. Visits schools on a regular basis.

- E. Maintains a current knowledge of developments in curriculum and instruction.
- 3. Enforces school laws and regulations.
  - A. Observes such directions and regulations as the Superintendent of Public Instruction or Board of Education may prescribe.
  - B. Makes reports to the Superintendent of Public Instruction whenever required.
  - C. Distributes promptly all reports, forms, laws and regulations which may be received from the Superintendent of Public Instruction.
  - D. Enforces school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education.
  - E. Prepares and maintains administrative procedures, guidelines and regulations to be used to implement School Board policy. If Board action is required by law or the Board has specifically asked that certain types of regulations be given prior Board approval, these regulations and guidelines shall be placed in the School Board manual. The administrative procedures, guidelines and regulations shall be discussed with the staff and made available for their information.
- 4. Oversees staff personnel management.
  - A. Organizes recruitment of personnel.
  - B. Reassigns personnel to schools and offices.
  - C. Insures administration of personnel policies and programs.
  - D. Supervises evaluation of personnel.
  - E. Provides for maintenance of up-to-date job descriptions for all personnel.
- 5. Oversees facility management.
  - A. Prepares long and short-range plans for facilities and sites.
  - B. Insures the maintenance of school property and safety of personnel and property.
  - C. Inspects school property on a regular basis.
  - D. Approves the utilization of school property.
  - E. Monitors any construction, renovation and demolition of school facilities.
  - F. Represents the schools before local or state agencies which control building requirements or provide financing for buildings.
  - G. Closes public school buildings which appear to him to be unfit for occupancy.
- 6. Oversees financial management.

- A. Prepares budget for School Board approval.
  - B. Insures that expenditures are within the limits approved by the School Board.
  - C. Reports to the School Board on financial condition of the schools.
  - D. Establishes procedures for procurement of equipment and supplies.
  - E. Ensures that an accurate record of all receipts and disbursements of school funds is kept.
7. Directs community relations activities.
- A. Articulates educational programs and needs to the community.
  - B. Responds to concerns expressed in the community.
  - C. Maintains contact with the news media.
  - D. Participates in community affairs.
  - E. Involves the community in planning and problem solving for the schools.
8. Oversees pupil personnel services.
- A. Monitors pupil personnel services.
  - B. Insures adequate pupil record system.
  - C. Implements policies and programs relating to behavior and discipline of pupils.
  - D. Maintains programs for health and safety of pupils.
  - E. Communicates as liaison between schools and community social agencies.

Adopted:

---

---

---

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

Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-136.

8 VAC 20-390-10.

8 VAC 20-390-40.

8 VAC 20-390-60.

8 VAC 20-390-70.

8 VAC 20-390-80.





## APPOINTMENT AND TERM OF THE DIVISION SUPERINTENDENT

The School Board will appoint the division superintendent and determine the term of employment as set forth in State law.

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

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

Adopted:

---

---

---

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

8 VAC 20-22-600.

8 VAC 20-720-100.

Procedures for Appointment of a School Division Superintendent by the Virginia Board of Education (adopted by the Virginia Board of Education March 22, 2006) (available at

[http://www.pen.k12.va.us/VDOE/VA\\_Board/Meetings/2006/mar22min.pdf](http://www.pen.k12.va.us/VDOE/VA_Board/Meetings/2006/mar22min.pdf) )

## DISCLOSURE STATEMENT REQUIRED OF SUPERINTENDENT

The division superintendent shall, as a condition to assuming employment, file a disclosure statement of his or her personal interests and other information as is specified on the form set forth in Code of Virginia § 2.2-3117. Completed forms shall be filed and maintained as public records for five years in the office of the clerk of the Southampton County School Board. After the initial disclosure, the division superintendent must file this statement annually on or before January 15.

Adopted:

---

---

---

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

## SUPERINTENDENT'S COMPENSATION AND BENEFITS

The superintendent's contract shall be negotiated from time to time as provided by State law and School Board policy. The contract shall set forth the superintendent's compensation and benefit package.

The 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 contracts 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-60, 22.1-67.

## SEVERANCE BENEFITS

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

Adopted:

---

---

---

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

## EVALUATION OF THE SUPERINTENDENT

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

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

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

Adopted:

---

---

---

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

Board of Education Guidelines for Uniform Performance Standards and Evaluation  
Criteria for Teachers, Administrators and Superintendents (Attached to  
Superintendent's Memo No. 100, May 19, 2000)  
([http://www.doe.virginia.gov/teaching/regulations/uniform\\_performance\\_stds.pdf](http://www.doe.virginia.gov/teaching/regulations/uniform_performance_stds.pdf)).

Cross Ref.: CBA                      Qualifications and Duties for the Superintendent

## SCHOOL BUILDING ADMINISTRATION

The principal is the chief executive of the school.

The principal, under the direction of the superintendent, or his/her designee, is charged with the administration, supervision, and operation of the individual school program. It is the principal's responsibility to see that the school functions within the framework of regulations of the superintendent, the policies of the School Board and the State Board of Education. The principal is expected to provide leadership to the staff and assists in interpreting the educational program in the community. The principal shall respond to concerns expressed by parents and involve the community in planning and problem solving for the school where appropriate. The principal must have successfully served as a teacher; have demonstrated administrative ability; and satisfied the educational requirements for the position.

The principal prepares budget requests indicating needs for the school, and controls and expends funds allocated to the school. The principal implements the severe weather and disaster plans upon notification by the superintendent or his/her designee.

Adopted:

---

---

---

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

## POLICY IMPLEMENTATION

### Development of Regulations

The superintendent is authorized to promulgate such regulations as may be necessary to carry out the policies adopted by the School Board. If Board action is required by law or the Board has specifically asked that certain types of regulations be approved by the Board, these regulations shall be forwarded to the Board for action. The superintendent shall provide copies of all regulations to School Board members 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 will be responsible for informing staff members of all newly adopted or revised policies and regulations.

Adopted:

---

---

---

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

Cross Ref.: BF Board Policy Manual



## 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 shall have the power to act, but his decisions shall be subject to review by the School Board at its next regular meeting. It shall be the duty of the superintendent to inform the School Board promptly of such action and of the need for policy.

Adopted:

---

---

---

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 shall be made to the division superintendent and to the principal (or designee) on all incidents involving:
- (i) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
  - (ii) the assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
  - (iii) any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, 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 shall collect and maintain information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

- B. The division superintendent and the principal or his designee shall 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 division 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 will report 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 will report all incidents required to be reported pursuant to section I of this policy to the superintendent. The superintendent shall annually report all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that shall be provided by the Department and shall make such information available to the public.

In submitting reports of such incidents, principals and division superintendents shall 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 shall immediately report to local law-enforcement officials any of the acts listed in clauses (ii) through (vii) of subsection I.A. of this policy which may constitute a criminal offense and may report to the local law-enforcement agency any incident described in clause (i) of subsection I.A.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal will also immediately report any act enumerated in clauses (ii) through (v) of subsection 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 will report that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

The principal or his/her designee shall notify 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 shall relate to only the relevant student's involvement and shall 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 shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or his designee. Prevention and intervention activities shall be identified in the local school division's drug and violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV--Safe and Drug-Free Schools and Communities Act).

The School Board shall develop, 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 shall 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 shall be to develop a program of prevention activities to provide a safe environment conducive to learning.

Adopted:

---

---

---

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.

## SCHOOL DIVISION ANNUAL REPORT

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

Adopted:

---

---

---

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

## SCHOOL DIVISION ANNUAL REPORT CARD

## I. Division Report Cards

The Southampton County School Board will annually prepare and disseminate a division report card. The report card will contain the following information:

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

The report card will also show, for each school in the division, whether the school has been identified for school improvement under the No Child Left Behind Act of 2001, and information that shows how the school's students' achievement on the Standards of Learning and other indicators of adequate yearly progress compared to students in the division and the state as a whole.

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

## II. School Performance Report Cards

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

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

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

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

Adopted:

---

---

---

Legal Refs.: 20 U.S.C. § 6311.

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

Virginia Board of Education Consolidated State Application Amended  
Accountability Workbook (as revised September 10, 2003).

8 VAC 20-131-270.



---

## **SECTION D: Fiscal Management**

---

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
DI	Financial Accounting and Reporting
DIA	Reporting Per Pupil Costs
DJ	Small Purchasing
DJA	Purchasing Authority
DJB	Petty Cash Funds
DJF	Purchasing Procedures
DJG	Vendor Relations
DK	Payment Procedures
DL	Payroll Procedures
DLB	Salary Deductions
DLC	Expense Reimbursements
DM	Cash in School Buildings
DN	Disposal of Surplus Items
DO	Non-Locally Funded Programs

## MANAGEMENT OF FUNDS

The superintendent or his/her designee shall be responsible for administering the division budget in accordance with board policies and applicable state and federal regulations, and laws; therefore, the superintendent or his/her designee will use appropriate fiscal planning and management methods, modeled after the best accepted business practices and directed toward the educational goals of the division.

1. If the appropriating body approves the School Board budget by total expenditures, funds may be transferred by the School Board from one category to another. If funds are appropriated to the School Board by major classifications, no funds shall be expended by the School Board except in accordance with such classifications without the consent of the body appropriating the funds.
2. The superintendent may be authorized by the School Board to make line item transfers within a category.

The School Board shall manage and control the funds made available to the School Board for the public schools and may incur costs and expenses.

Adopted:

---

---

---

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

## 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 shall prepare, with the approval of the school board, and submit 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 shall set 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 his/her designee shall prepare a budget calendar identifying all deadlines for the annual budgetary process. The calendar shall include 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 must be 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 shall publish the approved budget, including the estimated required local match, on its website and the document shall also be made available in hard copy as needed to citizens for inspection.

Adopted:

---

---

---

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

## CUSTODY AND DISBURSEMENT OF SCHOOL FUNDS

All public money, 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, must be deposited with the Southampton County treasurer, who shall be in charge of the receipts, custody and disbursement of School Board funds and who must keep 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 Southampton County treasurer, Courtland (Southampton), Virginia.

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

Adopted:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-116, 22.1-117, 22.1-122, and 22.1-122.1.

8 VAC 20-720-70.

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

## SCHOOL ACTIVITY FUNDS

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

Each school shall keep 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<sup>1</sup> to see that such records are maintained in accordance with regulations of the Virginia Board of Education and the Southampton County School Board. The principal<sup>1</sup> shall be bonded, and the school board shall prescribe, by regulation, rules governing such bonds for employees who are responsible for school activity funds.

At least once a year, a duly qualified accountant, accounting firm, or internal auditor shall perform an audit, examination, or review of school activity funds to ensure funds are being managed in accordance with this policy and all funds are properly accounted for. The type of engagement (audit, examination, or review) and the accountant, accounting firm, or internal auditor, shall be approved by the School Board. A copy of the report resulting from the audit, examination, or review (and the completed corrective action plan, if suggestions for improvement are made) shall be reviewed by the superintendent and the School Board, and filed in the office of the clerk of the School Board, the superintendent, and the principal. The cost of such an audit, examination or review may be paid from the school operating fund or school activity funds. Monthly reports of such funds shall be prepared by the principal<sup>1</sup> and filed in the principal's office.

Adopted:

---



---



---

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

8 VAC 20-720-10.

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

## 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 division 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 to be 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:

---



---



---

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

## FINANCIAL ACCOUNTING AND REPORTING

The superintendent or his/her designee shall establish and be responsible for a division's accounting system that will satisfy the Virginia Department of Education's regulations regarding accounting practices and applicable federal, State, and local laws.

### Financial Accounting and Reporting

The School Board will receive monthly financial statements, including statements of revenues and expenditures, showing the financial condition of the division as of the last day of the preceding month. School food service funds and textbook funds will be held in separate, interest bearing, bank accounts.

At least once each year the school board will submit a report of all its expenditures to the appropriating body. Such report shall also be 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.

### Inventories

The superintendent or his/her designee will be responsible for the inventory of all fixed assets of the school division.

### School Level Accounting System

Each school is required to maintain an accurate, up-to-date accounting system of all money collected and disbursed by the school. These funds will be deposited in accounts in the name of the school.

A record of all receipts and disbursements will be maintained in accordance with the **(STATE DEPARTMENT REGULATIONS)** as promulgated by the superintendent and in accordance with regulations issued by the State Board of Education.

The principal will prepare and forward to the superintendent or his/her designee monthly financial statements, including statement of revenues and expenditures, showing the financial condition of the school as of the last day of the preceding month.

### Audits

In accordance with State statutes and regulations, all financial records of the division will be audited following the close of each fiscal year.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2511, 22.1-68, 22.1-90, 22.1-115, 22.1-121.

8 VAC 20-270-10 et seq.

8 VAC 20-290-10.

Cross Refs.:	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
	ECA	Inventory and Reporting of Loss or Damage



## REPORTING PER PUPIL COSTS

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

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

Adopted:

---

---

---

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

Cross Ref.: DB Annual Budget

## SMALL PURCHASING

Pursuant to written procedures not requiring competitive sealed bids or competitive negotiation, the School Board may enter into single or term contracts for goods and services other than professional services if the aggregate or the sum of all phases is not expected to exceed \$100,000; however, such small purchase procedures shall provide for competition wherever practicable. Such small purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$60,000.

If the School Board adopts such written procedures, it will post a public notice on the Department of General Services central electronic procurement website or other appropriate websites.

Adopted:

---

---

---

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

Cross Ref.: DJF Purchasing Procedures

## PURCHASING AUTHORITY

The superintendent with the School Board's formal approval may designate a qualified employee to serve as the purchasing agent for the Board. In this capacity, the agent for the Board may purchase or contract for all supplies, materials, equipment, and contractual services required by the school division subject to federal and state codes 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 his/her designee, for approval and processing.

### Internal Controls

The superintendent, or his/her designee, shall establish appropriate procedures for internal accounting controls.

### Purchasing and Contracting

It is the policy of the SOUTHAMPTON COUNTY Schools to encourage full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting to realize the economies resulting therefrom; and to seek maximum educational value for every dollar expended.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq.; 22.1-68, 22.1-70, and 22.1-78.

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

## PETTY CASH FUNDS

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

If it establishes any petty cash funds, the school board will appoint an agent or other person who shall be authorized only to approve payment of claims arising from commitments made pursuant to provisions of law from such petty cash funds. Any agent or person into whose hands any such fund is placed may pay such claims 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:

---

---

---

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

Cross Ref.: DJF Purchasing Procedures

## PURCHASING PROCEDURES

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

### Certification Regarding Sex Offenses

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

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

### Unauthorized Aliens

The School Board shall provide 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 shall include 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:

---

---

---

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

## VENDOR RELATIONS

### Access to School Premises

No vendor, agent, or sales representative may enter 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 shall be 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:

---

---

---

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

## PAYMENT PROCEDURES

### School Board

The School Board will examine 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, order or authorize payment thereof. A record of such approval and order or authorization shall be 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.

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

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

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

### Special Warrants<sup>1</sup>

---



The Southampton 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

- (i) all employees under written contract,
- (ii) 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
- (iii) for 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 division superintendent or the chairman or vice-chairman of the school board. When the division 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:

---

---

---

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

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

## PAYROLL PROCEDURES

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

Adopted:

---

---

---

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

Cross Refs.:	DK	Payment Procedures
	DLB	Salary Deductions

## SALARY DEDUCTIONS

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

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

Adopted:

---

---

---

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

## EXPENSE REIMBURSEMENTS

The School Board encourages attendance and participation of school personnel at professional meetings. The purpose of this policy is to provide the staff with opportunities to improve their work skills and to maintain high morale.

Request for reimbursement from School Board funds will be honored only for trips approved in advance by the superintendent or his/her designated representative and for which a statement of travel, with supporting documents, is submitted at the conclusion of the trip.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-67, 22.1-78, 22.1-122, 22.1-253.13:5, 22.1-296.

Cross Ref.: GCL Professional Staff Development

## 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:

---

---

---

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

Cross Ref.: DGC                      School Activity Funds

## 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.<sup>1</sup>

Adopted:

---

---

---

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

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

---

## NON-LOCALLY FUNDED PROGRAMS

In order to provide the best educational opportunities possible for children of the school division, the School Board may seek as many sources of revenue as possible to supplement the funds provided through local appropriation and the basic aid offered by the state.

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

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

Adopted:

---

---

---

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

---

## SECTION E: Support Services

---

EA	Support Services
EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
EBA	Buildings and Grounds Inspection
EBAA	Reporting of Hazards
EBAB	Possible Exposure to Viral Infections
EBBA	First Aid/CPR Certified Personnel
EBBB	Personnel Training-Viral Infections
EBCB	Fire Drills
EBCC	Tornado Drills
EBCD	School Closings
EC	Buildings and Grounds Management and Maintenance
ECA	Inventory and Reporting of Loss or Damage
ECAB	Vandalism
EDC	Authorized Use of School-Owned Materials
EEA	Student Transportation Services
EEAB	School Bus Scheduling and Routing
EEAC	School Bus Safety Program
EEAD	Special Use of School Buses
EF	Food Service Management
EFB	Free and Reduced Price Food Services
EFD	Food Sanitation Program
EGAA	Reproduction of Copyrighted Materials
EI	Insurance Management



---

## **SECTION E: Support Services**

---

ET Educational Technology Foundations and Public School Foundations (Optional)

## SUPPORT SERVICES

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

Therefore, the School Board will ensure the proper operation, maintenance, and management of school buildings, grounds, vehicles, equipment, and services.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3), 22.1-184, 22.1-253.13:2.

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

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

Each school will develop a written school crisis, emergency management and medical emergency response plan as defined below. The School Board will annually review each school's plan. The School Board has the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The Department of Education and the Virginia Center for School 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 Safety.

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

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

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

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

1. equip all exit doors with panic hardware as required by the Uniform Statewide Building Code ; and
2. conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term. No fire drills will be

conducted during periods of mandatory testing required by the Board of Education. Evacuation routes for students shall be posted in each room. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year.

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

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

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

Adopted:

---

---

---

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

Acts 2006, c. 164.

8 VAC 20-131-260.

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

## BUILDINGS AND GROUNDS INSPECTION

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

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

Adopted:

---

---

---

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

8 VAC 20-131-260.

## REPORTING OF HAZARDS

Any employee who discovers a dangerous condition should report the condition immediately to his or her supervisor, the superintendent, or his/her 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 will not be used in kindergarten through grade 5.

Adopted:

---

---

---

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

8 VAC 20-530-10 et seq.

## POSSIBLE EXPOSURE TO VIRAL INFECTIONS

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

The superintendent shall share these recommendations with the school employee.

The superintendent and the school employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in section 32.1-35 et seq. of the Code of Virginia.

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, 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. In other than emergency situations, it shall be the responsibility of the school board employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

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

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

Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the county or city where the school board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to

disclose the test results in accordance with this section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his designee prior to entering any testing order. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Adopted:

---

---

---

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



### FIRST AID/CPR CERTIFIED PERSONNEL

In school buildings with an instructional and administrative staff of ten or more, there shall be at least two employees who have current certification in cardiopulmonary resuscitation or have received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. 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 one employee who has current certification in cardiopulmonary resuscitation or has received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. 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:

---

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

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

## PERSONNEL TRAINING-VIRAL INFECTIONS

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

Adopted:

---

---

---

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

## FIRE DRILLS

In every public school in Virginia, there will be a fire drill at least once every week during the first twenty school days of each session and more often if necessary, in order that pupils may be thoroughly practiced in such drills. During the remainder of the school sessions, fire drills shall be held at least monthly. No fire drills will be conducted during periods of mandatory testing required by the Board of Education.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, § 22.1-137.

Acts 2006, c. 164.

## TORNADO DRILLS

In every public school in Virginia, there will be at least one tornado drill every school year, in order that pupils may be thoroughly practiced in such drills.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-137.1.

## SCHOOL CLOSINGS

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

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

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

Adopted:

---

---

---

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

Cross Ref.: GAA Staff Time Schedules

## BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE

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

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

Adopted:

---



---



---

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

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

## INVENTORY AND REPORTING OF LOSS OR DAMAGE

### I. Inventories

The Superintendent shall devise an adequate system of inventory of school property. Such inventory shall be available 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.

Adopted:

---

---

---

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

Cross Refs.:	ECAB	Vandalism
	EI	Insurance Management
	JFC-R	Standards of Student Conduct

## VANDALISM

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

The School Board may institute action and recover from the parents or either of them of any minor living with such parents or either of them up to \$2500 for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor.

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

Adopted:

---

---

---

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

Cross Refs.:	ECA	Inventory and Reporting of Loss or Damage
	JFC-R	Standards of Student Conduct



## AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

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

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

Adopted:

---

---

---

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

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

## STUDENT TRANSPORTATION SERVICES

The School Board may provide for the transportation of students. All conditions regarding the transportation of students stipulated by the Code of Virginia, regulations of the Virginia Board of Education, and policies and regulations of the School Board shall be met. 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 and welfare of other riders. In such cases the parent or guardian shall be responsible for transporting the student to school.

Adopted

---



---



---

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

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

## SCHOOL BUS SCHEDULING AND ROUTING

School bus routes shall be reviewed at least once each year for safety hazards, fuel conservation, and to assure maximum use of buses. School administrators shall evaluate the safety of pupils at bus stops periodically and shall, at the request of the school board, report the results annually to the school board.

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

Adopted:

---

---

---

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

8 VAC 20-70-160.

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

## SCHOOL BUS SAFETY PROGRAM

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

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

No person shall use 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 section shall be construed to prohibit the use of two-way radio devices authorized by the owner of the school bus.

Adopted:

---

---

---

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

8 VAC 20-70-130.

8 VAC 20-70-140.

## 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.

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:

---

---

---

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

Cross Ref.: IICA                      Field Trips

## 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:

---

---

---

Legal Refs.: 42 U.S.C. § 1751 et seq.

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

8 VAC 20-290-10.

Cross Refs.:	DGC	School Activity Funds
	GAA	Staff Time Schedules
	GBE	Staff Health

## FREE AND REDUCED PRICE FOOD SERVICES

The Southampton County school division will provide free and reduced-price breakfasts, lunches, and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program, and the Special Milk Program.

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

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

The students who participate in the free or reduced-cost meals and milk programs will not be overtly identified, distinguished, or served differently than other students.

Adopted:

---

---

---

Legal Refs.: 42 U.S.C. §§ 1751 et seq., 1771 et seq.

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

Code of Virginia, 1950, as amended, § 22.1-207.3.

8 VAC 20-290-10.

## 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:

---

---

---

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

12 VAC 5-421-10 et seq.



## 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 Executive Director of Administration and Personnel 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:

---

---

---

Legal Ref: 17 U.S.C § 101 et seq.

Cross Ref:	JFC-R	Standards of Student Conduct
	GAB/IIBEA	Acceptable Computer System Use
	GCPD	Professional Staff Discipline

## INSURANCE MANAGEMENT

The School Board shall maintain such insurance on school property, including vehicles, as it deems necessary or as is required by law. The 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, shall be 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2700 et seq., 22.1-84; 22.1-188 through 22.1-198.

8 VAC 20-70-120.

## EDUCATIONAL TECHNOLOGY FOUNDATIONS AND PUBLIC SCHOOL FOUNDATIONS

The School Board shall establish an educational technology foundation for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in the division.<sup>1</sup> The School Board shall also establish a public school foundation for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board. Such foundations may be established directly by the School Board or by the School Board and other organizations or persons, on behalf of the School Board by a third party, or through a contract with a corporation as defined by Va. Code § 2.2-212.2:2. The foundations may be established as a cooperative regional effort with other school boards.

### I. Requirements

Upon establishing or contracting with a corporation, whether or not other organizations, school boards, or persons are involved, the School Board shall:

- (1) Review and approve the articles of incorporation and bylaws;
- (2) Establish a system of accounting to protect public funds;
- (3) Establish agreement that, upon dissolution of the corporation, any assets remaining after payment of just debts shall be transferred to and become the property of the School Board or, if a regional effort, the procedure by which the property may be divided among the school boards;
- (4) Require, in any instance in which the School Board advances, contributes or loans funds to the corporation, that such contract shall provide for the posting of a bond with surety by the officers of the corporation conditioned to protect the rights of the School Board;
- (5) Establish terms for the allocation of any profits or revenues between the School Board and the corporation; and
- (6) Take such other steps as may be necessary to comply with applicable law.

### II. Funding

The School Board may (i) advance, contribute or loan funds to such foundations, and (ii) establish an escrow fund for the purpose of funding various educational technology projects.

### III. Procurement

In making purchases through its public school foundation or purchasing educational technology through its educational technology foundation, the School Board shall be exempt from the Virginia Public Procurement Act, except, relative to such purchases, the School Board shall comply with the provisions of sections 2.2-4311 and 2.2-4367 through 2.2-4377 of the Act.

---

**FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM THE FINAL POLICY**

<sup>1</sup> School boards may establish an Educational Technology Foundation, a Public School Foundation, both types of foundations or no foundation. If the school board chooses to establish one type of Foundation but not the other, it should amend the policy as necessary to reflect that choice.

Adopted:

---

---

---

Legal Ref: Code of Virginia, §§ 2.2-4311, 2.2-4343, 2.2-4367 through 2.2-4377, 22.1-212.2:2.

---

## **SECTION F: Facilities Development**

---

FA	Facilities Development
FB	Facilities Planning
FE	Playground Equipment
FEA	Educational Facilities Specifications
FECBA	Energy Efficient Construction
FECBB	Accommodations for the Disabled
FEG	Construction Planning
FF	Public Dedication of New Facilities
FFA	School Names
FG	Retirement of Facilities

## 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79 (3), 22.1-253.13:6.B.

## FACILITIES PLANNING

The School Board is responsible for the regular operation and orderly development of all school facilities. The Board will concern itself with both short and long-range planning.

The superintendent shall present to the School Board annually a five-year Capital Improvement Program which will include recommendations regarding timing, location, costs and savings associated with:

1. New building requirements
2. Restoration and renewal of existing school facilities

Decisions pertaining to educational specifications for new buildings and renovations may be developed after input from a broad based committee representing the staff and community. The committee will present, to the superintendent its recommendations for facilities utilization, development and closure.

Recommendations to the School Board will be supported by researched facts and figures that support the feasibility and need for construction and/or renovation.

Five-year enrollment projections will be prepared under the direction of the superintendent and will be reviewed and brought up-to-date annually.

Adopted:

---

---

---

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

## 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.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, sections 22.1-78. 22.1-79 (3), 22.1-293 (B).



## EDUCATIONAL FACILITIES SPECIFICATIONS

To ensure that all new and remodeled facilities are designed to best implement the educational program, the superintendent will provide for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications are detailed descriptions of:

1. All the activities that are expected to take place in the building;
2. The curriculum to be housed in the building;
3. Specific architectural characteristics desired; and
4. The facilities needed, their equipment requirements, and their relationship to other facility elements.

When educational specifications are prepared, an introductory section will also be included which will be devoted to a brief description of the community and the educational philosophy of the division. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and approved by the School Board.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-79(3), 22.1-138, 22.1-140.

Cross Refs.:	AF	Comprehensive Plan
	FA	Facilities Development
	FB	Facilities Planning
	FECBA	Energy-Conserving Construction
	FECBB	Accommodations for the Disabled
	FEG	Construction Planning

ENERGY 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 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Cross Refs.:	DJF	Purchasing Procedures
	FA	Facilities Development
	FEA	Educational Facilities Specifications

## ACCOMMODATIONS FOR THE DISABLED

Plans for new buildings and renovations or alterations of existing buildings will offer such design and accommodations as to make the newly constructed buildings and renovated or altered areas accessible to disabled persons as required by law.

Adopted:

---

---

---

Legal Refs.: 29 U.S.C. § 794.

42 U.S.C. §§ 12182, 12183.

Cross Ref.: AC                      Nondiscrimination

## CONSTRUCTION PLANNING

No public school building or addition or alteration thereto, for either permanent or temporary use, shall be advertised for bid, contracted for, erected, or otherwise acquired until the plans and specifications therefor have been approved in writing by the division superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects that such plans and specifications are, in his professional opinion and belief, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The division superintendent's approval, architect's or engineer's statement, and a copy of the final plans and specifications shall be submitted to the Superintendent of Public Instruction.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-140.

Cross Ref: FEA Educational Facilities Specifications

## PUBLIC DEDICATION OF NEW FACILITIES

The School Board may have a public dedication ceremony following completion of major building projects.

Adopted:

---

---

---

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

Cross Ref.: FFA School Names

## SCHOOL NAMES

It is the responsibility of the Southampton County School Board to determine the name of schools in the division. The Board will solicit and accept input from the public regarding school names but reserves the right to make the final decision regarding the name of any school. Suggestions regarding the name of a school must be in writing, must state the name of the person or group making the suggestion, and must state the reasons supporting the suggestion.

No school will be named for a living individual. Schools may be named for individuals who have been deceased for at least 10 years.

Adopted:

---

---

---

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

Cross Ref.: FF Public Dedication of New Facilities

## RETIREMENT OF FACILITIES

School division buildings may become unsuitable for their present use, but may be used to benefit the school division or public in other ways. 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; and,
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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, sections 22.1-79, 22.1-129, 22.1-131, 22.1-135, 22.1-136.

Cross Ref.: KG Community Use of School Facilities

---

## SECTION G: Personnel

---

GA	Personnel Policies Goals
GAA	Staff Time Schedules
GAB/IIBE A	Acceptable Computer System Use
GAB-E1/ IIBE A-E2	Acceptable Computer System Use Agreement
GAB-R/ IIBE A-R	Acceptable Computer System Use
GB	Equal Employment Opportunity/Nondiscrimination
GB-F	Report of Discrimination
GBA/JFHA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
GBA-F/ JFHA-F	Report of Harassment
GBB	Staff Involvement in Decision Making
GBD	Board-Staff Communications (Also BG)
GBC (Option 1)	Staff Compensation Procedures
GBC-E1 (Option 2)	Deferred Wage Payment Election Form
GBC-E2	Notice of How Employees Who Work Less Than 12 Months Are to be Paid
GBE	Staff Health
GBEA	Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance
GBEB	Staff Weapons in School
GBEC	Tobacco Free School for Staff and Students (Also JFCH)
GBG	Staff Participation in Political Activities
GBI	Staff Gifts and Solicitations



---

## **SECTION G: Personnel**

---

GBL	Personnel Records
GBLA	Third-Party Complaints Against Employees
GBM	Professional Staff Grievances
GBMA	Support Staff Grievances
GBMA-R	Procedure for Adjusting Grievances for Support Staff
GBN	Staff Hiring Procedures
GBO	Virginia Retirement System
GBR	Voluntary Retirement Savings Program
GC	Professional Staff
GCA	Local Licenses for Teachers
GCB	Professional Staff Contracts
GCBA	Staff Salary Schedules
GCBB	Supplementary Pay
GCBC	Staff Fringe Benefits
G CBD	Staff Leaves and Absences
GCBE	Family and Medical Leave
GCBEA	Leave Without Pay
G CBEB	Military Leave and Benefits
GCCB	Employment of Family Members
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
GCI	Professional Staff Assignments and Transfers
GCL	Professional Staff Development

---

## **SECTION G: Personnel**

---

GCN	Evaluation of Professional Staff
GCPA	Reduction in Professional Staff Work Force
GCPB	Resignation of Staff Members
GCPF	Suspension of Staff Members
GCPD	Professional Staff Discipline
GCQA	Nonschool Employment by Staff Members
GCQAB	Tutoring for Pay
GCQB	Staff Research and Publishing
GD	Support Staff
GDB	Support Staff Employment Status
GDG	Support Staff Probationary Period
GDI	Support Staff Assignments and Transfers
GDN	Evaluation of Support Staff Members
GDQ	School Bus Drivers

## PERSONNEL POLICIES GOALS

The superintendent or his/her designee, is responsible for the appropriate recruitment, staffing, and employee relations of personnel of the Southampton County School Division subject to the exclusive final authority of the school board and shall maintain a personnel record system for all employees of the school division.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-295, 22.1-313.

Cross Refs.:	AC	Nondiscrimination
	GB	Equal Employment Opportunity/Nondiscrimination
	GBL	Personnel Records
	GBN	Staff Hiring Procedure

## STAFF TIME SCHEDULES

### Work Schedules

The workday for full-time licensed and professional staff will be a minimum of seven hours and thirty minutes<sup>1</sup> and will continue until professional responsibilities to the student and school are completed. Elementary school teachers will be provided at least an average of thirty minutes per day during the students' school week as planning time. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Work schedules for other employees will be defined by the superintendent or his/her designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

### Workweek Defined

Working hours for all employees not exempted under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel will conform to federal and state regulations. The superintendent will ensure that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors will make every effort to avoid circumstances which will require non-exempt employees to work more than 40 hours each week. For purposes of compliance with the Fair Labor Standards Act, the workweek for school district employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.<sup>2</sup>

### Overtime and Compensatory Time<sup>3</sup>

The **Southampton County** School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of his/her supervisor. All overtime work must be expressly approved in writing<sup>4</sup> by the superintendent or his/her designee.<sup>5</sup> All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or his/her designee. Principals and supervisors will monitor employees' work, will ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and will ensure that all employees are compensated for any overtime worked.<sup>6</sup> 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 will be signed by each employee and submitted to the finance officer.<sup>7</sup> The finance officer will review 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<sup>8</sup> 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 must be paid for any unused compensatory time at the rate of not less than the higher of

- (1) the average regular rate received by the employee during his/her last three years of employment, or
- (2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours will be paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees will be provided with a copy of this policy and will be required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy will constitute 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.<sup>9</sup>

Adopted:

---

---

---

Legal Refs.: 29 U.S.C. § 201 et seq.

29 C.F.R § 516.1 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-291.1, 40.1-28.8 et seq.

Cross Ref.: IC/ID                      School Year/School Day

---

## ACCEPTABLE 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 hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and other internal or external networks.

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

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

- (1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
  - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
  - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
  - (c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- (3) provisions establishing that the technology protection measure is enforced during any use of the Division's computers by minors;
- (4) provisions establishing that the online activities of minors will be monitored;
- (5) provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online;
- (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (8) a component of Internet safety for students that is integrated in the division's instructional program.

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

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the

Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

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:

---

---

---

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.:	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

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 and monitor 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 **Southampton 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 BLANK 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)



## ACCEPTABLE COMPUTER SYSTEM USE

All use of the **Southampton 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 hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and any other internal or external network.

**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, 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 denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs, or damages incurred by the School Board relating to or arising out of any violation of these procedures.
  6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
  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 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. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
  10. **Enforcement.** Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of 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:

---

---

---

Legal Refs: 18 U.S.C. §§ 1460, 2256.  
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

Guidelines and Resources for Internet Safety in Schools, Virginia Department of  
Education (Second Edition October 2007)

Cross Refs:	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## EQUAL EMPLOYMENT OPPORTUNITY/ NONDISCRIMINATION

### I. Policy Statement

The Southampton County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, religion, national origin, ancestry, political affiliation, sex, gender, age, marital status, genetic information or disability is prohibited. Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The Southampton County School Board shall provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons. Further, the Southampton County School Board shall not discriminate against qualified disabled persons in the provision of health, welfare and other social services.

The statement, "Southampton County School Board is an equal opportunity employer," shall be placed on all employment application forms.

### II. Notice of Policy/Prevention

This policy shall be: (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 should be 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 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 or committee concludes that prohibited discrimination occurred, the Southampton 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 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, 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 Southampton County School Board has designated

**Dr. Wayne K. Smith, Executive Director of Administration & Personnel,  
P. O. Box 96, Courtland, Virginia 23837, 757-653-2692**

as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer

**Marlene Duke, Special Education Supervisor, Post Office Box 96,  
Courtland, Virginia 23837, 757-653-2692**

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;

- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, and has the authority to protect the alleged victim and others during the investigation.

#### IV. Retaliation

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

#### V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

#### VI. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee orientations and in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to school personnel, and (2) included in employee handbooks. All employees shall be notified annually of the names and contact information of the Compliance Officers.

#### VII. False Charges

Employees who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted:

---

---

Legal Refs.: 20 U.S.C. § 1681 et seq.

29 U.S.C. § 701.

42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq.

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

Cross Refs:

AC

Nondiscrimination

	AD	Educational Philosophy
BCE		School Board Committees
GB-F		Report of Discrimination
	GBA/JFHA	Prohibition Against Harassment and Retaliation
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
		GCPD Professional Staff Discipline
	JB	Equal Educational Opportunities/Nondiscrimination
	KKK	Service Animals in Public Schools



REPORT OF DISCRIMINATION

REPORT OF DISCRIMINATION

Name of Complainant: \_\_\_\_\_

For Employees, Position:

\_\_\_\_\_

For Applicants, Position Applied For: \_\_\_\_\_

Address, Phone Number

and Email Address:

\_\_\_\_\_

—

\_\_\_\_\_

Date(s) of Alleged Discrimination: \_\_\_\_\_

Name(s) of person(s) you believe discriminated against you or others: \_\_\_\_\_

\_\_\_\_\_

—

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Complaint Received By:

\_\_\_\_\_  
Compliance Officer

\_\_\_\_\_  
Date

## PROHIBITION AGAINST HARASSMENT AND RETALIATION

### I. Policy Statement

The Southampton County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Southampton County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The school division shall: (1) promptly investigate all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

### II. Definitions

#### A. Harassment Based on Sex.

**Harassment based on sex consists of unwelcome sexual advances, 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 or does not rise to the level of illegal harassment or retaliation may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation.

## 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 based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who 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 shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

#### 2. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser, and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

### 3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or 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<sup>1</sup>. If the Superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the Southampton County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the Superintendent or designee determines that prohibited harassment occurred, the Superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

#### 4. Appeal

If the superintendent or designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the Superintendent or designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

#### 5. Compliance Officer and Alternate Compliance Officer

The Southampton County School Board has designated

**Dr. Wayne K. Smith, Executive Director of Administration and Personnel**  
**Post Office Box 96, Courtland, VA 23837 757-653-2692**

as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer

**Marlene Duke, Special Education Supervisor,, Post Office Box 96**  
**Courtland, VA 23837, 757-653-2692**

The Compliance Officer shall

- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, and has the authority to protect the alleged victim and others during the investigation.

#### B. Informal Procedure

If the complainant and the person accused of harassment agree, the student's principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

#### IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

#### V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

#### VI. Prevention and Notice of Policy

Training to prevent harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student 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 shall be notified annually of the names and contact information of the Compliance Officers.



## VII. False Charges

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted:

---

---

---

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

34 C.F.R. 106.9.

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

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	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	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

Report of Harassment

REPORT OF HARASSMENT

Name of Complainant: \_\_\_\_\_

For Students, School Attending:

\_\_\_\_\_

For Employees, Position and Location: \_\_\_\_\_

Address, Phone Number

\_\_\_\_\_

and Email Address:

\_\_\_\_\_

\_\_\_\_\_

Date(s) of Alleged Incident(s) of Harassment: \_\_\_\_\_

Name of person(s) you believe harassed you or others:

\_\_\_\_\_

\_\_\_\_\_

If the alleged harassment was toward another, please identify that person:

\_\_\_\_\_

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

\_\_\_\_\_

Signature of Complainant

Date

Complaint Received By:

\_\_\_\_\_  
(Principal or Compliance Officer)

\_\_\_\_\_  
Date

## STAFF INVOLVEMENT IN DECISION MAKING

Employees are encouraged to communicate their ideas and concerns in an orderly and constructive manner to the School Board and/or administrative staff. A system of two way communication shall be established by the superintendent to hear from and respond to all employees.

Adopted:

---

---

---

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

## STAFF COMPENSATION PROCEDURES

Employees may choose to have their salaries paid in full according to the division's pay schedule or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned must provide a written election of such deferral prior to the first duty day of the year of deferral on a form provided by the division. Any change to the election must be made prior to the first duty day of the fiscal year of the deferment.

Adopted:

---

---

---



## STAFF COMPENSATION PROCEDURES

Employees will be paid in accordance with the Southampton County school division pay schedule. Employees who work less than 12 months will be given a copy of the document entitled “Written Notice of How Employees Who Work Less Than 12 Months are to be Paid.”

Adopted:

---

---

---

NOTICE OF HOW EMPLOYEES WHO WORK LESS THAN 12 MONTHS  
ARE TO BE PAID

This notifies **[name of employee]** that Southampton 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

In the event that a separation from service occurs before the end of the 12-month payment period, **[name of employee]** will be entitled to an additional payment for the amount actually earned from the beginning of the 12-month pay period until the date of separation from service which has not yet been paid. This additional payment will be included in the employee's final paycheck. For this purpose, "separation from service" has the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations



## BOARD-STAFF COMMUNICATIONS

The Southampton 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:

---

---

---

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

Cross Ref.: GBB Staff Involvement in Decision Making

## STAFF HEALTH

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner, or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

## Physical Exams for School Bus Drivers

No person shall be employed as a bus driver unless he or she has a physical exam of the scope required by the Board of Education and provides the School Board the results of the exam on the form prescribed by the Board of Education. Such exam and report may be provided by a licensed nurse practitioner or physician assistant.

The School Board may also require alcohol and drug testing in accordance with Policy GDQ.

Adopted:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1-300, 22.1-301, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	GDQ	School Bus Drivers
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

## UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

The Southampton 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 Southampton County School Board will not engage in such prohibited conduct and will notify the Southampton County School Board of any criminal drug conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity, or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

### Discipline

The superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction on, or the requiring of the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted of a violation occurring on school property, at any school activity, or on any school-sponsored trip.

### Distribution of Policy

All employees shall be given a copy of this policy.

### Drug-Free Awareness Program

The Southampton 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:

---

---

---

Legal Refs.: 41 U.S.C. § 702, 703.

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, 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 any school bus without authorization of the Superintendent or his designee.

Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal. Violation of this policy by others will result in actions up to and including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law.

Adopted:

---

---

---

Legal Refs: Code of Virginia, 1950, as amended, §§ 18.2-308.1, 22.1-78, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
JFCD Weapons in School

## TOBACCO-FREE SCHOOL FOR STAFF AND STUDENTS

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy,

1. "School property" means:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
  - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

### Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

Adopted

---

---

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827.

Cross Refs.: JFCH Tobacco-Free School for Staff and Students  
KG Community Use of School Facilities  
KGC Tobacco Use on School Premises

## STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Southampton 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:

---

---

---

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



## STAFF GIFTS AND SOLICITATIONS

Exchange of gifts between students and staff is discouraged.

No school division employee shall solicit goods or services for personal use or for student use during school hours on school property without written authorization from the superintendent.

Adopted:

---

---

---

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

## PERSONNEL RECORDS

Present and past employees shall have access to their personnel files and records which are maintained by the Southampton 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 § 2.2-2700 et seq.), or other law. The employee will be notified of the request for records.

Personnel files of all school board employees may be produced and maintained in digital or paper format.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3700 et seq., 2.2-3800 et seq., and 22.1-295.1.

Cross Ref.: GBLA Third Party Complaints Against Employees

## THIRD-PARTY COMPLAINTS AGAINST EMPLOYEES

Any parent or guardian of a student enrolled in the Southampton County Public Schools or any resident of Southampton County may file a complaint regarding an employee of the Southampton County Public Schools. Such complaint will be filed with the superintendent or his/her designee. If the complaint involves allegations that an employee of the Southampton County Public Schools has abused or neglected a child in the course of his educational employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505, and 63.2-1516.1.

Information determined to be unfounded after a reasonable administrative review will not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code §§ 2.2-3800 et seq., will be settled through the employee grievance procedure as provided in §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals lodging a complaint will be sent a letter noting that the complaint has been received and is in the process of being investigated.

The complaint must be filed within 30 days after the alleged incident and should be processed after a reasonable period of time, normally within 60 days or less.

Adopted:

---



---



---

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	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
	JB	Equal Educational Opportunities/Nondiscrimination
	JHG	Child Abuse and Neglect Reporting

## PROFESSIONAL STAFF GRIEVANCES

The School Board adopts the most recent version of **Procedure for Adjusting Grievances** promulgated by the Virginia Board of Education.

Adopted:

---

---

---

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 et seq.

# **Procedure for Adjusting Grievances**

8 VAC 20-90-10 et seq.

Adopted by the Board of Education  
effective May 2, 2005

## TABLE OF CONTENTS

Part I – Definitions .....	3
Part II – Grievance Procedure .....	5
Part III – Procedure for Dismissals or Placing on Probation and Time Limitations .....	13
Appendix.....	19

# **Procedure for Adjusting Grievances**

## **May 2005**

### **PART I**

#### **Definitions**

#### **8 VAC 20-90-10. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Business day” means, in accordance with §§ 22.1-312 of the Code of Virginia, any day that the relevant school board office is open.

“Days” means calendar days unless a different meaning is clearly expressed in this procedure. Whenever 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 if it is not a Saturday, Sunday, or legal holiday.

“Dismissal” means the dismissal of any teacher within the term of such teacher’s contract and the nonrenewal of a contract of a teacher on a continuing contract.

“Grievance” means, for the purpose of Part II (8 VAC 20-90-20 et seq.), a complaint or a dispute by a teacher relating to his employment, including but not necessarily limited to the application or interpretation of personnel policies, rules and regulations, ordinances, and statutes; acts of reprisal as a result of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex. “Grievance” means, for the purposes of Part III (8 VAC 20-90-60 et seq.), a complaint or a dispute involving a teacher relating to his employment involving dismissal or placing on probation. The term “grievance” shall not include a complaint or dispute by a teacher relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status; the establishment or contents of ordinances, statutes, or personnel policies, procedures, rules and regulations; failure to promote; or discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in a particular subject, abolition of a particular subject, insufficient funding; hiring, transfer, assignment, and retention of teachers within the school division; suspension from duties in emergencies; or the methods, means, and personnel by which the school division’s operations are to be carried on. While these management rights are reserved to the school board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the school board is grievable.

“Personnel file” means, for the purposes of Part III (8 VAC 20-90-60 et seq.), any and all memoranda, entries, or other documents included in the teacher’s file as maintained in the central school administration office or in any file regarding the teacher maintained within a school in which the teacher serves.

“Probation” means a period not to exceed one year during which time it shall be the duty of the teacher to remedy those deficiencies which give rise to the probationary status.

“Teacher” or “teachers” means, for the purpose of Part II (8 VAC 20-90-20 et seq.), all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees. “Teacher” means, for the purposes of Part III (8 VAC 20-90-60 et seq.), all regularly certified professional public school personnel employed under a written contract as provided by § 22.1-302 of the Code of Virginia, by any school division as a teacher or supervisor of classroom teachers but excluding all superintendents.

“Shall file,” “shall respond in writing,” or “shall serve written notice” means the document is either delivered personally to the grievant or office of the proper school board representative or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this procedure.

“Supervisory employee” means any person having authority in the interest of the board (i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and (ii) to direct other employees; or (iii) to adjust the grievance of other employees; or (iv) to recommend any action set forth in clause (i), (ii), or (iii) above; provided that the authority to act as set forth in clause (i), (ii), (iii) or (iv) requires the exercise of independent judgment and is not merely routine and clerical in nature.

“Written grievance appeal” means a written or typed statement describing the event or action complained of, or the date of the event or action, and a concise description of those policies, procedures, regulations, ordinances or statutes upon which the teacher bases his claim. The grievant shall specify what he expects to obtain through use of the grievance procedure. A statement shall be written upon forms prescribed by the Board of Education and supplied by the local school board.



## **PART II**

### **Grievance Procedure**

#### **8 VAC 20-90-20. Purpose of Part II of this Grievance Procedure.**

The purpose of Part II of the Procedure for Adjusting Grievances is to provide an orderly procedure for resolving disputes concerning the application, interpretation, or violation of any of the provisions of local school board policies, rules, and regulations as they affect the work of teachers, other than dismissals or probation. An equitable solution of grievances should be secured at the most immediate administrative level. The procedure should not be construed as limiting the right of any teacher to discuss any matter of concern with any member of the school administration nor should the procedure be construed to restrict any teacher's right to seek, or the school division administration's right to provide, review of complaints that are not included within the definition of a grievance. Nothing in this procedure shall be interpreted to limit a school board's exclusive final authority over the management and operation of the school division.

#### **8 VAC 20-90-30. Grievance Procedure.**

Recognizing that grievances should be begun and settled promptly, a grievance must be initiated within 15 business days following either the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

1. Step 1 - Informal. The first step shall be an informal conference between the teacher and his immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher present the grievance informally prior to proceeding to Step 2.
2. Step 2 - Principal. If for any reason the grievance is not resolved informally in Step 1 to the satisfaction of the teacher, the teacher must perfect his grievance by filing said grievance in writing within 15 business days following the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief expected. Regardless of the outcome of Step 1, if a written grievance is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (or his designee or both) and the teacher (or his designee or both) within five business days of the receipt by the principal of the written grievance. At such meeting the teacher or other party involved, or both, shall be entitled to present appropriate witnesses and to be accompanied by a representative other than an attorney. The principal (or his designee or both) shall respond in writing within five business days following such meeting.

The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The

teacher shall file an answer thereto within 10 business days, and the meeting must then be held within five business days thereafter.

3. Step 3 - Superintendent. If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original grievance appeal form within five business days after receipt of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the superintendent (or his designee or both) and the teacher (or his designee or both) at a mutually agreeable time within five business days. At such meeting both the superintendent and the teacher shall be entitled to present witnesses and to be accompanied by a representative who may be an attorney. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the superintendent without violating the provisions of § 54.1-3904 of the Code of Virginia. If no settlement can be reached in said meeting, the superintendent (or his designee) shall respond in writing within five business days following such meeting. The superintendent or designee may make a written request for more specific information from the teacher, but only if such was not requested in Step 2. Such request shall be answered within 10 business days, and the meeting shall be held within five business days of the date on which the answer was received. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may elect to have a hearing by a fact-finding panel, as provided in Step 4, or after giving proper notice may request a decision by the school board pursuant to Step 5.
4. Step 4 - Fact-finding panel. In the event the grievance is not settled upon completion of Step 3, either the teacher or the school board may elect to have a hearing by a fact-finding panel prior to a decision by the school board, as provided in Step 4. If the teacher elects to proceed to Step 4, he must notify the superintendent in writing of the intention to request a fact-finding panel and enclose a copy of the original grievance form within five business days after receipt of a Step 3 answer (or the due date of such answer). If the school board elects to proceed to a fact-finding panel, the superintendent must serve written notice of the board's intention to the grievant within 15 business days after the answer provided by Step 3.
  - a. Panel. Within five business days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the employees of the school division other than an individual involved in any previous phase of the grievance procedure as a supervisor, witness or representative. The two panel members so selected shall within five business days of their selection select a third impartial panel member.
  - b. Selection of impartial third member. In the event that both panel members are unable to agree upon a third panel member within five business days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which one individual shall be selected by the two members of the panel to serve as the third member. The individuals named by the chief judge may reside either within or outside the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia and in all cases shall possess some knowledge and expertise in public education and education law and shall be deemed by the judge capable of presiding over an administrative hearing. Within

five business days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by alternately deleting names from the list until only one remains. The panel member selected by the teacher shall make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.

The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.

- c. Holding of hearing. The hearing shall be held by the panel within 30 business days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a representative or legal counsel.
- d. Procedure for fact-finding panel.
  - (1) The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.
  - (2) The panel may ask, at the beginning of the hearing, for statements from the division superintendent and the teacher clarifying the issues involved.
  - (3) The parties shall then present their claims and evidence. Witnesses may be questioned by the panel members, the teacher and the division superintendent. The panel may, at its discretion, vary this procedure, but shall afford full and equal opportunity to all parties to present any material or relevant evidence and shall afford the parties the right of cross-examination.
  - (4) The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.
  - (5) Exhibits offered by the teacher or the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.

- (6) The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.
- (7) The hearing may be reopened by the panel, on its own motion or upon application of the teacher or the division superintendent, for good cause shown, to hear after discovered evidence at any time before the panel's report is made.
- (8) The panel shall make a written report which shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 business days after the completion of the hearing.
- (9) A stenographic record or tape recording of the proceedings shall be taken. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with the two parties shall share equally the cost of the recording. If either party requests a transcript, that party shall bear the expense of its preparation.

In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

- (10) The recommendations and findings of fact of the panel submitted to the school board shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.

e. Expenses.

- (1) The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.
- (2) The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the chief judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his normal business hours if he receives his normal salary for the period of such service.
- (3) Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

- f. Right to further hearings. Following a hearing by a fact-finding panel, the teacher shall not have the right to a further hearing by the school board as provided in subsection 5 c of this section. The school board shall have the right to require a further hearing in any grievance proceeding as provided in subsection 5 c of this section.

5. Step 5 - Decision by the school board.

- a. If a teacher elects to proceed directly to a determination before the school board as provided for in Step 5, he must notify the superintendent in writing of the intention to appeal directly to the board, of the grievance alleged and the relief sought within five business days after receipt of the answer as required in Step 3 or the due date thereof. Upon receipt of such notice, the school board may elect to have a hearing before a fact-finding panel, as indicated in Step 4, by filing a written notice of such intention with the teacher within 10 business days of the deadline for the teacher's request for a determination by the school board.
- b. In the case of a hearing before a fact-finding panel, the school board shall give the grievant its written decision within 30 days after the school board receives both the transcript of such hearing, if any, and the panel's finding of fact and recommendations unless the school board proceeds to a hearing under subdivision 5 c of this section. The decision of the school board shall be reached after considering the transcript, if any; the findings of fact and recommendations of the panel; and such further evidence as the school board may receive at any further hearing which the school board elects to conduct.
- c. In any case in which a hearing before a fact-finding panel is held in accordance with Step 4, the local school board may conduct a further hearing before such school board.
  - (1) The local school board shall initiate such hearing by sending written notice of its intention to the teacher and the division superintendent within 10 days after receipt by the board of the findings of fact and recommendations of the fact-finding panel and any transcript of the panel hearing. Such notice shall be provided upon forms to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.
  - (2) In any case where such further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further hearing the transcript, if any; the findings and recommendations of the fact-finding panel; and such further evidence including, but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems may be appropriate or as may be offered on behalf of the grievant or the administration.
  - (3) The further hearing before the school board shall be set within 30 days of the initiation of such hearing, and the teacher must be given at least 15 days written notice of the date, place, and time of the hearing. The teacher and the division superintendent may be represented by legal

counsel or other representatives. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the school board.

The school board's attorney, assistants, or representative, if he, or they, represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative, and the superintendent, may join the school board in executive session to assist in the writing of the decision.

A stenographic record or tape recording of the proceedings shall be taken. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally, and if either party requests a transcript, that party shall bear the expense of its preparation.

In the case of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to the expiration of the six month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

- (4) The decision of the school board shall be based solely on the transcript, if any; the findings of fact and recommendations of the fact-finding panel; and any evidence relevant to the issues of the original grievance procedure at the school board hearing in the presence of each party. The school board shall give the grievant its written decision within 30 days after the completion of the hearing before the school board. In the event the school board's decision is at variance with the recommendations of the fact-finding panel, the school board's written decision shall include the rationale for the decision.

- d. In any case where a hearing before a fact-finding panel is not held, the board may hold a separate hearing or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.

- e. The school board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel.

#### **8 VAC 20-90-40. Grievability.**

A. Initial determination of grievability. Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division superintendent or grievant. The school board shall reach its decision only after allowing the division superintendent and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be at the discretion of the school board. Decisions shall be made within 10 business days of such request. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any panel or board hearing or the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-business-day period shall entitle the grievant to advance to the next step as if the matter were grievable.

B. Appeal of determination on grievability.

1. Decisions of the school board may be appealed to the circuit court having jurisdiction in the school division for a hearing on the issue of grievability.

- a. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 business days after the date of the decision and giving a copy thereof to all other parties.
- b. Within 10 business days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken a copy of its decision, a copy of the notice of appeal and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court may, on motion of the grievant, issue a writ of certiorari requiring the school board to transmit the record on or before a certain date.
- c. Within 10 business days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court may, in its discretion, receive such other evidence as the ends of justice require.
- d. The court may affirm the decision of the school board or may reverse or modify the decision. The decision of the court shall be rendered not later than 15 days from the date of the conclusion of the court's hearing.

#### **8 VAC 20-90-50. Time Limitations.**

The right of any party to proceed at any step of this Part II grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this procedure.

- A. The failure of the teacher to comply with all substantial procedural requirements including initiation of the grievance and notice of appeal to the next step in the

procedure, shall eliminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.

- B. The failure of the school board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.
- C. The determination as to whether the substantial procedural requirements of this Part II of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievant to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.



**PART III**  
**Procedure for Dismissals or Placing on Probation and Time Limitations**

**8 VAC 20-90-60. Dispute resolution.**

This Part III of the Procedure for Adjusting Grievances adopted by the Board of Education in accordance with the statutory mandate of Article 3, (§ 22.1-306 et seq.) Chapter 15 of Title 22.1 of the Code of Virginia and the Standards of Quality for school divisions, Chapter 13.1 (§22.1-253.13:1 et seq.) of Title 22.1 of the Code of Virginia, is to provide an orderly procedure for the expeditious resolution of disputes involving the dismissal or placing on probation of any teacher.

**8 VAC 20-90-70. Procedure for dismissals or placing on probation.**

A. Notice to teacher of recommendation for dismissal or placing on probation.

1. In the event a division superintendent determines to recommend dismissal of any teacher, or the placing on probation of a teacher on continuing contract, written notice shall be sent to the teacher on forms to be prescribed by the Board of Education notifying him of the proposed dismissal, or placing on probation, and informing the teacher that within 15 days after receiving the notice, the teacher may request a hearing before the school board, or before a fact-finding panel as hereinafter set forth.
2. During such 15-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.
3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to § 22.1-311 or § 22.1-312 of the Code of Virginia, the division superintendent shall provide, within 10 days of the request, the teacher or his representative with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal or probation. Within 10 days of the request of the division superintendent, the teacher, or his representative, shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal or probation. The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party.

B. Fact-finding panel. Within 15 days after the teacher receives the notice referred to in subdivision A 1 of this section, either the teacher, or the school board, by written notice to the other party upon a form to be prescribed by the Board of Education, may elect to have a hearing before a fact-finding panel prior to any decision by the school board.

1. Panel. Within five business days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the employees of the school division other than an individual involved in the recommendation of dismissal or placing on probation as a supervisor,

witness, or representative. The two panel members so selected shall within five business days of their selection select a third impartial panel member.

2. Selection of impartial third member. In the event that both panel members are unable to agree upon a third panel member within five business days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which list one individual shall be selected by the two members of the panel as the third member. The individuals named by the chief judge may reside either within or without the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia and in all cases shall possess some knowledge and expertise in public education and education law, and shall be deemed by the judge capable of presiding over an administrative hearing. Within five business days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by the panel members alternately deleting names from the list until only one remains with the panel member selected by the teacher to make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.

The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.

3. Holding of hearing. The hearing shall be held by the panel within 30 calendar days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by legal counsel or another representative.
4. Procedure for fact-finding panel.
  - a. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.
  - b. The panel may ask, at the beginning of the hearing, for statements from the division superintendent and the teacher (or their representative) clarifying the issues involved.
  - c. The parties shall then present their claims and evidence. Witnesses may be questioned by the panel members, the teacher and the division superintendent. However, the panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross examination.

- d. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be the judge of relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.
- e. Exhibits offered by the teacher or the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.
- f. The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.
- g. The recommendations and findings of fact of the panel shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.
- h. The hearing may be reopened by the panel at any time before the panel's report is made upon its own motion or upon application of the teacher or the division superintendent for good cause shown to hear after-discovered evidence.
- i. The panel shall make a written report which shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 days after the completion of the hearing.
- j. A stenographic record or tape recording of the proceedings shall be taken. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by the mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.

In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

## 5. Expenses.

- a. The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.
- b. The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the chief judge of the circuit court. No employee of the

school division shall receive such per diem for service on a panel during his normal business hours if he receives his normal salary for the period of such service.

6. Right to further hearing. If the school board elects to have a hearing by a fact-finding panel on the dismissal or placing on probation of a teacher, the teacher shall have the right to a further hearing by the school board as provided in subsection C of this section. The school board shall have the right to require a further hearing as provided in subsection C also.
7. Witnesses. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

#### C. Hearing by school board.

1. After receipt of the notice of pending dismissal or placing on probation described in subdivision A 1 of this section, the teacher may request a hearing before the school board by delivering written notice to the division superintendent within 15 days from the receipt of notice from the superintendent. Subsequent to the hearing by a fact-finding panel under subsection B of this section, the teacher, as permitted by subdivision B 6 of this section, or the school board may request a school board hearing by written notice to the opposing party and the division superintendent within 10 business days after the receipt by the party initiating such hearing of the findings of fact and recommendations made by the fact-finding panel and the transcript of the panel hearing. Such notice shall be provided upon a form to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.
2. In any case in which a further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further hearing the record, or transcript, if any, the findings of fact and recommendations made by the fact-finding panel and such further evidence, including, but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems may be appropriate or as may be offered on behalf of the teacher or the superintendent.
3. The school board hearing shall be set and conducted within 30 days of the receipt of the teacher's notice or the giving by the school board of its notice. The teacher shall be given at least 15 days written notice of the date, place, and time of the hearing and such notice shall also be provided to the division superintendent.
4. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it, and such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence including the testimony of witnesses and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board. The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.

5. A record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The board shall bear the expense of the recording and the transcription.
6. The school board shall give the teacher its written decision within 30 days after the completion of the hearing before the school board.
7. The decision by the school board shall be based on the transcript, the findings of the fact and recommendations made by the fact-finding panel, and any evidence relevant to the issues of the original grievance produced at the school board hearing in the presence of each party.

The school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

#### D. School board determination.

1. In any case in which a hearing is held before a fact-finding panel but no further hearing before the school board is requested by either party, the school board shall give the teacher its written decision within 30 days after the school board receives both the transcript of such hearing and the panel's findings of the fact and recommendation. The decision of the school board shall be reached after considering the transcript, the findings of fact, and the recommendations made by the panel.
2. The school board may dismiss, suspend, or place on probation a teacher upon a majority vote of a quorum of the school board. In the event the school board's decision is at variance with the recommendation of the fact-finding panel, the school board shall be required to conduct an additional hearing which shall be public unless the teacher requests a private one. However, if the fact-finding hearing was held in private, the additional hearing shall be held in private. The hearing shall be conducted by the school board pursuant to subdivisions C 1 and 2 of this section, except that the grievant and the division superintendent shall be allowed to appear, to be represented, and to give testimony. However, the additional hearing shall not include examination and cross-examination of any other witnesses. The school board's written decision shall include the rationale for the decision.

#### **8 VAC 20-90-80. Time Limitations.**

The right of any party to proceed at any step of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this grievance procedure.

- A. The failure of the grievant to comply with all substantial procedural requirements shall terminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.
- B. The failure of the school board or of any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.
- C. The determination as to whether the substantial procedural requirements of this Part III of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievance to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

## **APPENDIX**

**FORMS FOR PART II  
OF THE PROCEDURE FOR  
ADJUSTING GRIEVANCES**

*Enclosed herein are the necessary forms for adjusting grievances in accordance with Part II of the  
Grievance Procedure of the State Board of Education.*

*The grievant is advised to become familiar with the procedure for adjusting grievances.  
Special emphasis should be given to the procedural steps.*

**VIRGINIA BOARD OF EDUCATION**



**STATEMENT OF GRIEVANCE**

**STEP 2 – TO BE PRESENTED TO PRINCIPAL**

Name of Grievant	Date Filed
School/Department of Assignment	Subject Area or Grade
Immediate Superior and/or Principal	Grievant's Representative
Policy, procedure, regulation, ordinance, statute being grieved, and date you knew of reasonably should have known of its occurrence:	
Statement of Grievance:	
Specific relief requested:	
Grievant's signature	Representative's signature
Date	Date

Date: February 2005

**PRINCIPAL'S DECISION**

**STEP 2 – DECISION TO BE PRESENTED TO GRIEVANT**

Name of grievant	Date grievance received
Decision of principal or designee:   ____ I lack the authority to grant the relief requested.	
Signature of principal or designee	Date
Is the above decision acceptable to grievant?	<u>Check one box</u> <input type="checkbox"/> Yes  <input type="checkbox"/> No
____ I hereby appeal this decision to Step 3, Superintendent's Level.	
Grievant's signature	Date

Date: February 2005

## SUPERINTENDENT'S LEVEL

### STEP 3 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date appeal received
------------------	----------------------

Decision of superintendent or designee:

Signature of superintendent or designee	Date
---	------

Is the above decision acceptable to the grievant?	<u>Check one box</u>
	<input type="checkbox"/> Yes
	<input type="checkbox"/> No

\_\_\_\_\_ I hereby appeal this decision.

Grievant's signature	Date
----------------------	------

Date: February 2005

## REQUEST FOR HEARING

### STEP 5 – DECISION TO BE PRESENTED TO GRIEVANT

Name of Grievant	Date grievance filed
------------------	----------------------

(Check one)

\_\_\_\_\_ I hereby petition the attached grievance be submitted to an advisory fact-finding hearing.

\_\_\_\_\_ Panel Designee

\_\_\_\_\_ I hereby waive my right to an advisory fact-finding hearing and petition that the following grievance be submitted to the board.

Grievant's signature	Representative's signature
Date	Date

Date: February 2005

**FORMS FOR PART III  
OF THE PROCEDURE FOR  
ADJUSTING GRIEVANCES**

**FORMS FOR PROPOSED DISMISSAL/PROBATION**

Enclosed herein are the necessary forms for proposed dismissal/probation proceeding as prescribed in Part III of the procedure enacted by the State Board of Education.

*VIRGINIA BOARD OF EDUCATION*

\_\_\_\_\_ PUBLIC SCHOOLS

**NOTIFICATION: NOTICE OF PROPOSED DISMISSAL OR PROPOSED  
PLACING ON PROBATION**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of teacher

\_\_\_\_\_  
School/department of assignment

(Check one)

\_\_\_\_\_ The Division Superintendent will recommend to the School Board that you be placed on probation for the period:

\_\_\_\_\_ to \_\_\_\_\_  
(date) (date)

At your request reasons for this recommendation will be provided to you in writing or in a personal interview.

\_\_\_\_\_ The Division Superintendent will recommend to the School Board that you be dismissed from your position as:

\_\_\_\_\_  
(position)

At your request reasons for this recommendation will be provided to you in writing or in a personal interview.

You have 15 days from receipt of this form to request, in writing, a hearing before the School Board or an advisory fact-finding panel as provided in the procedure. Please advise me as soon as possible whether you wish to have such a hearing (see attached form). Enclosed, for your information, is a copy of the procedure.

\_\_\_\_\_  
Signature of Superintendent

Date: February 2005

## REQUEST FOR HEARING

TO BE SUBMITTED TO SUPERINTENDENT

Name of Teacher	Superintendent's proposed action <input type="checkbox"/> Dismissal <input type="checkbox"/> Probation
-----------------	--

(Check one)

- ☐ I hereby request that I be afforded an advisory fact-finding hearing on the above referenced matter.

\_\_\_\_\_ Panel Designee

- ☐ I hereby waive my right to an advisory fact-finding hearing and request that I be afforded a hearing before the School Board on the above referenced matter.

Teacher's signature	Representative's signature
Date	Date

Date: February 2005

## SUPPORT STAFF GRIEVANCES

The School Board adopts the attached Procedure for Adjusting Grievances (GBMA-R) in accordance with state law<sup>11</sup> to afford a timely and fair method of resolution of disputes regarding dismissal or other disciplinary actions arising between the School Board and employees who have completed the probationary period set forth in policy GDG, except the division superintendent and those employees covered under the provisions of Article 2 (§ 22.1-293 et seq.) and Article 3 (§ 22.1-306 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia. Such procedure does not include a hearing before a fact-finding panel but is otherwise consistent with the State Board of Education's procedure for adjusting grievances.

Adopted:

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-79(6).

Cross Refs.:	GBM	Professional Staff Grievances
	GDG	Support Staff Probation



## PROCEDURE FOR ADJUSTING GRIEVANCES FOR SUPPORT STAFF

### Preamble

The School Board adopts the following procedure for adjusting grievances to provide, in accordance with the statutory mandate of 22.1-79(6) of the Code of Virginia, a timely and fair method of resolving disputes arising between the School Board and eligible employees regarding dismissal or other disciplinary actions.

### Part I-Definitions

The following words and terms, when used in this Procedure, shall have the following meaning:

**“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.

**“Disciplinary Probation” or “Probation”** means a period not to exceed one year during which time it shall be the duty of the employee to remedy the conduct that gave rise to the probationary status.

**“Dismissal”** means the termination of employment of any eligible employee within the term of such employee’s contract or term of employment for disciplinary reasons.

**“Eligible Employee” or “Employee”** means an employee who has completed the probationary period established in policy GDG excluding the division superintendent and those employees covered under Article 2 (§ 22.1-293 et seq.) and Article 3 (§ 22.1-306 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia. Substitutes, consultants, individuals receiving remuneration for providing contracted services and part-time employees are not eligible to use this Procedure.

**“Grievance”** means for the purpose of Part II, a dispute between an eligible employee and the School Board regarding disciplinary action other than the dismissal or disciplinary probation of the employee. Employee evaluations are not “disciplinary actions.” For the purpose of Part III, “grievance” means a dispute between an eligible employee and the School Board regarding such employee’s dismissal or probation. Grievances must be initiated in writing and describe the event or action complained of, the date of the event or action, a concise description of the basis for the claim and the relief requested on the form provided by the School Board. The term “grievance” does not include a dispute relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension; the establishment or contents of personnel policies, procedures, rules and regulations; failure to promote; or discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment in a particular subject, abolition of a particular subject, budget cuts or insufficient funding; hiring, transfer, assignment, and retention of employees within the school division; suspension from duties in emergencies; or the methods, means, and personnel by which the school division's operations are to be carried on. While these management rights are reserved to the School Board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the School Board may be grievable.

**“Personnel File”** means any and all memoranda, entries, or other documents included in the eligible employee’s file as maintained in the central school administration office or in any file regarding the eligible employee maintained within a school in which such employee serves.

**“Shall file,” “shall respond in writing” or “shall serve written notice”** means the document is either hand delivered to the grievant or office of the proper school board representative or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this Procedure. Such notice may be mailed to the last address provided by the grievant to the School Board. It is the duty of the grievant to notify the School Board in writing of any change of address.

**“Work Days”** means days the School Board office is open.

## **Part II**

### **Purpose**

Part II provides a timely and fair method of resolving disputes concerning disciplinary actions other than probation or dismissal. An equitable solution should be secured at the most immediate level of administration. This Part shall not be construed as limiting the right of any eligible employee to discuss any matter of concern with any member of the school administration. Nor should this Part be construed to restrict any employee’s right to seek, or the school administration’s right to provide, informal review of complaints that are not included in the definition of grievance. Nothing in this procedure shall be interpreted to limit the School Board’s exclusive final authority over the management and operation of the school division, nor confer any property right whatsoever.

### **Procedure**

#### **Management Steps:**

**Step 1-Immediate Supervisor.** The first Step shall be an informal conference between the eligible employee and his or her immediate supervisor. The employee shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. This Step may not be waived.

**Step 2-Principal.** If the grievance is not resolved in Step 1, the grievant may proceed to Step 2. At this Step, the grievant must file Form A with the Principal within fifteen days following the event giving rise to the grievance or within fifteen days following the time when the employee knew or reasonably should have known of its occurrence. Regardless of the outcome of Step 1, if Form A is not filed within the specified time, without just cause, the grievance shall be concluded. Form A shall be provided by the School Board. The grievant must indicate the specific relief requested on Form A.

A meeting shall be held between the principal and the grievant within five work days of the receipt of the grievance (Form A) by the principal. The principal shall set the time and place of the meeting. Both the grievant and the principal have the right to present appropriate witnesses

and to be represented by a representative other than an attorney. The principal shall respond in writing (on Form A) to the grievant within five work days following the meeting.

The principal may forward to the grievant, within five days from the receipt of the written grievance, a written request for more specific information regarding the grievance. The grievant shall file an answer within 10 days of receipt of the request, and the meeting must be held within five days after the answer is filed or due to be filed, whichever is earlier.

**Step 3-Superintendent.** If the grievance is not resolved to the grievant's satisfaction in Step 2, the grievant may proceed to Step 3 by so indicating on Form A and filing it with the superintendent within five work days after receipt of the Step 2 response (or the due date of such response). A meeting shall be held between the superintendent or his designee or both and the grievant at a mutually agreeable time within five work days of the superintendent's receipt of the grievance. Failure of the grievant to agree upon a meeting time shall result in the conclusion of the grievance. At such meeting, both the superintendent and the grievant are entitled to present witnesses and to be represented by legal counsel or another representative. A representative may examine, cross-examine, question, and present evidence on behalf of the grievant or the superintendent without violating § 54.1-3904 of the Code of Virginia. If the grievant's representative is an attorney, the grievant must give advanced notice to the superintendent and agree to a meeting date when the School Board attorney can attend. The superintendent shall determine the propriety of attendance at the meeting of persons not having a direct interest in the grievance. The superintendent shall respond in writing (on Form A) within five work days following the meeting.

The superintendent or designee may request more information from the grievant if such was not requested in Step 2. The grievant shall respond to such request within ten days of receipt, and the meeting shall be held within five days of the date on which the answer was received by the superintendent or due to the superintendent.

The grievant shall bear his or her own expenses. The School Board shall bear the expenses of the superintendent. Witnesses who are employees of the School Board shall be granted release time to appear at the meeting if the meeting is held during their working hours.

**Step 4-School Board.** If the grievance is not resolved to the satisfaction of the grievant, he or she may advance the grievance to the School Board by so indicating on Form A and filing it with the superintendent within five work days after the decision of the superintendent or the due date thereof. The superintendent shall forward the grievance record to the School Board within five work days of receipt of the Form A. The School Board may, at its option, hold a hearing or may make a decision based on the grievance record and written evidence presented by the grievant and the superintendent. The School Board shall provide its written decision to the grievant within thirty days of the hearing or, if no hearing is held, within thirty days of receipt of the grievance record.

If the School Board holds a hearing, the grievant will bear his own expenses and the School Board will bear the expenses of the superintendent. Witnesses who are employees of the School Board will be granted release time if the hearing is held during their working hours. The hearing shall be held at the school in which most witnesses work, if feasible.

The hearing will be set within 30 days of the Board's decision to have a hearing, and the grievant must be given at least 15 days written notice of the date, place, and time of the hearing. The grievant and the superintendent may be represented by legal counsel or another representative. The hearing before the School Board shall be private, unless the grievant requests a public hearing. The School Board shall establish the rules for the conduct of any hearing. Such rules shall include the opportunity for the grievant and the superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the School Board.

The School Board's attorney, assistants, or representative, if he, or they, represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any closed session of the School Board which has as its purpose reaching a decision on the grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the School Board's attorney or representative, and the superintendent, may join the School Board in closed session to assist in the writing of the decision.

A stenographic record or tape recording of the proceedings shall be taken unless the grievant and the School Board agree otherwise. If the recording is not dispensed with, the two parties shall share the cost of the recording equally, and if either party requests a transcript, that party shall bear the expense of its preparation.

The decision of the School Board shall be based solely on the transcript, if any; and any evidence relevant to the issues presented at the School Board hearing in the presence of each party. The School Board shall give the grievant its written decision within 30 days after the completion of the hearing.

The School Board may affirm, modify, or reverse the decision of the Superintendent. The decision of the School Board is final.

### **Part III**

#### **Purpose**

Part III provides a timely and fair method of resolving disputes regarding dismissal or placing on disciplinary probation. An equitable solution should be secured at the most immediate level of administration. This Part shall not be construed as limiting the right of any eligible employee to discuss any matter of concern with any member of the school administration. Nor should this Part be construed to restrict any employee's right to seek, or the school administration's right to provide, informal review of complaints that are not included in the definition of grievance. Nothing in this procedure shall be interpreted to limit the School Board's exclusive final authority over the management and operation of the school division, nor confer any property right whatsoever.

#### **Notice of Dismissal or Placing on Probation**

**Notice.** In the event the superintendent or designee decides to recommend the dismissal or placing on probation of an eligible employee, written notice shall be given to the employee on a

form provided by the School Board (Form B) notifying the eligible employee of the recommendation and informing the eligible employee that within fifteen days of receiving the notice, the eligible employee may request a meeting with the superintendent.

**Preliminary Information Gathering.** During the time between notice and the Step 1 meeting, the merits of the recommended action shall not be considered, discussed, or acted upon by the School Board. At the request of the eligible employee, the superintendent shall provide the reasons for the recommendation in writing, or if the eligible employee prefers, in a personal interview. At the request of the employee, the superintendent shall provide the employee or his representative with the opportunity to inspect and copy his personnel file and all other documents relied upon by the superintendent in reaching his decision, unless confidential by law. Within ten days of the request of the superintendent, the employee shall provide the superintendent the opportunity to inspect and copy the documents to be offered in rebuttal to the superintendent's decision. The superintendent and the employee shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief. The cost of copying shall be paid by the requesting party.

## **Procedure**

**Step 1-Superintendent.** Within fifteen days of receiving notice of the recommendation of dismissal or probation, the employee may initiate a grievance by submitting Form C to the superintendent. A meeting shall be held within five work days of the superintendent's receipt of the Form C at a time and place designated by the superintendent. Each party may be represented by an attorney or other representative and will have the opportunity to present witnesses and documents. The meeting shall be closed to all other persons. The superintendent shall provide a written response on Form C within five work days of the conclusion of the meeting. This step may be waived at the option of the employee.

**Step 2-School Board.** An eligible employee may initiate a grievance by filing Form C with the superintendent within fifteen days from the receipt of notice from the superintendent or within five days after the conclusion of Step 1. Form C shall be provided by the School Board. The employee shall specify each matter to be addressed by the School Board on Form C.

The hearing shall be scheduled and conducted within thirty days of the receipt of the grievant's Form C. The grievant shall be given at least fifteen days written notice of the date, place, and time of the hearing and such notice shall also be provided to the superintendent.

The grievant and the superintendent may be represented by legal counsel or another representative. The hearing before the School Board shall be private, unless the grievant requests a public hearing. The School Board shall establish the rules for the conduct of the hearing. Such rules shall include the opportunity for the grievant/representative and the superintendent/ representative to make opening and closing statements and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties to cross-examine the witnesses. Witnesses may also be questioned by the School Board.

A record or recording of the hearing shall be made and preserved for six months. If either the grievant or the School Board requests a transcript of the record or recording prior to the

expiration of the six month period, it shall be made and copies furnished to both parties. The School Board shall bear the expense of the recording and the transcription

The School Board shall provide the grievant a written decision within thirty days after the completion of the hearing. The decision shall be based on the grievance record and the information presented at the hearing, if any. The School Board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any closed session of the School Board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the School Board's attorney or representative and the superintendent may join the School Board in closed session to assist in the writing of the decision.

The School Board may accept, reject, or modify the recommendation of the superintendent. The decision of the School Board is final.

## **Part IV**

### **Determination of Grievability**

Decisions regarding whether a matter is grievable shall be made by the School Board at the request of the superintendent or grievant. The School Board shall reach its decision after allowing the superintendent and the grievant an opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be at the discretion of the School Board. A decision regarding grievability shall be made within ten days of such a request. The determination shall be made after the grievance is reduced to writing and prior to any School Board hearing or the right to such determination is waived. Failure of the School Board to make a timely determination shall entitle the grievant to advance to the next Step of the Procedure as if the matter were grievable.

### **Compliance with Procedural Requirements**

The right of any party to proceed at any step of this Procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this Procedure.

The failure of the grievant to comply with all substantial procedural requirements shall eliminate the grievant's right to proceed with the grievance unless just cause for the failure can be shown. The failure of the School Board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance the grievance to the next Step or at the final Step to a decision in his favor.

The determination as to whether the substantial procedural requirements of this Procedure have been followed shall be made by the School Board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown, the School Board shall have the option of allowing the grievant to proceed to the next Step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such

failure to observe the substantial procedural requirements as an affirmative defense at any further Step in this Procedure.

### **Separability**

If any portion of this Part of the Procedure, or the application thereof, is held invalid by a court of competent jurisdiction, the remainder of this procedure and the application thereof in all other circumstances where not expressly held invalid shall not be affected.

## Part II of Support Staff Procedure for Adjusting Grievances

**Grievant Signature and Date:**

**Grievant's Signature and Date:**



<b>III. Superintendent</b>
<b>Date Received:</b>
<b>Date of Meeting:</b>
<b>Decision:</b>
<b>Superintendent's Signature and Date:</b>
  _____ I accept the Superintendent's decision and conclude my grievance.  _____ I do not accept the Superintendent's decision and advance my grievance to Step IV by submitting this Form to the Superintendent.
<b>Grievant's Signature and Date:</b>

<b>IV. School Board</b>
<b>Date Received:</b>
<b>Date of Hearing (if any):</b>
<b>School Board Decision:</b>
<b>Signature of School Board Chair and Date:</b>

**Form B**  
**Notice of Dismissal or Probation**

<b>Name of Employee:</b>
<b>Name of School or Work Location:</b>
<b>Date:</b>
<p><b>Check one only:</b></p> <p><input type="checkbox"/> The superintendent has recommended that you be dismissed from your position effective _____.</p> <p><input type="checkbox"/> The superintendent has recommended that you be placed on probation effective _____ until _____.</p> <p>At your request, reasons for this recommendation will be provided to you in writing or in a personal interview.</p> <p>You have 15 days from the receipt of this form to initiate a grievance. Enclosed is a copy of the Procedure for Adjusting Grievances for Support Staff and Grievance Form C.</p> <p><b>Signature of Superintendent:</b></p>

**Form C**  
**Part III of the Procedure for Adjusting Grievances of Support Staff**

<b>I. General Information</b>
<b>Name of Grievant:</b>
<b>Name of School:</b>
<b>Date Action Being Grieved Occurred:</b>
<b>Description of Action Being Grieved:</b>
<b>Basis for Claim and Relief Sought:</b>
<div style="display: flex; justify-content: space-between;"><div style="width: 10%;"><input type="checkbox"/></div><div style="width: 90%;">I request a meeting with the Superintendent.</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 10%;"><input type="checkbox"/></div><div style="width: 90%;">I waive my right to a meeting with the Superintendent and request a hearing before the School Board.</div></div>
<b>Grievant Signature and Date:</b>

<b>II. Superintendent</b>
<b>Date Received:</b>
<b>Date of Meeting :</b>
<b>Decision:</b>
<b>Superintendent Signature and Date:</b>
<div style="display: flex; justify-content: space-between;"><div style="width: 10%;"><input type="checkbox"/></div><div style="width: 90%;">I accept the Superintendent's decision and conclude my grievance.</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 10%;"><input type="checkbox"/></div><div style="width: 90%;">I appeal the Superintendent's decision to the School Board.</div></div>

<b>III. School Board</b>
<b>Date Received by Superintendent:</b>
<b>Date of Hearing:</b>
<b>School Board Decision:</b>
<b>Signature of School Board Chair and Date:</b>

## STAFF HIRING PROCEDURES

It is the desire of the Southampton 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, or to move an employee whose performance is unsuccessful to a position in which he or she might be successful, or to discipline an employee for conduct deficiencies. Current division employees will be given an opportunity to apply for positions for which they are qualified. Vacancies within the division will be advertised on the internet <sup>1</sup>, in each school, and in the Central Office. The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate.

Application for employment in the Southampton County Public Schools shall be made in writing on forms provided by the Executive Director of Administration and Personnel.

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:

---



---

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

Cross Refs.:	AC	Nondiscrimination
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect

## VIRGINIA RETIREMENT SYSTEM

All eligible employees must be members of the Virginia Retirement System. Employee retirement benefits are governed by the rules and regulations established by the Virginia Retirement System.

Adopted:

---

---

---

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 Southampton 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 will be maintained and operated pursuant to a written plan.

The written plan will contain 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 will also address 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.<sup>1</sup> The written plan may 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). The written plan may incorporate by reference other documents which thereupon become part of the written plan.<sup>2</sup> The written plan may address termination of the program.

Every employee of the school division will annually be notified about the program.

Adopted:

---

---

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.

## PROFESSIONAL STAFF

No teacher shall be regularly employed by the School Board or paid from public funds unless such teacher holds a local teacher license or a license or provisional license issued by the State Board of Education. If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

The Virginia Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-298.1 and 22.1-299.

8 VAC 20-22-10 et seq.



## LOCAL LICENSES FOR TEACHERS

The Southampton County School Board recognizes that some high quality teachers may not meet the requirements for a state-issued, Board of Education collegiate or postgraduate professional license. Therefore, to ensure the placement of high quality teachers, the School Board will offer a three year nonrenewable local teacher license to qualified individuals who meet the requirements of this policy. If a teacher employed under a local teacher license is activated or deployed for military service within a school year (July 1 - June 30), the School Board may provide an additional year to the teacher's local teacher license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

### Qualifications

To be eligible for a local teaching license, an individual must have the following qualifications:

- a baccalaureate degree from an accredited college or university.
- appropriate experience or training in a relevant subject or content area

No local teacher license will be issued to teachers providing instruction in:

- special education.
- courses that represent core academic areas as defined by the federal No Child Left Behind Act of 2001, which currently include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Individuals eligible for a collegiate professional or postgraduate professional license issued by the state Board of Education shall not be eligible for a local teacher license.

### Conditions/Requirements

Teachers employed under a local license shall be considered probationary teachers and shall not be eligible for continuing contract status. During the three year local license period, teachers shall complete any training specified by the division superintendent, school board or the state Board of Education. Such training shall include curriculum and instruction, education technology, reading and other specific course content relating to the Standards of Learning, differentiation of instruction, classroom/behavior management and human growth and development.

The Board of Education shall issue a collegiate professional or postgraduate professional license to teachers employed under a local license if the following conditions are satisfied:

- the superintendent and school board recommend the teacher for state licensure.
- the teacher completes three successful years of teaching experience under a local license. The success must be certified by the superintendent and school board.
- the teacher earns a satisfactory score on the professional teacher's examination required by the state Board of Education.

- the teacher completes other standards as may be prescribed by the state Board of Education.

Locally licensed teachers who obtain a state collegiate professional or postgraduate professional license must serve a three year probationary period after attaining such license before being eligible for continuing contract status.

No more than ten percent of teachers employed by the school board may hold a local license. This figure shall be determined based on the number of teachers employed during the preceding year. The local license shall be valid only in the school division that issues the license.

#### Application Process

Any classroom teacher candidate may apply in writing to the superintendent for a local teaching license. Application for a local license shall include evidence of satisfying the eligibility criteria above. The superintendent or designee shall review each application and decide whether to recommend to the school board that the applicant be granted a local license. Upon recommendation of the superintendent, the school board may issue a local license to satisfactory applicants.

#### Reporting

The school board shall report information about teachers employed under a local license to the Board of Education.

Adopted:

---



---



---

Legal Refs: 20 U.S.C. § 7801(11).

Code of Virginia, as amended, §§ 22.1-298, 22.1-299 and 22.1-299.3.

Cross Refs:	GC	Professional Staff
	GCG	Professional Staff Probationary Term and Continuing Contract
	GCPD	Professional Staff Discipline

## 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 prescribed by the State 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:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.

8 VAC 20-440-10.

Cross Ref.:	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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-289.1, 22.1-313.

## SUPPLEMENTARY PAY

The Southampton County School Board will approve all categories of athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The Board will also establish the amount of compensation for employees who coach or supervise such activities.

A separate contract in the form prescribed by the State Board of Education shall be executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching. All such contracts will require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof will become effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302, and 22.1-313.

8 VAC 20-440-110.

8 VAC 20-440-120.

Cross Ref.: GCB Professional Staff Contracts

## STAFF FRINGE BENEFITS

The Southampton 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:

---

---

---

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

## 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:

---

---

---

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

## FAMILY AND MEDICAL LEAVE

### Generally

The Southampton 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 “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 Southampton County 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 Southampton 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 Southampton 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.<sup>1</sup> 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.<sup>2</sup>

#### **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<sup>3</sup>**

The division will provide<sup>4</sup> 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.<sup>5</sup>

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<sup>6</sup>

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.<sup>7</sup>

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 a United States Department of Defense (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. 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;
- (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 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.

### **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 active duty or call to active duty status of a covered military member, the division may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation and the date of the covered military member's 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 active duty or call to active duty status of the same or a different covered 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; and
- (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.

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 Southampton County School Division**

A husband and wife who are both eligible for family and medical leave and are employed by Southampton County school division shall be granted family and medical leave only for a combined total of twelve weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by Southampton 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 Southampton 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 service member 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 service member 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:

---



---



---

Legal Refs.: 29 U.S.C. §§ 207, 2611, 2612, 2613, 2614, 2618, 2619.

29 CFR 825.110, 825.115, 825.124, 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

## 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>.*

## 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 Medical Leave as described in Policy GCBE 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)<sup>1</sup> 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.

Prior 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), 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:

---

---

---

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

Cross Refs.:	GCBD	Staff Leaves and Absences
	GCBE	Family and Medical Leave
	GCBEB	Military Leave and Benefits

## MILITARY LEAVE AND BENEFITS

### Leave

All employees of Southampton 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.

#### Pay/Paid Leave

All employees on military leave will receive up to 15 days paid leave per federally funded tour of duty.

In addition, full-time employees of the Southampton County School Division whose active duty service with the regular armed forces of the United States or the National Guard or other reserve component requires his or her absence from employment will receive supplemental pay in the amount of **(to be determined by Southampton County Public Schools)** 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 **Joy Carr, Director of Finance**, if he or she wants to continue participation in the division's group health plan. Employees who elect to continue on the division's health plan will be responsible for the following payments:<sup>1</sup>

#### Retirement Benefits

An employee reemployed after military leave will be treated as not having incurred a break in service. The period of military leave will be considered service to the division for purposes of vesting and benefit accrual. The division is responsible for its pension plan funding obligation. The division is not required to make its contribution until the employee is reemployed.

The employee will be allowed, but not required, to make up his or her contributions to a contributory plan. The employee may repay his or her employee contributions for a period of up to three times the period of military service, but not to exceed five years. If the employee's retirement plan is contributory and the employee does not make up his or her contributions, he or she will not receive the employer match or the accrued benefit attributable to his or her contribution because the employer is required to make contributions that are contingent on the employee's contributions.

The employer and employee contribution will be calculated on the rate of pay the employee would have received but for the absence to serve military duty.

### Reemployment

An employee who is entitled to military leave by reason of service in the federal military reserves is entitled to be reemployed by the School Board as long as he or she

- has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise impossible or unreasonable);
- has not been absent from his or her job for more than five years; and
- returns to work as outlined below.

If the employee was absent from work for

- less than 31 days, he or she must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
- more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
- more than 180 days, the employee must submit an application for reemployment within 90 days after the completion of service.

Employees who are entitled to military leave due to service in the Virginia military reserves must make written application for reemployment within (1) 14 days of release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services does not exceed 180 days or (2) 90 days of his release from duty or from hospitalization following release if the length of the employee's absence by reason of service in the uniformed services exceeds 180 days.

Upon returning from duty, an employee will be restored to the same job he held before leaving or to a comparable job. The School Board is not obligated to reemploy persons returning from military leave in certain unusual situations specified by state and federal law.

### Termination after Reemployment

A person who is reemployed after returning from more than 30 days of military duty will not be discharged except for cause

- within one year after the date of reemployment, if the person's period of military service before the reemployment was more than 180 days; or
- within 180 days after the date of reemployment, if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

### Discrimination Against Members of Military Reserves Prohibited

Members of the military reserves will not be denied initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of that membership.

Adopted:



---

---

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.

## EMPLOYMENT OF FAMILY MEMBERS

The School Board may not employ or pay, and the superintendent may not recommend for employment, any family member of the superintendent or of a School Board member. This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who

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

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

No family member of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3119.

Cross Ref.: BBFA School Board Members Conflict of Interest  
GCI Professional Staff Assignments and Transfers



## EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

### Generally

The Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

### I. APPLICANTS FOR EMPLOYMENT

#### A. Criminal Convictions

As a condition of employment for all of its public school employees, whether full-time or part-time, permanent, or temporary, the Southampton County School Board shall require on its application for employment certification (i) that the applicant has not been convicted of a felony or any offense involving the sexual molestation, physical or sexual abuse or rape of a child; and (ii) whether the applicant has been convicted of a crime of moral turpitude.

The Southampton 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 Southampton 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, Southampton 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 Southampton 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 Southampton County School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.

III. For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code section 18.2-251 shall be treated as a conviction and as a finding of guilt.

## IV. COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECKS

### Option 2

The School Board shall pay for the fingerprinting, criminal record check and abuse and neglect check conducted pursuant to this policy.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, as amended, §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, 63.2-1515.

Cross Refs.: GCPF Suspension of Staff Members  
GCPD Professional Staff Discipline

## PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

### Substitute Teachers

Substitute teachers shall:

- (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
- (4) attend orientation to school policies and procedures; and

The Southampton County School Board shall seek to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.

A substitute teacher, as used in this section, is (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

### Homebound Teachers

Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.

### Part-Time Teachers

An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time.

Part-time teachers shall meet the certification requirements of the State Board of Education.

### Summer School Teachers

Summer school teachers shall meet all certification requirements.

### Interns

Arrangements for the utilization of interns in the school division should be initiated through the superintendent.

### Student Teachers

The school division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent shall have the responsibility for the assignment and placement of student teachers in the school system.

Student teachers shall not be used as substitute teachers.

Adopted:

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-302.

8 VAC 20-640-10.

Cross Ref.: GCB Professional Staff Contracts  
GCPD Professional Staff Discipline  
GCDF Suspension of Staff Members



## PROFESSIONAL STAFF PROBATIONARY TERM AND CONTINUING CONTRACT

### Teachers

#### Probationary Term

A probationary term of service of three years in Southampton County School Division shall be required before a teacher is issued a continuing contract. Service under a local teacher license shall not count towards satisfying this probationary requirement. A mentor teacher shall be provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the Superintendent. Probationary teachers shall be evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. The Superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract. If a probationary teacher's evaluation is not satisfactory, the School Board shall not reemploy the teacher.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. Southampton County School Division will provide 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 one year, 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 one year, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the Superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the contract must be given by the board on or before June 15 of each year. If the teacher requests a conference with the Superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the Superintendent notifies the teacher of his intention with respect to the recommendation.

#### Continuing Contract

Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire. Written notice of noncontinuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than June 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body.

#### Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by April 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. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, his designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds a supervisory provision as specified in the regulations of the State Board of Education and who is required to hold a certificate as prescribed by the State Board of Education.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304.

Cross Refs.:	GBM	Professional Staff Grievances
	GCA	Local Licenses for Teachers
	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 Southampton 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-293, 22.1-295, 22.1-297

Cross Ref: GCCB Employment of Family Members

## PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

### A. Assignment.

Every effort shall be made by the superintendent to assure that individuals are assigned to positions that are consistent with their abilities.

1. Administrators and supervisors other than principals. Assignment of administrative positions shall be based upon leadership skills, scholarship, character, special abilities or skills, and competence.
2. Principals and Teachers. The division superintendent shall have authority to assign to their respective positions in the school wherein they have been placed by the School Board all teachers, principals and assistant principals.

### B. Reassignments/Transfers

The division superintendent may reassign any such teacher, principal or assistant principal for that school year to any school within such division provided no change or reassignment during a school year shall affect the salary of such teacher, principal or assistant principal for that school year. Teachers may request a change of assignment within the areas of their certification. The administration shall develop procedures for the handling of voluntary teacher transfer requests.

As used in this policy, "supervisor" means a person who holds a 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-297.

## PROFESSIONAL STAFF DEVELOPMENT

The Southampton County School Board will provide a program of high-quality professional development

- (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels;
- (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;
- (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and
- (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, the board will also provide teachers and principals with high-quality professional development programs each year in

- (i) instructional content;
- (ii) the preparation of tests and other assessment measures;
- (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives;
- (iv) instruction and remediation techniques in English, mathematics, science, and history and social science;
- (v) interpreting test data for instructional purposes; and
- (vi) technology applications to implement the Standards of Learning; and
- (vii) effective classroom management.

All instructional personnel are required to participate each year in professional development programs.

The board will annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

Adopted:

---

---

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

8VAC 20-450-10.

## EVALUATION OF PROFESSIONAL STAFF

Every employee of the Southampton County School Board will be evaluated on a regular basis at least as frequently as required by law.

The superintendent shall assure that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The primary purposes of evaluation are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals.

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

If a teacher's performance evaluation during the probationary period is not satisfactory, the School Board shall not reemploy the teacher.

Adopted:

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-295, 22.1-303, 22.1-313, 22.1-253.13:7.C.7 and 22.1-276.2.

Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers (Virginia Board of Education April 2011)  
([http://www.doe.virginia.gov/teaching/performance\\_evaluation/guidelines\\_ups\\_eval\\_criteria\\_teachers.pdf](http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_teachers.pdf)).



Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals (Virginia Board of Education February 2012)  
([http://www.doe.virginia.gov/teaching/performance\\_evaluation/guidelines\\_ups\\_eval\\_criteria\\_principals.pdf](http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_principals.pdf)).

Cross Ref.:	CBG	Evaluation of the Superintendent
	GCG	Professional Staff Probationary Term and Continuing Contract

## REDUCTION IN PROFESSIONAL STAFF WORK FORCE

A decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program or department, or in the entire school division.

General reduction in total personnel and redistribution of personnel within designated programs shall be done in accordance with regulations adopted by the Board.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-304, 22.1-305(G).

Cross Ref.: GCG Professional Staff Probationary Term and Continuing Contract

## RESIGNATION OF STAFF MEMBERS

The superintendent is authorized to approve resignations of employees. Any resignation must be in writing.

A teacher may resign after June 15 of any school year with the approval of the superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the superintendent. In the event that the Board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the superintendent. The superintendent will inform the School Board of the resignation at its next regular meeting.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-304.

8 VAC 20-440-160.

Cross Refs.: GCPD Professional Staff Discipline  
GDB Support Staff Employment Status

## PROFESSIONAL STAFF DISCIPLINE

### A. Probation and Dismissal

Teachers may be dismissed or placed on probation for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause. "Incompetency" includes, but is not be limited to, consistent failure to meet the endorsement requirements for the position or performance that is documented through evaluation to be consistently less than satisfactory

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 Southampton 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:

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-274, 22.1-296.2, 22.1-303, 22.1-304, 22.1-307, 22.1-313, 22.1-315.

Cross Refs.: GCE Part-Time and Substitute Staff Employment  
GCG Professional Staff Probationary Term and Continuing Contract  
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect  
GCPF Suspension of Staff Members  
JHC Student Health Services and Requirements

## SUSPENSION OF STAFF MEMBERS

Employees of Southampton 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.2, 22.1-315.

Cross Refs.	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GDG	Support Staff Probationary Period
	GBMA	Support Staff Grievances
	GBMA-R	Procedure for Adjusting Grievances for Support Staff
	GCPD	Professional Staff Discipline

## NONSCHOOL EMPLOYMENT BY STAFF MEMBERS

Employees may, during the hours not required of them to fulfill their responsibilities to Southampton County School Board, engage in other employment as long as such employment does not detract from or interfere with their employment by Southampton County School Board.

An employee who is on leave from Southampton County School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent<sup>1</sup>.

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:

---

---

---

Legal Ref.: 29 C.F.R. 825.216(e).

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

Cross Refs.:	BBFA	School Board Members Conflict of Interest
	GAA	Staff Time Schedules
	GCBE	Family and Medical Leave
	GCBEA	Leave Without Pay
	GCBEB	Military Leave and Benefits
	GCQAB	Tutoring for Pay
	GCQB	Staff Research and Publishing

---

.



## TUTORING FOR PAY

Staff members may not be paid by anyone other than the Southampton County School Board for tutoring students enrolled in a class under their direction.

Adopted:

---

---

---

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

## STAFF RESEARCH AND PUBLISHING

The Southampton County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of division operations. The superintendent shall establish regulations pursuant to which the ownership rights to works produced by employees within the scope of their employment may be assigned.

Employees who develop materials, including instructional materials and computer programs, outside the scope of their employment that have a connection to or are related to the division shall inform the superintendent in writing of their intent to develop such materials prior to commencing work.

Adopted:

---

---

---

Legal Ref.: 17 U.S.C. §§ 101, 102, and 201.

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

Cross Refs.:	EGAAA	Reproduction of Copyrighted Materials
	GCQA	Nonschool Employment by Staff Members

## SUPPORT STAFF

Support staff personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Adopted:

---

---

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

Cross Refs.:	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCPB	Resignation of Staff Members
	GCPF	Suspension of Staff Members
	GDB	Support Staff Employment Status

## SUPPORT STAFF EMPLOYMENT STATUS

Support staff are not issued written contracts unless such contracts are required by law.

The school division employs three types of support staff:

- Temporary employees who are hired for short-term needs on a daily basis; these employees do not receive benefits and are paid only for hours worked.
- Probationary employees who are fully qualified new employees assigned to authorized positions; these employees are eligible for salary increases and receive benefits.
- Regular employees who have successfully completed the prescribed probationary period; regular employees receive all employment benefits available under School Board policy.

The employment of support personnel may be terminated with fifteen calendar days' notice. Support personnel may also be subject to immediate dismissal for just cause.

Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment by Southampton County School Board.

Employees of Southampton County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

Adopted:

---

---

---

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
	GBMA-R	Procedure for Adjusting Grievances for Support Staff
	GCPF	Suspension of Staff Members

## SUPPORT STAFF PROBATIONARY PERIOD

The probationary period for all support staff positions is **TWELVE (12) MONTHS**

Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.

Adopted:

---

---

---

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

Cross Ref.: GBMA Support Staff Grievances  
GBMA-R Procedure for Adjusting Grievances for Support Staff  
GD Support Staff  
GDB Support Staff Employment Status

## SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.

Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.

Adopted:

---

---

---

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

## EVALUATION OF SUPPORT STAFF

Every employee of the Southampton 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:

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-313, 22.1-253.13:7.C.7.

Cross Ref.:	CBG	Evaluation of the Superintendent
	GCN	Evaluation of the Professional Staff
	GD	Support Staff
	GDB	Support Staff Employment Status
	GDG	Support Staff Probationary Period
	GDPF	Suspension of Staff Members

## SCHOOL BUS DRIVERS

The school division shall implement a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

### Prohibited conduct

Drivers shall be 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 physician who has advised the driver that the substance does not adversely affect his ability to safely operate a motor vehicle.

### Required testing

Drivers shall be subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers shall be subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.

### Notification

Each driver shall receive educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver shall sign a statement certifying that he/she has received a copy of the above materials and the division shall maintain this signed copy.

Before performing each alcohol or controlled substances test, the division will notify the driver that the test is required by federal law or regulation.

### Consequences if testing indicates drug or alcohol misuse

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

### Record retention



The division shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

#### Test procedure

The division shall administer controlled substance tests in accordance with federal laws governing test procedure and testing sites. The division shall take steps to insure proper training and testing procedures are provided.

Adopted:

---

---

Legal Refs.: 49 U.S.C. § 31136

49 CFR § 382.101 et seq.

Code of Virginia, 1950, as amended, § 22.1-178.

8 VAC 20-70-280.

Cross Ref.: GBEA      Unlawful Manufacture, Distribution, Dispensing, Possession or Use  
of a Controlled Substance

---

## **SECTION I: Instruction**

---

IA	Instructional Goals and Objectives
IAA	Notification of Learning Objectives
IB	Academic Freedom
IC/ID	School Year/School Day
IE	Moment of Silence
IEA	Pledge of Allegiance
IEB	National Motto
IEC	Bill of Rights of the Constitution of the United States
IF	Curriculum Development and Adoption
IFE	Curriculum Guides and Course Outlines
IGA	Basic Instructional Program
IGAD	Career and Technical Education
IGAE/IGAF	Health/Physical Education
IGAG	Teaching about Drugs, Alcohol, and Tobacco
IGAH	Family Life Education
IGAI	Character Education
IGAJ	Driver Education
IGAK	Alternatives to Animal Dissection
IGBA	Programs for Students With Disabilities
IGBB	Programs for Gifted Students
IGBC	Parental Involvement
IGBE	Remedial and Summer Instruction Program
IGBF	Limited English Proficient Students

---

## SECTION I: Instruction

---

IGBG	Homebound, Correspondence, and Alternative Means of Instruction
IGBGA	Online Courses and Virtual School Programs
IGBH	Alternative School Programs
IGBI	Advanced Placement Classes and Special Programs
IGDA	Student Organizations
IGE	Adult Education
IHA	Grouping for Instruction
IHB	Class Size
IIA	Instructional Materials
IIAA	Textbook Selection, Adoption, and Purchase
IIAB	Supplementary Materials Selection and Adoption
IIAE	Innovative or Experimental Programs
IIBD	School Libraries/Media Centers
IIBEA/GAB	Acceptable Computer System Use
IIBEA-R/ GAB-R	Acceptable Computer System Use
IIBEA-E	Sample Letter to Parents: Acceptable Computer System Use
IIBEA-E2/ GAB-E1	Acceptable Computer System Use Agreement
IICA	Field Trips
IICB/IICC	Community Resource Persons/School Volunteers
IJ	Guidance and Counseling Program
IKA	Parental Assistance with Instruction
IKB	Homework

---

## **SECTION I: Instruction**

---

IKEB	Acceleration
IKF	Standards of Learning Tests and Graduation Requirements
IKFA	Locally Awarded Verified Credits
IKG	Remediation Recovery Program
IKH	Retaking SOL Assessments
IL	Testing Programs
INB	Teaching about Controversial Issues
INDC	Religion in the Schools

## INSTRUCTIONAL GOALS AND OBJECTIVES

### A. Generally

The Southampton County 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 shall be provided that are consistent with personal development and potential. Programs shall emphasize diagnostic and prescriptive instruction, allowing an individual approach to each student's learning style and educational needs.

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

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

### B. Standards of Quality and Objectives

The School Board accepts the overall goals of public education as expressed by the Standards of Quality legislated by the Virginia General Assembly and implemented by State Board of Education regulations. Education seeks to aid each student, consistent with his/her abilities, to:

1. Develop competence in the basic learning skills;
2. Develop the intellectual skills of rational thought and creativity;
3. Acquire knowledge and process skills of science and technology;
4. Progress on the basis of achievement;
5. Qualify for further education and/or employment;
6. Develop personal standards of ethical behavior and moral choice;
7. Participate in society as a responsible family member and citizen;
8. Develop a positive and realistic concept of self and others;
9. Practice sound habits of personal health and physical fitness;
10. Enhance the quality of the environment;
11. Develop skills, knowledge, and attitudes regarding the arts;

12. Acquire a basic understanding and appreciation of democracy and the free enterprise system;
13. Raise student and school achievement in the core Standards of Learning.
14. Develop proficiency in the use of computers and related technology.

C. Standards of Quality - Programs and Services

The School Board commits itself to providing programs and services as stated in the Standards of Quality to an extent proportionate to the availability of state and local funding.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1 et seq.

8 VAC 20-131-10 et seq.

## NOTIFICATION OF LEARNING OBJECTIVES

### I. Annual Notice

At the beginning of each school year, each school within the Southampton County School Division will provide 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 will certify 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 will notify the parent of rising eleventh and twelfth grade students of

- the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the Standards of Accreditation and
- the remaining number and subject area requirements of such units of credit the individual student requires for graduation.

#### B. The School Board will notify the parent of students with disabilities who have an Individualized Education Program (IEP) and who fail to meet the requirements for a standard or advanced studies diploma of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.

#### C. The School Board will notify the parent of students who fail to graduate or who fail to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation and who have not reached 20 years of age on or before August 1<sup>st</sup> of the school year of the right to a free public education. If the student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the School Board will notify the parent of the student's opportunity for a free public education in accordance with Va. Code § 22.1-5.

Adopted:

---

---

---

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

8 VAC 20-131-270.

Cross Refs.:	IGBC	Parental Involvement
	IKF	Standards of Learning Tests and Graduation Requirements



## ACADEMIC FREEDOM

The School Board seeks to educate young people in the democratic tradition, to foster 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 will be encouraged and fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate examples the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth of Virginia.

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Such home and classroom work shall be evaluated by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-203.3.

Cross Refs.:	IKB	Homework
	INDC	Religion in the Schools

## SCHOOL YEAR/SCHOOL DAY

### School Year

The length of the school year will be 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 will be made up as provided below if necessary to meet these requirements.

### Make Up Days

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in a school division for

- five or fewer days, all missed days will be 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 will be 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 a 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 school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency 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 division superintendent and chairman of the school board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

### School Calendar

The first day of school will be after Labor Day unless the Board of Education waives this requirement based on the school board's certifying that it meets one of the good cause requirements in the Code of Virginia, § 22.1-79.1.B.<sup>1</sup>

The school board will establish the division's calendar and teaching contracts in accordance with applicable regulations of the Board of Education to include contingencies for making up teaching days and teaching hours missed for emergency situations.

An advisory committee composed of teachers, parents, and school administration may be utilized to recommend a proposed calendar to the superintendent. The recommendation of this committee shall be considered advisory.

## School Day

The standard school day for students in grades 1 through 12 will average at least 5-1/2 hours, excluding breaks for meals. The standard school day for kindergarten is a minimum of three hours.<sup>2</sup>

All students in grades 1 through 12 will 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 shall provide students with a daily recess during the regular school year, as determined appropriate by the school.

The secondary school class schedule shall contain a minimum of 140 clock hours for each unit of credit. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided.

The time for opening and closing schools will be established by the school board upon recommendation of the division superintendent, provided that the daily program for students in grades 1 through 12 will average at least 5 1/2 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 will be at least three hours, not including meal intermissions.

When exceptions in the length of the daily program are necessary for special education, alternative education, double shifts, and scheduling or other unusual situations, the board will request 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 will be determined by the school board. It will be 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.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended §§ 22.1-26, 22.1-79.1, 22.1-98.

8 VAC 20-131-150

8 VAC 20-131-200.

Cross Ref.: GAA                      Staff Time Schedules

---



## MOMENT OF SILENCE

The Southampton 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. However, the teacher responsible for each class shall not influence, in any way, students to pray or meditate or not to pray or meditate during the moment of silence. Students and employees are prohibited from praying aloud during the moment of silence.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, § 22.1-203; Virginia State Board of Education “Guidelines Concerning Religious Activity in the Public Schools;” *Wallace v. Jaffree*, 472 U.S. 38 (1985).

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance, as established in 4 U.S.C. § 4, shall be recited daily in each classroom of the Southampton 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:

---

---

---

Legal Refs: 4 U.S.C. § 4.

Code of Virginia, 1950, as amended, § 22.1-202.

Cross Refs.:	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## NATIONAL MOTTO

The statement “‘In God We Trust,’ the National Motto, enacted by Congress in 1956” shall be posted in a conspicuous place in each school for all students to read.

Adopted:

---

---

---

Legal Ref: Acts 2002, c. 891.

BILL OF RIGHTS OF THE  
CONSTITUTION OF THE UNITED STATES

The Bill of Rights of the Constitution of the United States shall be posted in a conspicuous place in each school for all students to read.

Adopted:

---

---

---

Legal Ref: Acts 2003, c. 902.



## CURRICULUM DEVELOPMENT AND ADOPTION

The curriculum shall meet or exceed the requirements of the Code of Virginia and regulations of the State Board of Education and shall be aligned to the Standards of Learning. The curriculum is a means to achieve pupil learning.

Curriculum development is a goal-based process. The process encompasses (1) identification of division goals, (2) identification of program goals and student learning results, (3) curriculum evaluation, and (4) curriculum improvement.

The purposes of the process are to:

1. Respond to the division needs assessment.
2. Define desired student learning results in each curriculum area.
3. Evaluate the curriculum and its implementation.
4. Provide for continuous curriculum improvement.
5. Provide for curriculum coordination within, between and across grade levels.
6. Determine how well individual students accomplish program goals and achieve expected learning results.
7. Provide a process for staff and community input in developing and implementing curriculum.

The School Board expects the administration and faculty to evaluate the educational program and regularly to report findings and recommendations to the board. These recommendations shall include modifications of desired learning results, division or program goals, new courses or course content, resources, materials, and learning experiences.

Proposed curriculum and program changes shall be submitted, in writing, to the assistant superintendent for review with recommendations to the superintendent.

The superintendent shall present new courses and new educational programs to the Board for action, as well as programs and courses that have extensive revisions or additions.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.B.

8 VAC 20-131-10 et seq.

Cross Ref.: AF Comprehensive Plan

## CURRICULUM GUIDES AND COURSE OUTLINES

The staff, under the direction of the superintendent, shall develop curriculum guides and courses of study and shall provide for continuing review and revision of these documents. The superintendent shall annually budget funds to support these ongoing projects, and is authorized to create advisory committees composed of staff, if necessary, to carry out this policy.

Adopted:

---

---

---

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

## 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 Southampton 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1 et seq.

8 VAC 20-131-10 et seq.

## CAREER AND TECHNICAL EDUCATION

The Southampton County School Board will provide 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 shall include counseling about available employment opportunities and placement services for students exiting school.

The School Board will develop and implement a plan to ensure compliance with this Policy. This plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:1.  
8 VAC 20-120-40.

Cross Ref.: IJ Guidance and Counseling Program

## HEALTH EDUCATION/PHYSICAL EDUCATION

Each school shall organize and maintain a physical and health education program in accordance with State Board of Education regulations and State Board of Health guidelines.

The Southampton County school division's goal is that a program of physical fitness will be available to all students for at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular activities, and other programs and activities.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207, 22.1-212.1:1, 22.1-253.13:1.D.14.

8 VAC 20-720-90.

Cross Refs.:	IGAG	Teaching About Drugs, Alcohol, and Tobacco
	JHCA	Physical Examinations of Students
	JHCF	Student Wellness
	JO	Student Records

## TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

Each student shall receive instruction related to alcohol and drug abuse and smoking and health. The health education program will include instruction in drug and substance abuse prevention. It will encourage and support organizations and activities that will develop a positive peer influence concerning substance abuse and create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear of reprisal.

Each student shall receive instruction concerning the public safety hazards and dangers of alcohol abuse, underage drinking, and drunk driving.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-206.

8 VAC 20-720-90.

## FAMILY LIFE EDUCATION (FLE)

### Generally

The Southampton County School Board approves the inclusion of family life education (FLE) in the curriculum. Instruction shall be organized and maintained under the FLE standards of learning objectives developed by the State Department of Education.

### Community Involvement Team

Under procedures approved by the School Board, a community involvement team<sup>1</sup> shall be established. The team may include but not be limited to school administrators, teachers, parents, clergy, medical professionals, mental health professionals, and others in the community.

### Instructional Materials

All instructional materials used in family life education (FLE) must be approved by the superintendent or his/her designee. No materials relating to FLE may be available for circulation to students through the school libraries or resource and media centers unless the School Board has approved these materials.

### Staff Training

Teachers in the Family Life Education program will participate in the training program sponsored by the Virginia Department of Education.

### Grade Level Leaders

The superintendent, or a designee, shall appoint a FLE leader for each grade level. The FLE leader will assist in training teachers, work with the community involvement team, and assist in the implementation and evaluation of the program.

### Separate Sessions

Portions of classes in the FLE program which deal exclusively with human sexuality may be conducted in separate sessions for boys and girls.

### "Opt-out" Procedures

The superintendent shall develop "opt-out" procedures for parents or guardians who do not want their children included in all or part of the FLE program.

### Annual Review

---

The FLE curriculum shall be reviewed annually. Such review shall allow for community input.

#### Right of Parental Review

A parent or guardian shall have the right to review the family life curricula, including all supplemental materials used in the program.

The school board shall develop and distribute to the parents or guardians of students participating in the family life education 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 shall reflect the curricula of the program as taught in the classroom. The following statement will be 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207.1, 22.1-207.2.

8 VAC 20-131-170.

Virginia Department of Education, Family Life Education: Board of Education Guidelines and Standards of Learning for Virginia Public Schools (revised 2009) ([http://www.doe.virginia.gov/testing/sol/standards\\_docs/family\\_life/familylife\\_guide\\_lines\\_standards.pdf](http://www.doe.virginia.gov/testing/sol/standards_docs/family_life/familylife_guide_lines_standards.pdf))

Cross Refs.: IIA Instructional Materials  
INB Teaching About Controversial Issues  
KLB Public Complaints About Learning Resources



## CHARACTER EDUCATION

The Southampton County School Board shall establish, within its existing programs or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the school division, or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems, and develop civic-minded students of high character. The program shall be cooperatively developed with students, parents, and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring, and citizenship.

Character education shall be interwoven into the school procedures and environment so as to instruct primarily by example, illustration, and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program shall also address the inappropriateness of bullying, as defined in the Student Conduct Policy Guidelines adopted by the Board of Education pursuant to § 22.1-279.6.

Each local character education program shall

- specify those character traits to be taught, selecting from those which are common to diverse social, cultural, and religious groups;
- be implemented at the elementary and secondary levels;
- provide for relevant professional development and adequate resources; and
- include 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:

---



---



---

Legal Refs.: U.S. Const. amend. 1.

Code of Virginia, 1950, as amended, § 22.1-208.01.

Superintendent's Memorandum No. 45 (Mar. 10, 2000).

Cross Refs.:	IKF	Standards of Learning Tests and Graduation Requirements
	INB	Teaching About Controversial Issues
	INDC	Religion in the Schools

## DRIVER EDUCATION

A program of driver education in the safe operation of motor vehicles and knowledge of rules, regulations and laws shall be offered in the high schools. The program shall consist of classroom training and "behind the wheel training." The School Board shall establish fees, that do not exceed the limit established by the State Department of Education, for the "behind the wheel" portion of the program. The School Board may also request approval from the Board of Education to assess a surcharge to recover program costs that exceed state funding. 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. The program shall include instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, distracted driving, organ and tissue donor awareness, and fuel-efficient driving practices.<sup>1</sup>

No student shall be 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 shall be provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

At the beginning of each school year and thereafter as necessary, the Superintendent shall report 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:

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-204; 22.1-205; 46.2-335, 46.2-325, 46.3-334, 46.2-340.

8 VAC 20-340-10.

Cross Ref.: JED Student Absences/Excuses/Dismissals  
JFC-R Standards of Student Conduct  
JN Student Fees, Fines, and Charge

## ALTERNATIVES TO ANIMAL DISSECTION

The **BLANK** School Board provides one or more alternatives to animal dissection for students enrolled in biological sciences classes that incorporate dissection exercises. These alternatives may include computer programs, Internet simulations, plastic models, videotapes, digital videodiscs, and charts. The alternative techniques require a comparable amount of time and effort as do the dissection exercises and provide comparable depth and scope of learning. The alternative techniques provide the student, through means other than dissection, with knowledge similar to that expected to be gained by other students in the course who perform, participate in, or observe the dissection. Testing procedures that do not require the use of dissected specimens are provided for those students who choose an alternative technique.

A student's objection to participating in an animal dissection should be substantiated by a signed note from his or her parent or guardian.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-200.01.

Guidelines for Alternatives to Dissection (Attachment to Virginia Department of Education Superintendent's Memo #161 (Aug. 6, 2004)).

## PROGRAMS FOR STUDENTS WITH DISABILITIES

A child find program shall be established and designed to identify, locate and evaluate those children from birth to 21 inclusive who may have disabilities and may need special education and related services. The Board shall ensure that a free, appropriate public education will be available for all children and youth with disabilities, ages 2 through 21, who are residents of BLANK.

The School Board shall ensure that students with disabilities and their parents or guardians are guaranteed the appropriate procedural safeguards in the process of identification, evaluation, placement, and provision of an appropriate education program. To the maximum extent appropriate, students with disabilities will be educated with children who are not disabled. Prior to the identification, evaluation, placement, or provision of a free appropriate public education to a disabled student, a full explanation of all procedural safeguards shall be made available to parents.

An Individualized Education Program (IEP) shall be designed and maintained for each child eligible for special education under the Individuals with Disabilities Education Act. The program will be developed in a meeting with 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 and other individuals at the discretion of the parents or school division in accordance with State and federal law. This IEP shall be reviewed at least annually.

The IEP shall be inclusive of areas specified by state and federal statutes and regulations.

Adopted:

---

---

---

Legal Refs.: 20 U.S.C. § 1400 et seq.

29 U.S.C. § 701 et seq.

42 U.S.C. § 12101 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-213, 22.1-215.

8 VAC 20-81-50.

8 VAC 20-81-80.

8 VAC 20-81-100.

8 VAC 20-81-110.

8 VAC 20-81-130.

8 VAC 20-81-170.

## PROGRAMS FOR GIFTED STUDENTS

The Southampton 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.<sup>1</sup>

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:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-18.1, 22.1-253.13:1.D.6.

8 VAC 20-40-40.

8 VAC 20-40-55.

8 VAC 20-40-60.

Cross Refs.:	BCF	Advisory Committees to the School Board
	IKEB	Acceleration

## PARENTAL INVOLVEMENT

### Generally

The Southampton County School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The Southampton County School Board endorses the parental involvement goals of Title I (20 U.S.C. § 6318) and Title III (20 U.S.C. § 7012(e) and encourages the regular participation by parents of all children including those eligible for Title I and Limited English Proficiency (LEP) programs in all aspects of those programs.

In keeping with these beliefs, it is the intention of the Southampton County School Board to cultivate and support active parental involvement in student learning. The Southampton County School Board will:

- provide activities that will educate parents regarding the intellectual and developmental needs of their children. These activities will 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;
- implement 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 district educational programs as well as of their child's participation and progress with these programs;
- enable families to participate in the education of their children through a variety of roles. For example, family members may:
  - provide input into district policies
  - volunteer time within the classroom and school program
- provide professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies;
- perform regular evaluations of parent involvement at each school and in the district;
- provide access, upon request, to any instructional material used as part of the educational curriculum;
- if practicable, provide information in a language understandable to parents.

In addition, for parents of students eligible for LEP programs, the School Board will inform 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 Southampton County School District encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the District's Title I plan. Parents may participate by regulations contained in the Code of Federal Regulations and those approved by the Board.

#### Parental Involvement in School Review and Improvement

The Southampton County School District encourages parents of children eligible to participate in Title I, Part A, and LEP programs to participate in the process of school review and, if applicable, school improvement as implemented by the No Child Left Behind Act of 2001, 20 U.S.C.

§ 2316. Parents may participate by [INSERT OPPORTUNITIES FOR PARTICIPATION HERE.]

#### District Responsibilities

The Southampton County School District, and each school which receives Title I, Part A, funds, **WILL**:

- provide assistance to parents of children served by the school or district, as applicable, in understanding topics such as Virginia's academic content standards and student academic achievement standards, state and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
- educate teachers, pupil services personnel, principals, and other staff, with the assistance of parents, in the value 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, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children;

- ensure 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; and
- provide such other reasonable support for parental involvement activities as parents may request.

The Southampton County School District, 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 district has exhausted all other reasonable 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 districtwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section; and,
- develop appropriate roles for community-based organizations and businesses in parental involvement activities.

#### School Parental Involvement Policies

Each school served under Title I, Part A, shall jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the following:

- convening an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved;



- offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;
- 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 parental involvement policy and the joint development of the schoolwide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. § 6312(b)(2), except that if a school has in place a process 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 academic assessments used to measure student progress, and the proficiency levels students are expected to meet; and
  - if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
- if the schoolwide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. § 6312(b)(2) 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 District.

#### Parental Involvement in Allocation of Funding

Parents of children receiving services under Title I, Part A, shall be involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

#### Policy Review

The content and effectiveness of this policy will be evaluated annually with regard to improving the academic quality of the schools receiving Title I, Part A, or LEP funds. This evaluation will identify barriers to greater participation by parents (particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background) and use the findings of that evaluation to design strategies for more effective parental involvement, and to revise, if necessary, this policy.

Adopted:

---



---



---

Legal Refs.: 20 U.S.C. §§ 6312, 6316, 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 shall develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk, including those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. The superintendent shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the superintendent to be appropriate to the academic needs of the student.

Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the Superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The School Board shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

### Summer School

The courses offered and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate.

Credit for repeated work will ordinarily be granted on the same basis as that for new work. With prior approval of the principal, however, students may be allowed to enroll in repeat courses to

be completed in not less than 70 clock hours of instruction per unit of credit. Students must meet the requirements for SOL testing if appropriate.

Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

#### Compulsory Attendance

When a student is required to participate in a remediation program pursuant to this policy, the Superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student's attendance, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student's attendance, have failed and the superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student's attendance in the remediation program.

Adopted:

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-254, 22.1-254.01.

8 VAC 20-131-120.

8 VAC 20-630-40.

Cross Refs.: BCF Advisory Committees To The School Board  
IKG Remediation Recovery Program

## LIMITED ENGLISH PROFICIENT STUDENTS

### Generally

The Southampton County School Board shall provide programs to improve the education of limited English proficient children by assisting the children to learn English and meet Virginia's challenging academic content and student academic achievement standards.

### Assessments

The School Board will annually assess the English proficiency of all students with limited English proficiency.

### Notification

The School Board will, not later than 30 days after the beginning of the school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, a program for limited English proficient students of

- the reasons for the identification of their child as limited English proficient 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 limited English proficient children, and the expected rate of graduation from secondary school 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 for participation in a language instruction education program prior to the beginning of the school year, the School Board shall provide the notice detailed above within 2 weeks of the child being placed in the program.

The information described above will be provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

Students may be accepted and provided English-Second language programs if they 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 shall be charged such students, if state funding is provided for such programs.

Adopted:

---

---

---

Legal Ref.: 20 U.S.C. §§ 6311, 6312, 6825, 7012.

Code of Virginia, 1950, as amended, § 22.1-5.

Cross Ref.: IGBC Parental Involvement

## HOMEBOUND, CORRESPONDENCE, AND ALTERNATIVE MEANS OF INSTRUCTION

### Homebound Instruction

The School Board shall maintain a program of homebound instruction for students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, nurse practitioner, or clinical psychologist.

Credit for the work shall be awarded when it is done under the supervision of a licensed teacher, a person eligible to hold a Virginia license, or other appropriately licensed professional employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the school board have been met.

### Correspondence Courses

Students may enroll in and receive a standard and verified unit of credit for supervised correspondence courses with prior approval of the principal. Standard units of credit will be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the local school board. Verified units of credit may be earned when the student has passed the SOL test associated with the correspondence course completed. The division superintendent will develop regulations governing this method of instruction in accordance with the regulations of the Board of Education.

### Instruction through Alternative Technological Means

Standard units of credit will be awarded for the successful completion of courses delivered through emerging technologies and other similar means when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, and approved by the school board. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The division superintendent will develop regulations governing this method of delivery of instruction in accordance with the regulations of the Board of Education.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:2, 54.1-2952.2, 54.1-2957.02.  
8 VAC 20-131-180.

Cross Ref.: IGBGA Online Courses and Virtual School Programs

## ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS

The Southampton County School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts shall be exempt from the Virginia Public Procurement Act.

Information regarding online courses and programs that are available through the school division will be posted on the division's website. The information will include the types of online courses and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

Any student enrolled in any online course or virtual program offered by the school division shall be enrolled in a public school in Virginia as provided in Va. Code § 22.1-3.1. The student's parent or guardian shall give written permission prior to the enrollment of the student in any full-time virtual program offered by the school division.

A student who resides in Southampton County school division will not be charged tuition for enrolling in any online course or virtual program offered by the school division. However, tuition may be charged to students 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-296.1, 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

## ALTERNATIVE SCHOOL PROGRAMS

The **Southampton 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-5, 22.1-253.13:1.

## ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS

Students and their parents shall be notified of the availability of dual enrollment, advanced placement classes, the International Baccalaureate program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Students and their parents shall also be 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 shall promulgate regulations to implement this policy, which shall ensure the provision of timely and adequate notice to students and their parents.

Adopted:

---

---

---

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

Cross Ref.: LEB Advanced/Alternative Courses for Credit

## STUDENT ORGANIZATIONS

### Generally

Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum-related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations should bear a clear relationship to the regular curriculum.

Secondary school students may organize and conduct meetings of noncurriculum-related groups. Any secondary school which permits one or more noncurriculum-related student group to meet on school premises during noninstructional time will provide equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

Noncurriculum-related student groups may use school facilities provided that

- the group's meetings are voluntary and student-initiated;
- the group is not sponsored by the school, the government, or any government agent or employee;
- agents or employees of the school or government are present at religious meetings only in a nonparticipatory capacity;
- meetings do not materially and substantially interfere with the orderly conduct of educational activities at the school; and
- nonschool persons do not direct, conduct, control, or regularly attend activities of the group.

### Meetings of Student Organizations

The principal of each school will determine the times and places which are available for the meetings of student organizations. The principal will also develop procedures for scheduling meetings of student organizations. Meeting times will be limited to non-instructional time.

### Faculty Involvement

Curriculum-related student organizations must be sponsored and supervised by one or more school faculty members and approved by the principal. Faculty sponsors will participate in the supervision and direction of all activities of the organization and will attend all meetings and activities.

Noncurriculum-related student organizations do not have a faculty sponsor. However, a member of the school's staff shall attend every meeting or activity of such organizations in a nonparticipatory capacity for purposes of general supervision. The organization is responsible for assuring the presence of a staff member for its meetings.

No school employee will be compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee.

### Compliance with Law and Policy

Student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the

school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action.

Adopted:

---

---

---

Revised:

---

---

---

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 shall be offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program and who are functioning below the high school completion level. The School Board shall seek to ensure that every adult participating in such a program has the opportunity to earn a general educational development (GED) certificate or a high school diploma. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other School Boards or agencies. Additional educational programs for adults also may be offered. Tuition and fees shall be established by the School Board.

Adopted:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-210; 22.1-223 through 22.1-226.4, 22.1-253.13:1.D.7.

8 VAC 20-30-10,

8 VAC 20-360-10.

Cross Refs.:	JEG	Exclusions and Exemptions from School Attendance
	IKF	Standards of Learning Tests and Graduation Requirements

## GROUPING FOR INSTRUCTION

The Southampton 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:

---

---

---

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

Cross Ref.: IA Instructional Goals and Objectives

## CLASS SIZE

The Southampton County School Board will assign 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.

In addition, the Southampton County School Board shall assign 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 will not be included.

Adopted:

---

---

---

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



## INSTRUCTIONAL MATERIALS

The Southampton County School Board is responsible for the selection, evaluation, approval, and use of instructional materials. The superintendent or his/her designee will periodically review guidelines and procedures for the selection of instructional materials and bring recommendations for changes to the Board.

The procedures for selection and evaluation of instructional materials shall offer a thorough and efficient approach which ensures 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. The procedures will include

- local criteria for selection of instructional materials;
- evaluation of materials in relation to instructional goals and objectives;
- an evaluation committee which should include, when appropriate, parents, students, teachers, supervisors, and nonparent patrons;
- opportunity for the examination of materials by appropriate committees and individuals;
- notice to parents that materials under consideration for approval will be available at designated locations for review by any interested citizens. Provisions should be made for those reviewing such materials to present their comments and observations, if any, to the school board;
- procedures for the reconsideration of challenged materials; and
- special emphasis on the thorough evaluation of materials related to controversial or sensitive topics such as Family Life Education.

Adopted:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-238.

8 VAC 20-170-10.

8 VAC 20-230-10.

Cross Ref.:	GAH	Family Life Education
	IIAA	Textbook Adoption, Selection, and Purchase
	IIAB	Supplementary Materials Selection and Adoption

## TEXTBOOK SELECTION, ADOPTION, AND PURCHASE

The School Board shall adopt textbooks, including print or electronic media for student use that serves 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.

The Southampton County School Board will adopt textbooks for use in the local division based upon recommendations presented by the superintendent following the procedures described in Policy IIA Instructional Materials.

The Southampton 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.

Adopted:

---

---

---

Legal Refs.: Constitution of Virginia, Art. VIII, § 3.

Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-241.

8 VAC 20-230-10.

Cross Refs.:	DJF	Purchasing Procedures
	IIA	Instructional Materials
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

The School Board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Selection and use shall be in accordance with policies and regulations of the State Board of Education. The same care shall be exercised in the selection of supplemental materials as in the selection of other types of instructional materials.

Materials used by students under the guidance of teachers to extend, expand, and supplement basal materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, film strips, and games. Materials selected for supplemental use must relate directly to the established objectives of the course or content area in which they are used.

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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-238.

Cross Refs.:	IIA	Supplementary Materials
	IIAA	Textbook Selection, Adoption, and Purchase
	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 shall be submitted to the Board of Education for approval prior to implementation.

Adopted:

---

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

8 VAC 20-131-290.

Cross Ref.: IKF Standards of Learning and Graduation Requirements

## SCHOOL LIBRARIES/MEDIA CENTERS

The primary function of a school's library media center is to implement, enrich and support the educational program of the school. The center provides a wide range of materials at various levels of sophistication with a diversity of appeal and the presentation of different points of view.

To this end the School Board declares that the primary responsibilities of the library media center are:

1. To provide materials that will stimulate the acquisition of factual knowledge and the development of literary appreciation, aesthetic values and ethical standards;
2. To provide a source of information which when consulted may enable pupils to make informed judgments;
3. To provide materials containing a wide range of views on issues so that students may develop the practice of critical reading and thinking;
4. To provide materials representative of religious, ethnic and cultural groups and their contribution to the American heritage; and,
5. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library media center.

Adopted:

---

---

---

Legal Ref.: 8 VAC 20-131-190.

## 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 hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and other internal or external networks.

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

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

- (1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
  - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
  - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
  - (c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- (3) provisions establishing that the technology protection measure is enforced during any use of the Division's computers by minors;
- (4) provisions establishing that the online activities of minors will be monitored;
- (5) provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online;
- (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors;
- (8) a component on 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.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the

Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

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:

---

---

---

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.:	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct



## ACCEPTABLE COMPUTER SYSTEM USE

All use of the **Southampton 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 hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and any other internal or external network.

### 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, 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 denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.
  6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
  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 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. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
  10. **Enforcement.** Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of 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:

---

---

---

Legal Refs: 18 U.S.C. §§ 1460, 2256.  
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

Guidelines and Resources for Internet Safety in Schools, Virginia Department of  
Education (Second Edition October 2007)

Cross Refs:	GCPD	Professional Staff Discipline
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

SAMPLE LETTER TO PARENTS:  
ACCEPTABLE COMPUTER SYSTEM USE

Dear Parent/Guardian:

The **Southampton County** School Board offers your student the use of electronic communications through the **Southampton 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 preparing students for the 21st century is to provide them access to the tools they will be using as adults. The internet will be 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 his/her role as a "network" citizen and the code of ethics involved with this new community.

With this educational opportunity also comes responsibility on the part of your student. It is important that you and your student read the enclosed division policy, administrative regulation and agreement form and discuss these requirements. The Division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

In order for your student to take advantage of this educational opportunity, your authorization is needed. Attached to this letter are the Acceptable Computer System Use Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R and the Acceptable Computer System Use Agreement GAB-E/IIBEA-E2 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,

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 IIBEA/GAB and Regulation IIBEA-R/GAB-R, Acceptable Computer System Use. If you have any questions about this policy or regulation, contact your supervisor or your student's principal.

I understand and agree to abide by the School Division's Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access and monitor 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 IIBEA/GAB and Regulation IIBEA-R/GAB-R. I understand that access to the computer system is intended for educational purposes and the **Southampton 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 Southampton 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)

## 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 Southampton 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:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-176.

Cross Ref.: JFCB Sportsmanship, Ethics and Integrity

## COMMUNITY RESOURCE PERSONS/SCHOOL VOLUNTEERS

The Southampton County Public Schools support and encourage 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:

---

---

---

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

8 VAC 20-131-20.

8 VAC 20-131-270.

Cross Ref.: KQ                      Commercial, Promotional, and Corporate Sponsorships and Partnerships

## GUIDANCE AND COUNSELING PROGRAM

Each school will provide 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.
- employment counseling and placement services which furnish information relating to the employment opportunities available to students graduating from or leaving the public schools. Such information will be provided to secondary students and will include 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 will consult and cooperate with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations, and career schools.

No student will be required to participate in any counseling program to which the student's parents object.

The guidance and counseling program will 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 will be 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.

Adopted:

---

---

---



8 VAC 20-620-10.

Cross Ref.:	IJ	Guidance and Counseling Program
	JO	Student Records

## PARENTAL ASSISTANCE WITH INSTRUCTION

The Southampton County School Board encourages parents to provide instructional assistance to their children in the home. The school division 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. Information regarding parent training on instructional assistance shall be available in every elementary school within the division.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.5.

Cross Ref.: IGBC Parental Involvement

## HOMework

Homework can provide 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 his/her 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 can assist the student in developing good work habits and in the wise use of time.

Guidelines for homework include:

1. Homework should be assigned after introduction and thorough explanation of the skills necessary to successfully complete the assignment.
2. Homework should be assigned in such a manner that it will be clearly understood by all students.
3. Homework should serve a valid purpose and be closely related to classroom activities.
4. A student's access to resource materials should be considered when making assignments.
5. 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.
6. Teachers should seek to determine the causes if a student regularly fails to complete assigned work. Teachers should not avoid giving homework because they believe students will not do the work.
7. Excessive homework, like the absence of homework, should be avoided.
8. Homework should not be used for disciplinary purposes.
9. Teachers and administrators should take appropriate steps to communicate with parents regarding the division's homework policy and to solicit their support.

Adopted:

---

---

---

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

Cross Ref.: IB Academic Freedom

## ACCELERATION

The curriculum and schedule of elementary, middle and high schools shall provide 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 should be 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 shall be 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:

---



---



---

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

8 VAC 20-131-50.

8 VAC 20-131-110.

Cross Ref.: IGBB                      Programs for Gifted Students

## STANDARDS OF LEARNING TESTS AND GRADUATION REQUIREMENTS

### I. Standards of Learning (SOL) Tests and Verified Units of Credit

The Board of Education has established educational objectives known as the Standards of Learning, which form the core of Virginia's educational program, and other education objectives, which together are designed to ensure the development of the skills that are necessary for success in school and in preparation for life in the years beyond.

The Southampton County School Board has developed and implemented a program of instruction that is aligned to the Standards of Learning and that meets or exceeds<sup>1</sup> the requirements of the Board of Education.

In kindergarten through eighth grade, where Standards of Learning (SOL) tests are required by the Board of Education, each student is expected to take the SOL tests. Schools will use the SOL test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

Each student in middle and secondary school will take all applicable end-of-course SOL tests. Students who successfully complete the requirements of the course and achieve a passing score on an end-of-course SOL test will be awarded a verified unit of credit in that course. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

Upon recommendation of the superintendent and demonstration of mastery of course content and objectives, qualified students may receive a standard unit of credit and be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement. The superintendent by regulation will determine the manner in which a student may demonstrate mastery of course content and objectives, and documentation of such mastery will be maintained in the student's permanent record.

Students may also earn verified credits by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

Participation in the SOL testing program by students with disabilities will be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities will be assessed with appropriate accommodations and alternate assessments where necessary.

All students identified as limited English proficient (LEP) will participate in the SOL testing program. A school-based committee will convene and make determinations regarding the participation level of LEP students. In kindergarten through eighth grade, limited English proficient students may be granted a one-time exemption from SOL testing in the areas of writing, science, and history and social science.

## II. Graduation Requirements

### A. Generally

In order to graduate from Southampton County Public Schools, a student must meet all applicable requirements set forth in the Standards of Accreditation and the Standards of Quality.

The school board will award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as are prescribed by the school board and approved by the Board of Education.

### B. Types of Diplomas and Certificates

Southampton County School Board will award diplomas and certificates in accordance with state laws and regulations, including Standard Diplomas, Standard Technical Diplomas, Advanced Studies Diplomas, Modified Standard Diplomas, Special Diplomas, Certificates of Program Completion, General Achievement Diplomas, and General Educational Development (GED) Certificates.

The requirements for a student to earn a diploma are those in effect when he or she enters ninth grade for the first time.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-253.13:3, 22.1-253.13:4.

8 VAC 20-131-10.

8 VAC 20-131-30.

8 VAC 20-131-110.

Cross Refs.:	IAA	Notification of Learning Objectives
	IGA	Basic Instructional Program
	IKFA	Locally Awarded Verified Credits

## LOCALLY AWARDED VERIFIED CREDITS

The Southampton County School Board shall award verified credits toward a standard diploma in science and history/social sciences to students entering ninth grade for the first time in school year 2000-2001 or thereafter in accordance with this policy.

No student may earn more than four locally awarded verified credits.

To be eligible to earn locally awarded verified credits, a student must:

- enter the ninth grade for the first time in school year 2000-2001 or thereafter;
- pass the high school course and not pass the related Standards of Learning test;
- take the Standards of Learning test at least twice;
- score within a 375-399 scale score range on any administration of the Standards of Learning test; and
- demonstrate achievement in the academic content through the following appeal process.

### Appeal Process

The Southampton County School Board shall appoint a review panel comprised of at least three educators. Different panels may be appointed for individual schools or groups of schools.

The local review panel will review information which provides evidence of the student's achievement of adequate knowledge of the Standards of Learning content. The panel will have discretion in determining the information it will consider. That information may include, but is not limited to, results of classroom assignments, divisionwide exams, course grades, and additional academic assignments (e.g. papers, projects, essays or written questions) as the panel deems appropriate.

Based on the evidence it reviews, the local 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 local review panel will be final.

### OR

The decision of the local review panel may be appealed to the school board in accordance with regulations developed by the board.

Adopted:

---

---

Legal Refs.: 8 VAC 20-131-110.B.3.

*Guidelines for Local School Boards to Award Verified Credits for the Standard Diploma to Transition Students* (attachment to Virginia Department of Education Superintendent's Memo No. 52 (Aug. 9, 2002)), as amended by the Board of Education October 25, 2006.



## REMEDATION RECOVERY PROGRAM

The Southampton County School Division supports efforts to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain SOL assessments. Therefore, the Southampton County School Division will establish a Remediation Recovery Program. Such program will be delineated through regulations promulgated by the Superintendent. Students eligible to participate in such program will include students in kindergarten through eighth grade who have failed the SOL assessment in the areas of English (Reading, Literature, and Research) or mathematics, and students at the high school level who have failed to pass an SOL assessment in mathematics.

Students who retake an SOL must have participated in some form of remediation, including the remediation recovery program, to be eligible for retesting. Also, students who participate in the remediation recovery program are expected to retake the applicable SOL test at the next regularly scheduled administration of the test, and may only be counted in remediation recovery once for one grade/SOL test. At the high school level, students may continue to retake end-of-course tests as many times as necessary to earn verified credit.

Schools shall maintain evidence of a student's participation in a remediation recovery program along with the scores of any SOL tests taken following remediation in the student's record.

The following students are ineligible for the remediation recovery program:

- Students in kindergarten through eighth grade who are retested because they were retained and had not previously passed a grade-level test in English (Reading, Literature, and Research) or mathematics.
- Students who retake an end-of-course test as a result of failing and retaking a mathematics course at the high school level.

Adopted:

---



---



---

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

8 VAC 20-131-10 et seq.

8 VAC 20-131- 30.C.

## RETAKING SOL ASSESSMENTS

Eligible students may qualify for an expedited retake of an end-of-course SOL assessment to earn a verified credit where the student meets the criteria established by the Virginia Board of Education.

Under the criteria established by the state Board, the student must:

- Need the test for verified credit; and
- Have passed the course associated with the test, and one of the following:
  - Failed the test by a narrow margin, or
  - Failed the test by any margin and have extenuating circumstances that would warrant retesting, or
  - Did not sit for the regularly scheduled test for legitimate reasons.

For purposes of these criteria, “narrow margin” means a scaled score of 375-399. The division superintendent will be responsible for making the determination of what constitutes “extenuating circumstances” and “legitimate reasons” for purposes of establishing eligibility for an expedited retest of an end-of-course SOL assessment.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:1, 22.1-254(D).

8 VAC 20-131-10 et seq.

8 VAC 20-131-10 et seq.

## TESTING PROGRAMS

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests will be administered according to state and local directives. However, in administering tests or other assessment instruments, school board employees shall not require any public elementary school students being tested to disclose their race or ethnicity on such tests. A school division, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-4.2, 22.1-253.13:3.C.

## TEACHING ABOUT CONTROVERSIAL ISSUES

The Southampton County School Board recognizes that preparation for effective citizenship is one of the major purposes of education. The preparation for effective citizenship includes the study of issues that are controversial. Such study will be carried out in an atmosphere free from bias, prejudice, or coercion.

In teaching about controversial issues, teachers are expected to

- establish a learning environment where each student can study the issues within a curriculum that is appropriate to his or her knowledge and maturity; and
- provide instruction in an atmosphere that is free from bias, prejudice, or coercion.

Although the instructional program includes study of the political party system in the United States, the School Board does not endorse any political party or candidate.

Adopted:

---

---

---

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

Cross Ref.: KF Distribution of Information/Materials

## RELIGION IN THE SCHOOLS

In accordance with the mandate of the Constitution of the United States prohibiting the establishment of religion, it is the policy of this School Board that the **Southampton County Public Schools** shall be neutral in matters of religion. This means that the **Southampton County Public 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 requirement of neutrality need not preclude nor hinder the **Southampton County Public Schools** in fulfilling their responsibility to educate students to be tolerant and respectful of religious diversity. The division also 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 shall approach 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 unless there are clear issues of compelling public interest that would prevent it.

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:

---

---

---

Legal Refs.: U.S. Const. amend. I

Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-202.1.

---

## SECTION J Students

---

JB	Equal Educational Opportunities/Nondiscrimination
JB-F	Report of Discrimination
JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
JC	School Attendance Areas
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
JCJ	Classroom Assignments for Twins
JEA	Compulsory Attendance (Options 1 & 2)
JEB	Entrance Age/Admission of Persons Not of School Age
JEC/ JEC-R	School Admission
JECA	Admission of Homeless Children
JECB	Admission of Nonpublic Students for Part-Time Enrollment (Options 1 & 2)
JED	Student Absences/Excuses/Dismissals
JEG	Exclusions and Exemptions from School Attendance
JFB	Student Involvement
JFC	Student Conduct
JFCL	Notification Regarding Prosecuting of Juveniles as Adults
JFC-R	Standards of Student Conduct (Options 1&2)
JFCA	Teacher Removal of Students from Class
JFCB	Sportsmanship, Ethics and Integrity
JFCC	Student Conduct on School Buses

---

## SECTION J Students

---

JFCD	Weapons in School
JFCE	Gang Activity or Association
JFCF	Drugs in School (Option 1 and Option 2)
JFCH	Tobacco-Free School for Staff and Students (Also GBEC)
JFCI	Substance Abuse - Student Assistance Program
JFCJ	Written Notification of Violation of School Policies by Students in Alternative Education Programs
JFG	Search and Seizure
JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
JFHA-F/ GBA-F	Report of Harassment
JGA	Corporal Punishment
JGD/JGE	Student Suspension/Expulsion (Option 1 and Option 2)
JGD/JGE-R	Student Suspension/Expulsion (Option 1 and Option 2)
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JHC	Student Health Services and Requirements
JHCA	Physical Examinations of Students
JHCB	Immunization of Students
JHCC	Communicable Diseases
JHCCA	Blood Borne Contagious or Infectious Diseases
JHCCA-E	Guidelines for School Attendance for Students with Human Immunodeficiency Virus

---

## SECTION J Students

---

JHCD	Administering Medicines to Students
JHCE	Recommendation of Medication by School Personnel
JHCF	Student Wellness
JHCH	School Meals and Snacks
JHDA	Human Research
JHG	Child Abuse and Neglect Reporting
JHH	Suicide Prevention
JL	Fund Raising and Solicitation
JM	Restraint and Seclusion of Students
JN	Student Fees, Fines, and Charges
JO	Student Records
JP	Student Publications



## EQUAL EDUCATIONAL OPPORTUNITIES/ NONDISCRIMINATION

### I. Policy Statement

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

No student, on the basis of sex or gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege or advantage or be denied equal access to educational and extracurricular programs and activities.

The School Board shall

- provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons;
- provide a free, appropriate education, including non-academic and extracurricular services to qualified disabled persons;
- not exclude qualified disabled persons, solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and
- not discriminate against qualified disabled persons in the provision of health, welfare or social services.

### II. Complaint Procedure

#### A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the Compliance Officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant

who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

#### B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint, by giving written notice that the complaint has been received, to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the superintendent or designee determines that prohibited discrimination occurred, the Southampton 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 Southampton County School Board has designated

**Dr. Wayne K. Smith, Executive Director of Administration and Personnel**  
**Post Office Box 96, Courtland, VA 23837 757-653-2692**

as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer

**Marlene Duke, Special Education Supervisor**  
**Post Office Box 96, Courtland, VA 23837 757-653-2692**

The Compliance Officer shall

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

### III. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

### IV. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

### V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

### VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted:

---

---

---

Legal Refs: 20 U.S.C. §§ 1681-1688.

29 U.S.C. §§ 794.  
42 U.S.C. §§ 2000d through 2000d-7.

34 CFR 106.9.

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

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	JB-F	Report of Discrimination
	JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
	JFHA/GBA	Prohibition Against Harassment and Retaliation

## REPORT OF DISCRIMINATION

Name of Complainant: \_\_\_\_\_

Student's School and Class: \_\_\_\_\_

Address, Phone Number  
and Email Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date(s) of Alleged Discrimination: \_\_\_\_\_

Name(s) of person(s) you believe discriminated against you or others: \_\_\_\_\_

\_\_\_\_\_

—

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have information regarding the situation. Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant      Date

Complaint Received By: \_\_\_\_\_  
Compliance Officer      Date

**SECTION 504 NONDISCRIMINATION POLICY AND GRIEVANCE PROCEDURES**

The **Southampton County** School Board does not discriminate against individuals on the basis of disability. Where a student believes that he or she has been discriminated against on the basis of disability, the student shall have the right to file an informal or formal grievance in accordance with the following procedures:

**A. FORMAL PROCEDURE****1. Filing a Complaint**

Any student who believes he or she has been the victim of discrimination on the basis of a disability should submit a complaint alleging discrimination as soon as possible to the compliance officer designated in this policy (Compliance Officer) or to any other school or School Division staff. The complaint should be submitted as soon as possible and generally within 15 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, their supervisor, or to any other school or School Division staff.

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.

The complaint and the identity of the complainant, the individual who reported the alleged discrimination (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, which should generally be not more than 15 school days after receipt of the complaint of alleged discrimination by the Compliance Officer. 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.

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, he or she 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. 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 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.

3. Action by the Superintendent

Within 10 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, if so (2) what action, if any, will be taken. This decision must be provided in writing to the complainant. 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 Superintendent, and any other individual it deems appropriate. An extension of the 30 calendar day limit may occur if necessary as determined by the School Board Chair.

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 and Alternate Compliance Officer



The School Board has designated **Dr. Wayne K. Smith, Executive Director of Administration & Personnel, P. O. Box 96, Courtland, VA 23837, 757-653-2692** as the Compliance Officer responsible for identifying, preventing and remedying discrimination. Complaints of discrimination may also be made to **Mrs. Marlene Duke, Supervisor of Special Education**, the Alternate Compliance Officer. The Compliance Officer duties may include the following:

- a. receive reports and complaints of discrimination;
- b. conduct or oversee the investigation of any alleged discrimination;
- c. assess the training needs of the School Division in connection with this policy;
- d. arrange necessary training to achieve compliance with this policy;

## **B. INFORMAL PROCEDURE**

If the complainant and the persons allegedly responsible for the discrimination agree, the school principal, designee, or the Compliance Officer may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher, or other school or School Division staff.

If the complainant and the persons allegedly responsible for the discrimination agree to attempt to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the above formal procedures.

If the complaint is resolved informally, the counselor, teacher, or other school or School Division staff shall notify the School Principal of the resolution. The School Principal shall notify the complainant, the persons allegedly responsible for the discrimination, and the Compliance Officer in writing that the complaint has been resolved informally.

## **C. RETALIATION**

Retaliation against students, school staff, or School Division staff who report discrimination or participate in the related proceedings is prohibited. The School Division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

## **D. FALSE CHARGES**

Students, school staff, or School Division staff who make false charges of discrimination shall be subject to disciplinary action.

## 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 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.**

**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** \_\_\_\_\_

Adopted:

---

---

---

Revised:

---

---

---

Legal Ref.:   29   U.S.C. § 794  
                  34   CFR Part 104.7(b)

Cross Ref:   JB     Equal Educational Opportunities/Nondiscrimination  
                 JO     Student Records

## SCHOOL ATTENDANCE AREAS

School attendance areas for each school are established by the School Board. Students shall attend the school in the attendance area in which they reside and to which they are assigned, unless special permission is granted by the School Board.

Changes in attendance areas shall be determined by the School Board, upon recommendation of the superintendent based on the need to provide for the orderly administration of the schools, the competent instruction of the students, and the health, safety, best interests and general welfare of all students.

Adopted:

---

---

---

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

## TRANSFERS BY STUDENT VICTIMS OF CRIME

Whenever any student has been the victim of any crime against the person pursuant to Chapter 4 (§ 18.2-30 et seq) 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 (section 18.2-30 et seq.) of Title 18.2, and who has suffered physical, psychological, or economic harm as a direct result of the commission of such crime.

Adopted:

---



---



---

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
	JCC	School Choice for Students in Schools Identified for Improvement

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:

---

---

---

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
	JCC	School Choice for Students in Schools Identified for Improvement

SCHOOL CHOICE FOR STUDENTS ENROLLED IN SCHOOLS  
IDENTIFIED FOR IMPROVEMENT

Students enrolled in a school which does not make “adequate yearly progress” after being identified for school improvement as provided by the No Child Left Behind Act of 2001 will, not later than the first day of the school year following such identification, be given the option of transferring to a division school which has not been so identified. The Superintendent will determine the school(s) to which students may transfer.

A student who transfers to another school pursuant to this policy may remain at that school until the student completes the highest grade at that school. Transportation will be provided until the end of the school year in which the student’s original school ceases to be identified for school improvement.

The Superintendent or designee shall, to the extent practicable, establish a cooperative agreement with other divisions in the area to allow the transfer of any student at a school to which has failed to make “adequate yearly progress” after being identified for school improvement when there is no other district school to which the student may transfer

Adopted:

---

---

---

Legal Ref.: 20 U.S.C. § 6316.

Cross Ref.: JC                      School Attendance Areas

## 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:

---

---

---

Legal Ref.: Code of Virginia, as amended, § 22.1-79.3.F.



## COMPULSORY ATTENDANCE

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall send such child to a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

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

### 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 general educational development preparatory program 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 law, and the superintendent or attendance officer shall seek immediate compliance with such law.

#### Alternative Education Programs

The School Board may, in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. 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 B of § 22.1-277,

require a student to attend an alternative education program as provided by Va. Code § 22.1-209.1:2 or 22.1-277.2:1.

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 will 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Ref.: 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 shall be eligible for enrollment in school. The superintendent shall disseminate information received from the State Superintendent of Public Instruction concerning the ages when children are required or eligible to attend school. This information shall be disseminated to parents of such children upon or prior to enrollment of such children in the public schools of the division.

An individual who resides within the school division and is beyond school age (who has not reached his fifth birthday on or before September 30 of the school year or who has reached his or her 20th birthday on or before August 1st of the school year) may, at the discretion of the School Board, be admitted into the division schools. Such individuals may be charged tuition at the discretion of the School Board.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-5, 22.1-199, 22.1-254.

## 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 Southampton County Public School Division, or if eligible for admission under Policy JECA.

A person of school age shall be deemed to reside in the school division<sup>1</sup>:

1. When the person is living with a natural parent, or a parent by legal adoption, in the Southampton County Public School Division;
2. When the person's custodial parent has been deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces; and such person's custodial parent has executed a Special Power of Attorney under Title 10, United States Code, § 1044b providing for the care of the person of school age by an individual who is defined as a parent in Va. Code § 22.1-1 during the time of his deployment outside the United States. The person of school age shall be allowed to attend a school in the school division in which the individual providing for his care, pursuant to the Special Power of Attorney resides. Furthermore, when practicable, such persons of school age may continue to attend school in the Virginia school division they attended immediately prior to the deployment and shall not be charged tuition for attending such division.
3. 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;
4. 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, or (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;
5. When the person is living in the school division not solely for school purposes, as an emancipated minor; or
6. When the person has been placed in a foster care placement within the school division by a local social services agency.

The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.

No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with section 22.1-5 of the Code of Virginia and pursuant to Southampton County School Board regulations.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

#### ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
- B. If a certified copy of the birth record is not provided, the administration shall immediately notify the local law enforcement agency. The notice to the local law-enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.
- C. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- D. Each student will present a federal social security number within 90 days of his enrollment. In any case in which a student is ineligible, pursuant to guidelines promulgated by the Board of Education, to obtain a social security number or the parent is unwilling to present such number, the superintendent or his designee may assign another identifying number to the student or waive this requirement.

- E. Tuition rates are established each year in accordance with the provisions of § 22.1-5 of the Code of Virginia.
- F. Prior to admission to the Southampton County Public 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 Southampton County Public 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 therefor, 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 Southampton County School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Southampton 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 §§ 22.1-270, 22.1-271.2 and 32.1-46 of the Code of Virginia and policies JHCA and JHCB.

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:

---



---



---

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, 22.1-288.2, 32.1-46, 63.2-900, and 63.2-1200.

2007 Va. Opin. AG 07-015.

1987-88 Va. Opin. AG 374.

Cross Refs.:	JECA	Admission of Homeless Children
	JHCA	Physical Examinations of Students
	JHCB	Immunization of Students
	JGD/JGE	Student Suspension/Expulsion



## SCHOOL ADMISSION

No person shall be charged tuition for admission or enrollment in the Southampton County public schools, whether on a full-time or part-time basis, who is eligible for admission under Policies JEC or JECA. School officials may not inquire into the student's citizenship or visa status in determining eligibility for tuition-free enrollment in the Southampton 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 Southampton County Public Schools exclusive of capital outlay and debt service;
- 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;
- 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,

The Southampton County School Board designates the following category(ies) of students as eligible for consideration for admission: **INSERT**. 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 JEC.

Foreign students in an F-1 immigration status or who obtain F-1 student visas shall not be 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 shall be followed for application and review of applications for admission of students.

A parent or guardian of a student shall apply for admission on behalf of his/her child by completing the division application. The application form shall contain information and agreements including, but not limited to:

- the current legal residence of the child and the school division in which he/she is currently enrolled;
- the child's social security number, if applicable;
- the basis for requesting admission;
- the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the division; and,
- the agreement that the student is subject to all policies, regulations and guidelines of the school division, including the Code of Student Conduct.

Within 15 calendar days of receipt of the application, the Southampton County Public Schools Office of the school division shall provide the applicant with written notification of the approval or denial of the application. If the student is to be admitted, the superintendent shall recommend the admission to the School Board and the Southampton County Public Schools Office shall notify the division which the student previously attended and make necessary arrangements for the transfer of student records. The notification of admission shall state the period for which the student is accepted or the subsequent conditions which could cause the acceptance to be terminated.

If the application is denied, the Southampton County Public Schools Office shall notify the parent or guardian of the right to have the transfer reviewed by sending a written request to the superintendent/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. For all other denials of admission, the superintendent/designee shall respond in writing to the request for review within 10 calendar days. If the request is denied, the superintendent/designee shall notify the parent of the right to petition the School Board, upon five calendar days prior notice, for review of the decision and to have a hearing before the Board at its next regular meeting. Following the hearing by the Board, a final decision shall be promptly communicated to the parent in writing. If review is not requested within the timelines specified, the recommended denial of the request for admission shall be submitted to the Board at its next regular meeting.

#### Tuition Rate

The tuition rate shall be set by the superintendent for each academic year.

#### Transportation

Transportation shall not be furnished to nonresident students except in those cases where:

- agreements between divisions specify transportation services; or
- federal or state legislation mandates the provision of transportation services; or
- transportation services can be provided at no cost to the division.

Adopted:

---

---

---

Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-5 and 22.1-260.

1999 Va. Op. Atty. Gen. 105

Cross Refs.: JEC School Admission  
JECA Admission of Homeless Children

## ADMISSION OF HOMELESS CHILDREN

The Southampton County School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. The school division will coordinate 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 Southampton County Public School District will serve 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 Southampton County School board shall

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student's parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the district's homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

### Enrollment

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, birth records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization, birth, or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the district's homeless liaison, who shall assist in obtaining necessary immunizations, or immunization, birth, or medical records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA 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 shall immediately refer the student to the local school division homeless liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

#### Enrollment Disputes.

If a dispute arises over school selection or enrollment in a school

- the homeless student shall be immediately admitted to the school in which enrollment is sought and provided all services for which he or she is eligible, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the district's homeless liaison who shall carry 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 shall ensure that the youth is immediately enrolled in school 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 shall be 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 students with limited English proficiency;
- programs in vocational 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 will be 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 shall be 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 shall 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 shall be shared equally.

### Definitions:

The term “homeless student” means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
  - a. are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - b. 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 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 is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school district to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

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:

---

---

---

Legal Refs.: 20 U.S.C. § 6399  
42 U.S.C. §§ 11302, 11431 et seq.

Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70, 22.1-78,  
22.1-253.13:1.D.6., 22.1-270.

Superintendent's Memo No. 64 (Dec. 5, 2003).

Cross Ref.: JEC School Admission



## ADMISSION OF NONPUBLIC STUDENTS FOR PART-TIME ENROLLMENT

The Southampton County School Board acknowledges the provisions for equivalent instruction under Virginia law. The Board further observes that equivalent or "acceptable alternative" home or private school instruction is not the same as the education delivered in the public school system.

The parents of students attending private school or being home schooled pursuant to Va. Code § 22.1-254.1 who wish to enroll their students on a part-time basis in the Southampton County Public Schools for participation in academic and/or extracurricular/club activities shall, along with the students, conform with the following provisions:

### I. Admission

The parents shall identify their children as private school or home school students who desire part-time enrollment in academic courses of study. Students admitted under this policy shall be designated as part-time students. At the time of applying for admission, students shall designate the academic course(s) they want to attend and each extracurricular or club activity in which they wish to participate. Students enrolled on a part-time basis will be counted in the division's average daily membership (ADM). Part-time students who are either enrolled in a nonpublic school or are receiving home instruction pursuant to Va. Code § 22.1-254.1 and are enrolled in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, health education or physical education course in the Southampton County public schools shall be counted in the division's ADM on a pro rata basis. Each such course enrollment by such students will be counted as 0.25 in the ADM. However, no such nonpublic or home school student will be counted as more than one-half a student for purposes of such pro rata calculation. The pro rata calculation will not include enrollments of such student in any other public school courses.

### II. Enrollment

Students must enroll in at least one academic class (high school) or one instructional unit (elementary/middle school) more than the requested course(s) and for each extracurricular or club activity in which they choose to participate. (Example: if the request is to enroll in one math class, the student must enroll in the math class plus one other class; and, if the student also requests one extracurricular/club activity, he or she must enroll in another class for a total of 3 classes.) If no activity participation is sought, a minimum of two classes must be attended. Students wishing to participate in an academic class shall have completed all prerequisite course work or the equivalent required of full-time public school students wishing to enroll in the course. If part-time enrollment causes total enrollment in a class or grade level to exceed the maximum allowed by state or local policy (*e.g.* resulting in the need to employ another teacher) admission will be denied.

Once enrolled, the student shall comply with behavioral, disciplinary, attendance and other rules applicable to all students, including rules governing the use of the division's computer systems. If a student fails to comply, the school may withhold credit and/or terminate the student's participation in addition to taking any disciplinary action that would be taken against a full-time student for similar conduct.

### III. Activities

Students wishing to participate in a Virginia High School League (VHSL) governed extracurricular or club activity shall satisfy the same or equivalent criteria for such activities that full-time students must satisfy, such as the VHSL “take five pass five” requirement. Students admitted under this policy shall participate in any try-out or selection process required of full-time students.

#### IV. Transportation

The parents of the children for whom part-time admission is sought shall be responsible for the transportation of the child to and from school, including any expenses incident thereto.

#### V. Academic Credit

Class ranking and grade-point-average shall not be computed for part-time private/home school students.

Adopted:

---

---

Legal Refs.: Code of Virginia, as amended, §§ 22.1-254.1; 22.1-253.13:2.C.

1973-74 Ops. Va. Att’y Gen. 305.

Cross Refs.:	JECA	School Admission
	JHCB	Student Immunizations
	IGDA	Student Organizations
	IHB	Class Size
	IIBEA	Acceptable Computer System Use

## ADMISSION OF NONPUBLIC STUDENTS FOR PART-TIME ENROLLMENT

Private and home school students shall not be permitted to enroll part-time or to participate in academic or extracurricular activities in the Southampton County Public Schools.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, as amended, §§ 22.1-78, 22.1-79, 22.1-253.13:1, 22.1-254.1.

1973-74 Ops. Va. Att'y Gen. 305.

Cross Ref.: JEC                      School Admission

## STUDENT ABSENCES/EXCUSES/DISMISSALS

### I. Student Attendance Policy

Student attendance is a cooperative effort and the School Board shall involve parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age shall be responsible for such child's regular and punctual attendance at school as required under provisions of the law.

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

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

The superintendent's regulations will include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which he missed by reason of such absence, if the absence is verified in an acceptable manner.

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

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

### II. Compulsory Attendance Procedures

#### A. Upon Fifth Absence Without Parental Awareness and Support

If (1) a student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the Principal or his designee or the attendance officer shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal or his designee or the attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

#### B. Upon Sixth Absence Without Parental Awareness and Support

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, either the school principal or his designee or the attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, his parent, and school personnel, shall meet to resolve issues related to the pupil's nonattendance. Other community service providers may also be included in the conference.

#### C. Upon Additional Absence Without Parental Awareness and Support

Upon the next absence after the conference without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the Principal or designee shall notify the attendance officer or Superintendent or his designee who shall enforce the compulsory attendance rules by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § 16.1-228 or (ii) instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts already undertaken to resolve the pupil's absence. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses.

#### D. Parental Cooperation in Remediating Excessive Unexcused Absences

It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remediating the student's attendance problem, the superintendent or the superintendent's designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge and approval of the Superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of § 22.1-258, the attendance officer shall document the school division's compliance with this Code section.

### III. Report for Suspension of Driver's License

In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

### IV. Attendance Reporting

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

#### V. Dismissal Precautions

Principals shall not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of parent or guardian. The superintendent shall provide procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained in each school.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-258 through 22.1-269, 22.1-279.3, 46.2-323 and 46.2-334.001.

8 VAC 20-110-10 et seq.

Cross Refs.:	IGAJ	Driver Education
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.
2. On the recommendation of the juvenile and domestic relations court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with his parents, is opposed to attendance at a school by reason of concern for the student's health as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

The School Board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any student who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or
2. On recommendation of the juvenile and domestic relations district court of the city or county in which the student resides, any student who, in the judgment of the court, cannot benefit from education at school.

Any request for exemption from attendance shall be presented annually in writing to the superintendent or his/her designee.

The compulsory education requirements do not apply to

- Children suffering from contagious or infectious diseases;
- Children whose immunizations against communicable diseases have not been completed;
- Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and
- Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live.

In addition, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

Adopted:

---

---

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

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:

---

---

---

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

8 VAC 20-131-20.

## STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the public schools of **Southampton County**. It is the responsibility of the **Southampton County** School Board to adopt policy and regulations and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members, and parents are provided the opportunity to become familiar with this policy.

The superintendent shall issue Standards of Student Conduct, and a list of possible corrective actions for violation of the Standards of Conduct. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights. The Standards of Student Conduct, a notice of the requirements of section 22.1-279.3 of the Code of Virginia, 1950, as amended, and a copy of the compulsory school attendance law shall be sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents shall be notified that by signing the statement of receipt, parents are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school shall maintain 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 his designee to review the School Board's Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

The school principal may notify the parents of any student who violates a School Board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice shall state (1) the date and

particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or his designee shall notify the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

If a parent fails to comply with the requirements of this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

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

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school; and
- off school property, when the acts lead to: (1) an adjudication of delinquency pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260 or (2) a charge that would be a felony if committed by an adult.

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities, or expulsion include but are not limited to:

- possession or use of alcohol, illegal drugs, including marijuana, synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, and anabolic steroids, or drug paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
- intentional injury (bullying, fighting);
- theft;
- bomb threats, including false threats, against school personnel or school property;
- use or possession of explosives (see Policy JFCD);
- possession of weapons or firearms (see Policy JFCD);
- extortion, blackmail, or coercion;
- driving without a license on school property;
- homicide;
- burglary;
- sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation);
- malicious mischief;

- shooting;
- any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs;
- stabbing, cutting or wounding;
- unlawful interference with school authorities including threats;
- unlawful intimidation of school authorities; and
- other unlawful acts including being an accessory to any of these or other unlawful acts.

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the Superintendent or his/her designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

The superintendent shall issue regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

The School Board shall biennially review the model student conduct code developed by the Board of Education to incorporate into policy a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-308.1, 18.2-308.7, 22.1-78, 22.1-200.1, 22.1-253.13:7.C.3; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6.

Cross Ref.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	IIBEA/GAB	Acceptable Computer System Use
	IIBEA-R/ GAB-R	Acceptable Computer System Use
	JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JN	Student Fees, Fines and Charges

## STANDARDS OF STUDENT CONDUCT

The following are standards of student conduct established by the School Board for all students under its jurisdiction. Consequences shall be determined on the basis of the facts presented in each instance of misconduct in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Student Dress

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with specific building dress regulations and of which students will be given prior notice.

2. Unexcused Absence or Tardiness

Students shall not be absent from or report late to class or school without appropriate parental permission, school permission or an otherwise valid excuse.

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

3. Disruptive Conduct

Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function or process of the school or is dangerous to the health or safety of students or others.

4. Profane, Obscene or Abusive Language

Students shall not use language, a gesture, or engage in conduct that is vulgar, profane, obscene or disrupts the teaching and learning environment.

5. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.

6. Assault and Battery

A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery.

Physical Assault includes any physical confrontation that may result in no injury, minor injury, or serious injury that includes, but may not be limited to, kicking, shoving, pushing, hitting and fighting.

Battery is the unlawful application of force to the person of another.

7. Bullying

A student, either individually or as a part of a group, shall not harass or bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities. Prohibited conduct includes verbal or written conduct consisting of comments regarding the race, gender, religion, physical abilities or characteristics or associates of the targeted person.

8. Gambling

A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property or during any school related activity.

9. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs

A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD.

A student shall not possess, procure or purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in this regulation or what is represented by or to the student to be any of the restricted substances listed in this regulation or what the student believes is any of the restricted substances in this regulation.

This regulation incorporates Policy JFCF.

Restricted Substances include alcoholic drinks, marijuana, synthetic cannabinoids, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any abusable glue, paint and similar materials, anabolic steroids and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package, and includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

10. Distribution or Sale of Illegal Drugs or Possession or Distribution with Intent to Sell

Students shall not manufacture, give, sell, distribute or possess with intent to give, sell or distribute marijuana, synthetic cannabinoids, or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

11. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events.

12. Defiance of the Authority of School Personnel

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by board policies and regulations.

13. Possession or Use of Weapons or Other Dangerous Articles

Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. This regulation incorporates Policy JFCD.

14. Theft

A student shall not intentionally take the personal property of another person without consent under duress, threat or otherwise.

15. Behavior on School Bus

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus.

16. Cheating

Students shall not cheat, plagiarize or knowingly make false statements with respect to any assigned school work or tests.

17. Trespass

The student shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

18. Gang Activity

A student shall not engage in gang activities as defined in Policy JFCE, incorporated by reference.

19. Harassment

A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions in violation of Policy JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion.

20. Possession of Beepers, Cellular Telephones, Personal Digital Assistants (PDAs), or Similar Devices

Students shall not have in their possession a beeper, cellular telephone, Personal Digital Assistant (PDA) or other communications device. If a student possesses such a device, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

21. Reports of Conviction or Adjudication of Delinquency

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled.

22. Laser Pointers

Students shall not have in their possession laser pointers.

23. Acceptable Use of the Internet

Students shall abide by the **BLANK** School Division's Acceptable Computer Use Policy and Regulation.

24. Felony Charges

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/ intervention activities.

25. Bomb Threats

Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.



26. Hazing

Students shall not engage in hazing.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney. Hazing, as defined above, is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2,500, or both, in addition to any disciplinary consequences which may be imposed under this policy. In addition, any person receiving bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or infants. See Va. Code § 18.2-56.

27. Other Conduct

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

## CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. Each offense shall be considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of privileges, including access to the School Division's computer system
5. Parental conferences
6. Tasks or restrictions assigned by the principal or his designee
7. Detention after school or before school
8. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
9. In-school suspension
10. Out-of-school suspension
11. Referral to an alternative education program
12. Notification of legal authority where appropriate
13. Recommendation for expulsion

14. Mandatory expulsion for bringing a firearm onto school property or to a school-sponsored activity or use or possession of a controlled substance, imitation controlled substance or marijuana, as defined in Chapter 34 of Title 54.1 and § 18.2-247 of the Code of Virginia, or synthetic cannabinoids, on school property or at a school sponsored activity
15. Evaluation for alcohol or drug abuse
16. Participation in a drug, alcohol or violence intervention, prevention or treatment program

Adopted

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7.C.3, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 46.2-323, 46.2-334.001.

Student Conduct Policy Guidelines 2005 Update, Virginia Board of Education, September 21, 2005.

Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008)

Cross Ref.:	CLA	Reporting Acts of Violence and Substance Abuse
	ECAB	Vandalism
	GAB/IIBEA	Acceptable Computer System Use
	GAB-R/IIBEA-R	Acceptable Computer System Use Regulation
	IEA	Pledge of Allegiance
	IGAG	Driver Education
	JED	Student Absences/Excuses/Dismissals
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
	JGA	Corporal Punishment
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	JHCD	Administering Medicines to Students
	JN	Student Fees, Fines and Charges



## TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers shall have the initial authority to remove students from class for disruptive behavior.

### Criteria for Removal

Prior to the removal of a student from class under this policy, the following criteria must be met:

- the student's behavior is disruptive.
- removal of the student from the class is necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior.
- teacher and/or administrative interventions have been attempted and failed to end the student's disruptive behavior.
- notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or school administrators have been provided to the student's parents as described below.

When all of the above criteria have been satisfied, teacher removal of a student from class shall be deemed appropriate.

### Requirements for Incident Reports

No removal under this policy shall occur unless two prior written incident reports have been filed with school administrators. Upon removal, the teacher shall file a "Student Removal Form" (attached) with school administrators and any other documentation to support 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 the student. The Principal has several options regarding the placement of a removed student including, but not limited to:

1. Assigning the student to an alternative program.

2. Assigning the student to another class.
3. Sending 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.
4. Suspending or expelling the student. 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.
5. Returning the student to class (see 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. The following procedure shall apply 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.

This policy does not limit or restrict the ability of School Division employees to apply other policies, regulations or laws for maintaining order in the classroom.

Adopted:

Legal Ref: Code of Virginia, 1950, as amended, § 22.1-276.2

Cross Refs: GCN Evaluation of Professional Staff  
JFC Student Conduct  
JGDA Disciplining Students with Disabilities  
JGD/JGE Student Suspension/Expulsion

**STUDENT REMOVAL FORM**

School Name:

Student:

Teacher:

Class:

Date:

Description of Behavior:

Administrative and/or Teacher Interventions Attempted Prior to Removal and Results

Date of Prior Incident Reports:  
(Note: Prior incident reports must be attached.)

Signature of Teacher:

## SPORTSMANSHIP, ETHICS AND INTEGRITY

The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176 (B), 22.1-207, 22.1-208, 22.1-211, 22.1-253.13:1.

Cross Ref.: KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships



## 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:

---

---

---

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, 22.1-181, 22.1-293(B), (D).

Cross Refs.:	EEA	Student Transportation Services
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct

## WEAPONS IN SCHOOL

### I. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action. The disciplinary sanction for bringing a firearm to school or to a school sponsored activity is expulsion for at least one year in accordance with Policy JGD/JGE. Violation of this policy shall require that proceedings for the discipline of the student involved be initiated immediately by the principal.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in section 22.1-277.07(E), of the Code of Virginia, 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 section 22.1-277.07(E), of the Code of Virginia, or other dangerous articles.

### II. Students with Disabilities

- A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA 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:

---

---

---

Legal Refs.: 18 U.S.C. § 930(g)(2).  
20 U.S.C. § 1415(k)(1)(G)(i).

Code of Virginia, §§18.2-308, 18.2-308.1, 18.2-308.7, 22.1-277.07, 277.07:1.

Wood v. Henry County Public Schools, 255 Va. 85, 495 S.E.2d 255 (1998).

8 VAC 20-81-10.

Cross Refs.:	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## GANG ACTIVITY OR ASSOCIATION

The School Board acknowledges 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. A gang is defined as any group of two 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 activities
- creation of an atmosphere of fear and intimidation.

Students shall be subject to disciplinary action in accordance with Policy and Regulation JFC for participating in gang activity. Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
- inappropriate congregating, bullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

The superintendent shall, in cooperation with local law enforcement and/or juvenile agencies, develop a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols. The list shall be updated regularly.

The superintendent shall provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternative.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, as amended, §§ 22.1-70, 22.1-78, 22.1-79(2),

22.1-253.13:7.B.3.

Stephenson v. Davenport Community School District, 110 F.3d 1303  
(8th Cir. 1997).

Chalifoux v. New Caney Independent School District, Case No. 97-1763, U.S.  
District Court, S.D. Texas (Sept. 3, 1997).

## DRUGS IN SCHOOL

### I. Generally

Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, on school property or at a school-sponsored activity is prohibited.

#### A. Mandatory Expulsion

A student who is determined to have brought a controlled substance, imitation controlled substance, or marijuana, or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, onto school property or to a school-sponsored activity shall be expelled in accordance with Policy JGD/JGE. The School Board may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate.

#### B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in Southampton County Public 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 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:

---

---

---

Legal Refs: 20 U.S.C. §§ 1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).  
21 U.S.C. § 812(c).

Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

Cross Refs:	CLA	Reporting Acts of Violence and Substance Abuse
	JGD/JGE	Student Suspension/Expulsion
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGDA	Disciplining Students with Disabilities





## TOBACCO-FREE SCHOOL FOR STAFF AND STUDENTS

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy:

1. "School property" means:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
  - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" includes cloves or any other product packaged for smoking.
3. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

### Designated Smoking Areas

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

Adopted

---

---

---

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	GBEC	Tobacco-Free School for Staff and Students
	JFC-R	Standards of Student Conduct
	KG	Community Use of School Facilities
	KGC	Tobacco Use on School Premises

## SUBSTANCE ABUSE - STUDENT ASSISTANCE PROGRAM

The primary responsibility for helping students who are involved with substance abuse lies with the students and their parents. A supportive school environment is necessary for students who have been involved with substance use/abuse.

The School Board supports substance abuse programs which may vary in scope according to individual needs. Included among these would be programs for persons who desire more information, and for those who need help with intervention activities and programs.

The School Board supports division efforts to help students during the school day as well as to reinforce programs offered through other agencies. To that end, individual school substance abuse programs should provide group experiences, individual counseling and such other devices as are judged to be necessary by school personnel and other involved agencies.

Alcohol and illegal drug use/abuse shall be prohibited by the Code of Student Conduct in compliance with all applicable federal, state or local requirements.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 16.1-305.1.

WRITTEN NOTIFICATION OF VIOLATION OF SCHOOL POLICIES BY  
STUDENTS IN ALTERNATIVE EDUCATION PROGRAMS

The School Board shall require 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
- when 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 shall require 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-209.1:2(D).

## NOTIFICATION REGARDING PROSECUTION OF JUVENILES AS ADULTS

The Southampton 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-279.4.

## SEARCH AND SEIZURE

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

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

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

### 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.

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 may only be used when an extremely serious situation exists requiring immediate action. Such a search should be used only in the context of 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 his designee, unless the health or safety of the student is endangered by the delay.

#### LOCKER SEARCHES

Student lockers 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 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.

#### 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.

#### COMPUTER SEARCHES

School computers, software and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school. School officials may search school computers, software and internet access records at any time for any reason and without student consent.

#### CONSENT SEARCHES

If a student gives a school official consent for a search the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive himself at risk of punishment for refusing to grant permission for the search.

#### SEIZURE OF ILLEGAL MATERIALS

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Adopted:

---

---

---

Legal Refs.: New Jersey v. T.L.O., 469 U.S. 325 (1985).

Constitution of the United States, Amendment IV.

Constitution of Virginia, Article I, § 10.

Code of Virginia, 1950, as amended, § 22.1-279.7.

Board of Education Guidelines for Student Searches in Public Schools, (12/21/99).

Cross Ref.: GAB/IIBEA Acceptable Computer System Use



## PROHIBITION AGAINST HARASSMENT AND RETALIATION

### VIII. Policy Statement

The Southampton County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Southampton County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The school division shall: (1) promptly investigate all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

### IX. Definitions

#### D. 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

#### E. 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

## F. Additional Prohibited Behavior

Behavior that is not unlawful or does not rise to the level of illegal harassment or retaliation may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation.

## X. Complaint Procedure

### C. Formal Procedure

#### 6. File Report

Any student or school personnel who believes he or she has been the victim of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who 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 shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

#### 7. Investigation

Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division.

The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser, and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

#### 8. 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.<sup>40</sup> If the Superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the Southampton County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the Superintendent or designee determines that prohibited harassment occurred, the Superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

## 9. Appeal

If the superintendent or designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the Superintendent or designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

## 10. Compliance Officer and Alternate Compliance Officer

The Southampton County School Board has designated

**Dr. Wayne K. Smith, Executive Director of Administration and Personnel**  
**Post Office Box 96, Courtland, Virginia 23837**  
**757-653-2692**

as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer

**Marlene Duke, Special Education**  
**Post Office Box 96, Courtland, Virginia 23837**  
**757-653-2692**

The Compliance Officer shall

- receive reports or complaints of harassment;

- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, and has the authority to protect the alleged victim and others during the investigation.

#### **D. Informal Procedure**

If the complainant and the person accused of harassment agree, the student's principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

#### **XI. 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.

#### **XII. 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.

#### **XIII. Prevention and Notice of Policy**

Training to prevent harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student 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 shall be notified annually of the names and contact information of the Compliance Officers.

#### **XIV. 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:

---



---



---

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

34 C.F.R. 106.9.

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

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GB	Equal Employment Opportunity/Nondiscrimination
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JFHA-F/GBA-F	Report of Harassment
	GCPD	Professional Staff Discipline
	JHG	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

## REPORT OF HARASSMENT

Name of Complainant: \_\_\_\_\_

For Students, School Attending:

\_\_\_\_\_

For Employees, Position and Location: \_\_\_\_\_

Address, Phone Number

\_\_\_\_\_

and Email Address:

\_\_\_\_\_

\_\_\_\_\_

Date(s) of Alleged Incident(s) of Harassment: \_\_\_\_\_

Name of person(s) you believe harassed you or others:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If the alleged harassment was toward another, please identify that person:

\_\_\_\_\_

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date



Complaint Received By:

\_\_\_\_\_  
(Principal or Compliance Officer)      Date

## CORPORAL PUNISHMENT

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this policy, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. "Corporal punishment" does not include physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-279.1.

Cross Ref.: JM Restraint and Seclusion of Students





## STUDENT SUSPENSION/EXPULSION

### I. DEFINITIONS

As used in this Policy,

“Alternative education program” shall include, but shall not be limited to, 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” shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

“Disruptive behavior” means a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

“Exclusion” means a 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 any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.

“One year” means 365 calendar days as required in federal regulations.

“Pneumatic gun” means any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

“School 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.

## II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Any student for whom the division superintendent of the school division in which the student is enrolled has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

## III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than ten school days by either the school principal, any assistant principal, or, in their absence, any teacher. The principal, assistant principal, or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal, or teacher responsible for such suspension shall report the facts of the case in writing to the division superintendent or his designee and the parent of the pupil suspended. The division superintendent or his designee shall review forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any party in interest and confirm or disapprove such action based on an examination of the record of the pupil's behavior.

The decision of the division superintendent or his designee may be appealed to the school board or a committee thereof unless the school board has provided by regulation that the decision of the division superintendent or his designee shall be final.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days shall include 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, shall be borne by the parent of the student.

#### IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for more than ten days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the school board, or a committee thereof, or the superintendent or his designee, in accordance with regulations of the school board. If the regulations provide for a hearing by the superintendent or his designee, the regulations shall also provide for an appeal of the decision to the full school board. Such appeal shall be decided by the school board within thirty days.

If the regulations provide for a hearing by a committee of the school board, the regulations shall also provide that such committee may confirm or disapprove the suspension of a student. Any such committee shall be composed of at least three school board members. If the committee's decision is not unanimous, the pupil or his parent may appeal the committee's decision to the full school board. Such appeal shall be decided by the school board within thirty days.

The written notice of a suspension for more than ten days shall include notification of the length of the suspension and shall provide information concerning the availability of community-based educational, alternative education, or intervention programs. Such notice shall also state 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 shall be borne by the parent of the student.

Nothing herein shall be construed to prohibit the school board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the school board for the term of such suspension.

#### V. EXPULSION

##### A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and his parent of the proposed action and the reasons therefor and of the right to a hearing before the school board Disciplinary Committee in accordance with the regulations of the school board.

The regulations shall provide that such committee may confirm or disapprove the expulsion of a student. Any such committee shall be composed of at least three school board members. If the committee's decision is not unanimous, the pupil or his parent may appeal the committee's decision to the full school board. Such appeal shall be decided by the school board within 30 days.

The regulations shall also provide for subsequent confirmation or disapproval of the proposed expulsion by the committee regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and his parent shall include notification of the length of the expulsion and shall provide information to the parent of the student concerning the availability of community-based educational, training, and intervention programs. The notice shall also state whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the school board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion shall be borne by the parent of the student.

Nothing in this Policy shall be construed to prohibit the school board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the school board for the term of such expulsion.

If the school board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice shall also advise the parent of such student that the student may petition the school board for readmission to be effective one calendar year from the date of his expulsion, and of the conditions, if any, under which readmission may be granted.

The school board shall establish, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule shall be designed to ensure that any initial petition for readmission will be reviewed by the Disciplinary Committee or the division superintendent, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the division superintendent or the Disciplinary Committee denies such petition, the student may petition the school board for review of such denial.

#### B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below shall be 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 shall be deemed to preclude a school board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

#### Firearms

The school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a 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 exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this policy shall not apply to persons who possess such firearm or firearms as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

#### Drug Offenses

The school board shall expel from school attendance any student whom the school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in Va Code § 18.2-248.1:1 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.

#### C. Procedure for School Board Disciplinary Committee Hearing

The procedure for the Disciplinary Committee hearing shall be as follows:

- The Disciplinary Committee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the Disciplinary Committee.
- The Disciplinary Committee may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.
- The parties shall then present their evidence. Because the principal has the ultimate burden of proof, he shall present his evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representative). The Disciplinary Committee may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the Disciplinary Committee may take the testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the Disciplinary Committee determines, in its discretion, that such action is necessary to protect the student witness.
- The parties shall produce such additional evidence as the Disciplinary Committee may deem necessary. The Disciplinary Committee shall be the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, shall be marked and made part of the record.
- The Disciplinary Committee may, by majority vote, uphold, reject or alter the recommendations.
- The Disciplinary Committee shall transmit its decision, including the reasons therefor, to the student, his parent(s), the principal and superintendent.

Following the decision of the Disciplinary Committee or upon expiration of the appeal period, the student's parent(s) or guardian shall be provided with written notice which shall include the following:

- The terms or conditions of re-admission, if any;
- The duration of expulsion;
- A statement declaring whether the student is eligible to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after the expulsion. If neither option applies, a statement that the student may petition the School Board for readmission after one calendar year from the date of his expulsion; and

- The availability of community-based educational, training and intervention programs.
- The student or his parent(s) may appeal the committee's decision to the full School Board only if the decision of the Disciplinary Committee is not unanimous. Otherwise the decision of the Disciplinary Committee is final.

The appeal to the full School Board must be in writing and must be filed with the superintendent within five (5) calendar days of the committee's decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The full School Board will decide the appeal upon the record of the case within thirty (30) calendar days of the request for an appeal and communicate its decision in writing to the student and his parent, guardian, or other person having control or charge of the student. Such written notice shall include any changes in: (1) the duration of the suspension; (2) the availability of community-based educational, training, and intervention programs; and/or (3) eligibility to return to school or attend an alternative education program. No statements, witnesses or evidence may be presented at this appeal unless specifically requested by the Chairman of the Board.

## VI. ALTERNATIVE EDUCATION PROGRAM

The school board may require any student who has been (1) charged with an offense relating to the laws of Virginia, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent of the school division pursuant to Va. Code § 16.1-260.G; (2) found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to Va. Code § 16.1-260.G.; (3) found to have committed a serious offense or repeated offenses in violation of school board policies; (4) suspended pursuant to Va. Code § 22.1-277.05; or (5) expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of Va. Code § 22.1-277, to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime occurred. The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of school board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

A principal (or his designee) may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used herein, "charged" means that a petition or warrant has been filed or is pending against a pupil.

## VII. REPORTING

- A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports shall be made to the division superintendent and to the principal or his designee on all incidents involving
- (1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
  - (2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described by Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
  - (3) any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, 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 of 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 division superintendent and the principal or his designee may receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 shall report such information to the principal of the school in which the juvenile is enrolled.
- C. The principal or his designee shall submit a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent of the school division. The division superintendent shall annually report all such incidents to the Department of Education.

In submitting reports of such incidents, principals and division superintendents shall 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 his designee shall also notify 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 shall relate to only the relevant student's involvement and shall not include information concerning other students.
- E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or his designee. Prevention and intervention activities shall be identified in the local school division drug and alcohol violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV-Safe and Drug-Free Schools and Communities Act).
- F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal shall immediately report to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal shall also immediately report 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 shall report that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

- G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

#### VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the BLANK Schools, in accordance with Policy JEC (G). 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 local 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 excluding school board shall not impose additional conditions for readmission to school.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this policy or Policy JEC, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the school board, committee thereof, or superintendent or his designee, as the case may be at the relevant hearing, the student may re-petition the school board for admission. If the petition for admission is rejected, the school board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the school board for admission.

The school board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the school board for the term of such exclusion.

## IX. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities shall be disciplined in accordance with Policy JGDA.

Adopted:

---

---

---

Legal Ref.: 20 U.S.C. § 7151

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.:	BCEA	Disciplinary Committee
	IGBH	Alternative School Programs
	JEC	School Admission
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JGDA	Disciplining Students with Disabilities

JGDB      Discipline of Students with Disabilities for Infliction of Serious  
Bodily Injury

## STUDENT SUSPENSION/EXPULSION

The following violations of the Code of Student Conduct and School Board policy shall be grounds for suspension:

### TO BE COMPLETED BY THE SCHOOL DIVISION

The following violations of the Code of Student Conduct and School Board policy shall be grounds for expulsion:

### TO BE COMPLETED BY THE SCHOOL DIVISION

The decision of the superintendent or his/her designee regarding a suspension for 10 days or less may be appealed to the school board unless the school board has provided by regulation that the decision of the division superintendent or his designee shall be final.

In the case of a suspension for more than ten days, the student and his parent(s), guardian, or person having control or charge of the student may appeal the decision to the School Board Disciplinary Committee pursuant to Policy JGD/JGE. The School Board Disciplinary Committee decision shall be final and may not be appealed to the full School Board if it is unanimous. If the School Board Disciplinary Committee decision is not unanimous, it may be appealed to the full School Board pursuant to Policy JGD/JGE. If appealed to the full School Board, the appeal shall be decided by the School Board within thirty days.

In the case of expulsion, the decision may be appealed to the School Board Disciplinary Committee. The Disciplinary Committee's decision may not be appealed to the full School Board if it is unanimous. If the School Board Disciplinary Committee decision is not unanimous, it may be appealed to the full School Board pursuant to Policy JGD/JGE. If appealed to the full School Board, the appeal shall be decided by the School Board within thirty days.

Adopted:

---

---

---



## 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 - Change in Placement

For the purpose of removing students with disabilities from their current educational placements, a change in placement occurs when:

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) there is a series of removals 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,
  - (c) the total time the student is removed, and
  - (d) the child's behavior is substantially similar to the child's behavior in previous incidents.

If the disciplinary action will result in a change of placement for a student with a disability then that student's parents must be sent notice that same day of the recommendation for discipline and be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

### II. Short-Term Suspension

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 up to 10 school days cumulative in a school year to the extent that such removal would be applied to students without disabilities and for additional short-term suspensions provided no pattern exists.

### III. Functional Behavior Assessments and Behavior Intervention Plans

If the school administration, the parent, and the relevant Individualized Education Program (IEP) 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 a FBA and 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 agree to a change in placement when reviewing or modifying the BIP. Without this agreement, the student must return to the placement from which the student was removed.

#### 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) progress toward meeting the goals set out in the student's IEP.

The determination of educational services is made by the IEP team for discipline which constitutes a change in placement. For discipline which is not a change in placement, the determination is made by school personnel in consultation with the student's special education teacher.

#### V. Manifestation Determination

When a disciplinary action is proposed that will result in a change of placement, a manifestation determination review 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 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 had 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.

If a manifestation is found, the student cannot be disciplined beyond any permissible short term removal that may be available. 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. The student will remain in the interim alternative education setting pending the decision of the hearing officer or the expiration of a forty-five school day removal.

#### VI. Disciplinary Action for Behavior that is Determined Not to be a 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 nondisabled students. Following a removal which constitutes a change in placement, 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 discipline.

#### VII. Disciplinary Action and/or Alternative Placement for Behavior That Is Determined To Be 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 also be removed to a more restrictive placement by following change in placement procedures. The IEP team must conduct or review a FBA and/or BIP as provided in Section III.

#### VIII. Interim Alternative Educational Settings for Weapons and Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess 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; 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 while 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, JFCF or JGDB and may be placed in an interim alternative educational setting for up to forty-five school days. This option is available without regard to whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

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, a 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 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 necessary.

## X. Placement During Appeals

Students with disabilities are entitled to the due process rights available to a non-disabled student. 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. During the course of any appeals, the student's placement shall be in accordance with the provisions of federal law unless the parent and the school division agree otherwise.

## XI. Students Not Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if before the behavior that precipitated the disciplinary action occurred:

- (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 through formal evaluation procedures; 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.

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 evaluation is made during the period such 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, in compliance with the procedures for suspended and expelled students with disabilities. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities.

## 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.

Adopted:

Revised:

---

---

---

Legal Refs.: 20 U.S.C. § 1415(k).  
29 U.S.C. § 705(20)(C)(iv)  
  
34 C.F.R. 300.530-300.536.  
  
8 VAC 20-81-160.

Cross Ref.:	JFC	Student Code of Conduct
	JFCD	Weapons in School
	JFCF	Drugs in School
	JGD/JGE	Student Suspensions/Expulsions
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION OF SERIOUS BODILY INJURY

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

The term serious bodily injury has the same meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Adopted:

---

---

---

Legal Refs: 18 U.S.C. § 1365(h)(3).  
20 U.S.C. § 1415(k)(1)(G)(iii).

Cross Refs:	JFCD	Weapons in School
	JFCF	Drugs in School
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities

## STUDENT HEALTH SERVICES AND REQUIREMENTS

The Southampton 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.

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.

For the purposes of this policy, "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.

Adopted:

---



---



---

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

Cross Refs.:	EBBA	First Aid/CPR 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

## PHYSICAL EXAMINATIONS OF STUDENTS

- A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in Southampton County School Division unless such pupil furnishes, prior to admission,
- (1) a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or
  - (2) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.
- B. If the pupil is a homeless child or youth as defined in Va. Code § [22.1-3](#), and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the division's homeless liaison, who will, as soon as practicable, assist in obtaining the necessary physical examination by the local health department or other clinic or physician's office and shall immediately admit the pupil to school.
- C. The health care provider making a report of a physical examination shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.
- D. Physical examination reports shall be placed in the child's health record at the school and shall be made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.
- E. A physical examination shall not be required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of his or her knowledge, the child is in good health and free from any communicable or contagious disease.
- F. The health departments of the counties and cities of the Commonwealth shall conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the departments establish.
- G. Parents/guardians of students entering school shall complete a health information form as required by state law. Such forms shall be returned within 15 days of receipt unless reasonable extensions have been granted by the superintendent or his designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of Va. Code § [22.1-3](#) shall be excluded from school for such failure to complete such form.

Adopted:



---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-270.

Cross Refs.: JEC School Admission  
JECA Admission of Homeless Students

## STUDENT IMMUNIZATIONS

No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization as required by Va. Code §§ 22.1-271.2 and 32.1-46 to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3.

If a student does not have documentary proof of immunization, the school will notify the student or his parent

- (i) that it has no documentary proof of immunization for the student;
- (ii) that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3;
- (iii) that the student may be immunized and receive certification by a licensed physician, physician assistant, nurse practitioner, registered nurse or an employee of a local health department; and
- (iv) how to contact the local health department to learn where and when it performs these services.

Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code § 22.1-32.1-46 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 days.

The immunization record of each student admitted conditionally will be reviewed periodically until the required immunizations have been received.

Any student admitted conditionally who fails to comply with his schedule for completion of the required immunizations will be excluded from school until his immunizations are resumed.

### Exemptions

No certificate of immunization is required for the admission to school of any student if

- (i) the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or
- (ii) the school has written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

### Homeless Pupils

If a student is a homeless child or youth as defined in Va. Code § 22.1-3 and

(a) does not have documentary proof of necessary immunizations or has incomplete immunizations and

(b) is not exempted from immunization,

the school division will immediately admit such student and will immediately refer the student to the local school division homeless liaison who will assist in obtaining the documentary proof of, or completing, immunization.

### Immunization Record

Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which will be a part of the mandatory permanent student record. Such record is open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record will be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official will file a report with the local health department. The report will be filed on forms prepared by the State Department of Health and will state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3.

Adopted:

---



---



---

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  
LBD Home Instruction

## COMMUNICABLE DISEASES

The Southampton 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. In carrying out this responsibility, 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 shall be 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).

The identity of a student who has a communicable disease will be kept confidential and will be revealed only in accordance with state law. An alternative educational program should 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.

Administrative procedures concerning the exclusion of employees and students with communicable diseases will be consistent with the requirements of law, including the policies of the Virginia Department of Education, and should reflect current medical knowledge and research.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-271.3, 22.1-272, 32.1-36.1, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections

## 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:

---

---

---

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 Refs:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	IGBG	Homebound, Correspondence, and Alternative Means of Instruction
	JHCCA-E	Guidelines for School Attendance for Students with Human Immunodeficiency Virus

## GUIDELINES FOR SCHOOL ATTENDANCE FOR STUDENTS WITH HUMAN IMMUNODEFICIENCY VIRUS

The **Southampton 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.

**Southampton County** Public Schools will work cooperatively with the local health department with regard to the school attendance of students infected with HIV. To enhance the school attendance of students who are HIV-infected, the school division will collaborate with public and private organizations in the provision of support services to HIV-infected students.

All students are expected to satisfy the immunization requirements of Virginia Code § 22.1-271.2 unless a required immunization would be harmful to the health of the student. Students who are HIV-infected or have acquired immune deficiency syndrome (AIDS) may be exempted from obtaining immunizations which would otherwise be required. School personnel will cooperate with public health personnel regarding exemptions from the requirements.

Mandatory screening for HIV infection is not warranted as a condition of school attendance. Upon learning that a student is HIV-infected or has AIDS, the division superintendent may consult with the student's family, the student's family physician, or an official from the local department of health to determine whether the student is well enough to stay in school. If a change in the student's program is necessary because of the student's health, the division superintendent or designee will work with the student's family, family physician or local health official to develop an educational plan for the student.

Any school board employee or volunteer who has any information regarding a student's HIV-infected status will treat that information as confidential. Division personnel will share information regarding a student's HIV status only with the written consent of the student's parent or guardian.

Despite the extremely remote risk that exposure of skin to blood could result in infection, the following universal precautions for handling blood will be implemented within schools and on school buses:

- persons involved in cleaning surfaces exposed to blood and persons rendering first aid to bleeding students should wear disposable gloves to avoid exposure of open skin lesions and mucous membranes to blood;
- surfaces contaminated with blood should be promptly cleaned with household bleach (1 part bleach to 9 parts water) using disposable towels and tissues;
- hands must be washed after gloves are removed;
- if one person's skin is exposed to the blood of another person, the exposed areas should be washed with soap and water.

Universal precautions do not apply to feces, nasal secretions, saliva, sputum, sweat, tears, urine, and 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:

---

---

---

## ADMINISTERING MEDICINES TO STUDENTS

### Prescription Medications

Southampton County Public School personnel may give prescription medication to 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/guardian of the student.

### Nonprescription Medications

Southampton County Public School personnel 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/guardian of the student.

### Self-Administration of Medication

Self-administration of any medication is prohibited with the exception of asthma medication and auto-injectable epinephrine, other medication as prescribed by physician and approved by parent.

Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited. Students may be subject to disciplinary action in accordance with the Standards of Student Conduct if they violate this policy.

### 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. In order for a student to possess and self-administer asthma medication, or auto-injectable epinephrine, or both, the following conditions must be met:

- written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, must be on file with the school;
- written notice from the student's health care provider must be 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 must be prepared, including emergency procedures for any life-threatening conditions; and
- 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.

#### 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:

---

---

---

Legal Ref.: Code of Virginia, as amended, §§ 22.1-78, 22.1-274.2, 54.1-2952.2, 54.1-2957.02.

Cross Ref.:	EBBA	First Aid/CPR Certified Personnel
	JFC-R	Standards of Student Conduct
	JHCE	Recommendation of Medication by School Personnel

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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-274.3.

Superintendent's Memorandum No. 54 (August 16, 2002).

Cross Ref.: JHCD Administering Medicine to Students

## STUDENT WELLNESS

### I. Policy Statement

The Southampton County School Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity in division students.

### II. Goals

The Southampton County School Board has established the following goals to promote student wellness.

#### A. Nutrition Education

Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.

Nutrition education is offered in the school cafeteria as well as in the classroom, with coordination between the foodservice staff and other school personnel, including teachers.

Students receive consistent nutrition messages from all aspects of the school program.

Division health education curriculum standards and guidelines address both nutrition and physical education.

Nutrition is integrated into the health education or core curricula (e.g., math, science, language arts).

Schools link nutrition education activities with the coordinated school health program.

Staff who provide nutrition education have appropriate training.

The level of student participation in the school breakfast and school lunch programs is appropriate.

Schools are enrolled as Team Nutrition Schools<sup>1</sup>, and they conduct nutrition education activities and promotions that involve parents, students, and the community.

#### B. Physical activity

The Southampton 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 program may include any combination of physical education

classes, extracurricular activities, and other programs and physical activities. The division's goal for the implementation of its physical fitness program is

Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.

Students are given opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.

Schools work with the community to create ways for students to walk, bike, rollerblade or skateboard safely to and from school.

Schools encourage parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.

Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

#### C. Other school-based activities

An adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities. All children who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.

Environmentally-friendly practices such as the use of locally grown and seasonal foods, school gardens, and nondisposable tableware have been considered and implemented where appropriate.

Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.

#### D. Nutrition Guidelines

Nutrition guidelines have been selected by the division for all foods available on every school campus during the school day. The objectives of the guidelines are to promote student health and reduce childhood obesity.

- **include guidelines for maximizing nutritional value by decreasing fat and added sugars, increasing nutrition density and moderating portion size of each individual food or beverage sold within the school environment;**
- **establish separate guidelines for foods and beverages in the following categories:**
  - **foods and beverages included in a la carte sales in the food service program on school campuses;**
  - **foods and beverages sold in vending machines, snack bars, school stores, and concession stands;**

- **foods and beverages sold as part of school-sponsored fundraising activities; and**
- **refreshments served at parties, celebrations, and meetings during the school day; and**
- **specify that its guidelines will be based on nutrition goals, not profit motives.]**

Nutritional standards for the school breakfast and school lunch programs that meet or exceed state and federal standards are in place.

The nutritional content of foods and beverages donated for class parties or other school events is considered.

School-based marketing of foods and beverages, such as through advertisements in school publications, school buildings, athletic fields, and/or other areas accessible to students, and activities such as incentive programs, has been considered.

Outreach strategies to encourage families to reinforce and support healthy eating and physical activity are in place.

### III. Implementation

The **Executive Director of Administration & Personnel** will be responsible for overseeing the implementation of this policy and will develop procedures for evaluating the wellness policy, including indicators that will be used to measure its success.

Adopted:

---



---



---

Legal Refs: 42 U.S.C. § 1751 Note

Code of Virginia, 1950, as amended, § 22.1-253.13:1.D.13.

Cross Refs:	EFB	Free and Reduced Price Food Services
	IGAE/IGAF	Health Education/Physical Education
	JL	Fund Raising and Solicitation
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## SCHOOL MEALS AND SNACKS

The Southampton County School Board recognizes that students need adequate, nourishing food in order to learn, grow, and maintain good health.

To reinforce the division's nutrition education program, foods sold during regular school hours on school premises will be

- carefully selected so as to contribute to students' nutritional well-being and the prevention of disease;
- prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits; and
- served in age-appropriate quantities and at reasonable prices.

The Southampton County School Board promotes high-quality school meals and snacks by

- involving students in the selection, tasting, and marketing of healthy foods and beverages that appeal to students;
- providing a variety of food options, such as fruits, vegetables, whole grains, and dairy foods, which are low in fat and added sugars;
- offering a variety of healthy choices that appeal to students, including cultural and ethnic favorites;
- restricting student access to unhealthy foods in vending machines, school stores, and other venues that compete with healthy school meals; and
- ensuring that healthy snacks and foods are provided in vending machines, school stores, and other venues within the division's control. The healthy options should cost the same or less than unhealthy alternatives.

The Southampton County School Board strives to provide an environment conducive to good health by

- allowing an adequate amount of time and space for students to eat school meals;
- scheduling lunch periods at reasonable hours around midday;
- ensuring that drinking fountains are operable, clean, and convenient for use throughout the school day;
- offering extracurricular physical activity programs, such as physical activity clubs, intramural programs, or interscholastic athletics;
- discouraging the promotion and advertising of unhealthy foods;
- encouraging the use of non-food items rather than food items as incentives and rewards for good behavior or academic performance; and
- encouraging parents to support the division's nutrition education efforts by considering nutritional quality when selecting any snacks which they may donate for occasional class parties.

The Southampton County School Board supports nutrition education and physical education by

- ensuring that qualified nutrition education and physical education specialists focus on knowledge and skill development so students are able to learn and adopt healthy eating and physical activity behaviors;
- offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and

- eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

Adopted:

---

---

---

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

Cross Refs: EFB Free and Reduced Price Food Services  
IGAE/IGAF Health Education/Physical Education  
JHCF Student Wellness  
JL Fund Raising and Solicitation  
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

## HUMAN RESEARCH

Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government shall be conducted in accordance with Policy KFB Administration of Surveys and Questionnaires, 20 U.S.C. § 1232h, and the applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved.

Any other human research involving students must be approved and conducted under the review of a human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student's parents or legally authorized representative give their informed consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18. The human research committee will submit to the Governor, the General Assembly, and the Superintendent of Public Instruction or his designee at least annually a report on the human research projects reviewed and approved by the committee. The report will state any significant deviations from the proposals as approved.

The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19.

Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

Definition: as used in this policy, "human research" means any systematic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. "Human research" does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b).

Adopted:

---



---



---

Legal Refs.: 20 U.S.C. § 1232h.



Code of Virginia, 1950, as amended, §§ 22.1-16.1, 32.1-162.16, 32.1-162.17, 32.1-162.19, 32.1-162.20.

8 VAC 20-565-30.

8 VAC 20-565-40.

8 VAC 20-565-50.

Cross Refs.:	KFB	Administration of Surveys and Questionnaires
	IIAE	Innovative or Experimental Program

## CHILD ABUSE AND NEGLECT REPORTING

### Reporting Requirement

Every employee of Southampton 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 shall post 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 against School Personnel

The School Board and the local department of social services shall adopt a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student, against school personnel. The interagency agreement shall be based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.A, 22.1-291.3, 63.2-1509, 63.2-1511.D.

Cross Refs.: JFHA/GBA Sexual Harassment/Harassment Based on Race, National Origin,  
Disability and Religion  
GBLA Third Party Complaints Against Employees

## SUICIDE PREVENTION

### Duties of Teachers and Administrative Staff

Any person licensed as administrative or instructional personnel by the Board of Education and employed by the Southampton County School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

### Contacting the Parent/Guardian

If the section below titled "Abuse or Neglect" does not apply, then the staff member shall call at least one of the student's parents/guardians. When contacting a parent/guardian, the staff member should:

1. Provide his/her name and position in the school;
2. Tell the parent/guardian that he has reason to believe, as a result of direct communication from the student, that the student is at imminent risk of suicide;
3. Assure the parent/guardian that the student is currently safe;
4. State the legal requirement for the call, citing Va. Code § 22.1-272.1;
5. Ask the parent/guardian whether he or she is aware of the student's mental state;
6. Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
7. Provide names of community counseling resources if appropriate and offer to facilitate the referral; and
8. Determine the parent's intent to seek appropriate services for the student.

### Abuse or Neglect

If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, this contact shall not be made with the parent. Instead, the person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by Policy JHG and Va. Code § 63.2-1509. When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.

### Inability to Reach Parent/Guardian

If the staff member is unable to make contact with the parent/guardian by the end of the school day, then he shall follow the school's crisis management plan.

#### Required Documentation

The staff member shall document the phone call to the parent/guardian by recording: (a) the time and date of the call; (b) the individual contacted; (c) the parent/guardian's response; and (d) anticipated follow-up.

#### Additional Concerns

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the staff member shall report the abuse or neglect in accordance with policy JHG.

#### Duty to Keep Student Safe and Secure

A student who is at imminent risk of suicide shall remain under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

Adopted:

---

---

---

Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1-272.1 and 63.2-1509.

Va. Board of Education "Suicide Prevention Guidelines," (Revised 2003).

Cross Refs: JHG Child Abuse and Neglect Reporting  
EB School Crisis, Emergency Management, and Medical Emergency  
Response Plan

## STUDENT-ATHLETE CONCUSSIONS DURING EXTRACURRICULAR ACTIVITIES

The Southampton County Public Schools desires the safe return to activity for all student-athletes participating in extracurricular physical activities following an injury, but particularly after a concussion. The goal of this policy is to ensure (i) that coaches, school staff, volunteers, student-athletes, and their parents or guardian are aware of the short-term and long term effects of concussions; (ii) that concussed student-athletes are identified, removed from play immediately, and referred appropriately; and (iii) that concussed student-athletes are returned to play only after receiving appropriate medical care, given adequate time to heal, and are symptom free.

### Definitions

**Concussion:** *a brain injury that is characterized by an onset of impairment of cognitive and/or physical functioning, and is caused by a blow to the head, face or neck, or a blow to the body that causes a sudden jarring of the head (i.e., a helmet to the head, being knocked to the ground). A concussion can occur with or without a loss of consciousness, and proper management is essential to the immediate safety and long-term future of the injured individual.*

**Licensed Health Care Provider:** *a physician, physician assistant, osteopath or athletic trainer licensed by the Virginia Board of Medicine; a neuropsychologist licensed by the Board of Psychology; or a nurse practitioner licensed by the Virginia State Board of Nursing.*

**Return to Play:** *to participate in a non-medically supervised practice, game, or athletic competition.*

### I. Southampton County Public Schools Concussion Management Team

- a. The Southampton County Public Schools Concussion Management Team (“CMT”) shall be appointed by the Superintendent of Schools and shall consist of a school administrator, an athletic administrator, a licensed health care provider, a coach, a parent or guardian of a student-athlete, a student athlete, and any such other person the Superintendent determines will assist the CMT in its actions.
- b. The CMT shall develop concussion training materials for school personnel, volunteers, student-athletes, and parents of student-athletes. The CMT shall also develop concussion reporting, management, and review protocols for the school division. The CMT shall maintain a record of all incidents where a student-athlete has been removed from a game, competition, or practice because he or she has been suspected of sustaining a concussion.
- c. The CMT shall meet at least once per semester and shall evaluate the division’s training materials, concussion reporting, management, and review protocols annually.

### II. Required Concussion Training for School Personnel and Volunteers:

- a. Every Coach, Assistant Coach, School Staff, Adult Volunteer, or other person serving in a coaching or advisory role over student-athletes during games, competitions, or practices shall receive training in the signs and symptoms of sports-related concussions, strategies to reduce the risk of concussions, how to seek proper medical treatment for concussions, and the process by which a concussed student-athlete may safely return to practice or competition.

Each school and the CMT shall maintain a written record of the names and dates of completion for all persons completing the school's concussion training.

- b. Each school shall ensure that no person is allowed to coach or advise a student-athlete in any practice, game, or competition who has not completed the school's concussion training within the previous twelve months.

### III. Distribution of Training Materials for Student-Athletes and Parent/Guardian:

- a. Prior to participating in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian shall review concussion training materials developed by the CMT and sign a statement acknowledging receipt of such information. The concussion training materials shall describe the short-and long-term health effects of concussions.
- b. The signed statements acknowledging the receipt of concussion training materials shall be valid for one calendar year and will satisfy the concussion training requirements for all of a student-athlete's extracurricular physical activities for a calendar year.

### IV. Removal from Extracurricular Physical Activities

- a. A student-athlete suspected by a student-athlete's coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice, game, or competition shall be removed from the activity immediately, evaluated, and if necessary referred for further treatment. A student-athlete who has been removed from play, evaluated, and suspected to have sustained a concussion shall not return to play that same day.
- b. In determining whether a student-athlete removed from play is suspected of having sustained a concussion, an appropriate licensed health care provider or other properly trained individual, shall evaluate the student-athlete at the time of removal utilizing a standardized concussion sideline assessment instrument (e.g., Sideline Concussion Assessment Tool (SCAT-II), the Standardized Assessment of Concussion (SAC), or the Balance Error Scoring System (BESS)).
- c. The determination of whether a student-athlete removed from play is suspected of having sustained a concussion shall be the sole determination of the licensed health care provider or other properly trained individual conducting the concussion sideline assessment. Such determination is final and may not be overruled by another licensed health care provider or other properly trained individual, coach, assistant coach, school staff, or other person serving in a coaching or advisory role, the student-athlete, or the parent or guardian of the student-athlete.
- d. The coach of a student-athlete may elect not to return the student-athlete to play, even if after the concussion sideline assessment it is determined that the student-athlete is no longer suspected of having sustained a concussion.

### V. Return To Play Protocol

- a. No student-athlete shall be allowed to return to extracurricular physical activities, which includes the student-athlete's practices, games, or competitions, until the student presents a

written medical release from the student-athlete's licensed health care provider. The written medical release shall certify that (i) the provider is aware of the current medical guidance on concussion evaluation and management; (ii) the student-athlete no longer exhibits signs symptoms or behaviors consistent with a concussion at rest or with exertion; and (iii) that the student-athlete has successfully completed a progressive return to sports participation program. The length of progressive return to sports participation program shall be determined by the student-athlete's licensed health care provider but shall last a minimum of five calendar days.

- b. The coach of a student-athlete may elect not to allow a student-athlete to return to extracurricular physical activities, even after the production of written medical release from the student-athlete's licensed health care provider, if the coach observes signs and symptoms of sports-related concussions. If the student-athlete's coach makes such a decision, the coach shall communicate the observations and concerns to the student-athlete's parent or guardian within one day of the decision not to allow such student-athlete to return to extracurricular physical activities.

#### VI. Helmet Replacement and Reconditioning

- a. All helmets used in school physical activities must conform to the National Operations Committee on Standards for Athletic Equipment (NOCSAE) and certified as conforming by the manufacturer at the time of purchase.
- b. Reconditioned helmets that have been purchased must be recertified as conforming to the NOCSAE by the reconditioner.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-271.5.

## FUND RAISING AND SOLICITATION

All fund-raising activities conducted for the benefit of Southampton County school division must provide an educational benefit to students and must not interfere with the instructional program. All fund-raising activities conducted by school-sponsored organizations or clubs must be approved in advance by the principal. Fund-raising 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 fund-raising activities provided such activities are approved in writing and carefully monitored and regulated by the school principal or a designee. Elementary school students may not participate in door-to-door solicitation. Students will not be excused from class to participate in fund-raising activities. No grade will be affected by a student's participation, or lack of participation, in a fund-raising activity.

Each principal shall develop and maintain a list of all approved fund-raising activities and report all activities to the superintendent pursuant to procedures issued by the superintendent.

The superintendent periodically shall furnish the School Board with an up-to-date listing of all fund raising activities being conducted by the school division.

Adopted:

---



---



---

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

Cross Refs.:	JHCF	Student Wellness
	KJ	Advertising in the Schools
	KGA	Sales and Solicitations in Schools
	KMA	Relations with Parent Organizations
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships



## RESTRAINT AND SECLUSION OF STUDENTS

Physical and mechanical restraint and seclusion may only be used consistent with this policy.

As used in this policy,

“physical restraint” means the use of physical force to restrict the free movement of all or a part of a student’s body. Excluded from this definition is the use of procedures the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“mechanical restraint” means the use of any device or material attached to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“seclusion” means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student’s IEP, Section 504, or behavior intervention plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by a staff member in close proximity. It is preferable that the staff member can see or observe student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student’s IEP, Section 504 plan, or behavior intervention plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.

Physical restraint, mechanical restraint, and seclusion may only be used by a staff member who has been trained in the proper use of the technique applied or device utilized and should only be used in the following circumstances:

- as needed to protect an individual from his or her own actions;
- as needed to protect others from injury by the restrained person;
- as needed to quell a disturbance;
- as needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;
- as needed for self-defense;
- as needed to escort a student safely from one area to another;
- as reasonably needed to prevent imminent destruction to school or another person’s property;
- when using seat belts or other safety restraints to secure a student during transportation;
- to direct the movement or actions of a student to avoid the undue or deliberate disruption of the learning environment;
- as authorized by the Code of Virginia, or
- as authorized by a student’s IEP, Section 504 plan or behavior intervention plan.

Nothing in this policy is intended to limit the application of Va. Code § 22.1-279.1 which provides generally that:

No teacher, principal or other person employed by the school board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent

- the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;
- the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;
- the use of reasonable and necessary force for self-defense or the defense of others;
- the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;
- physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport; or
- participation in physical education or an extracurricular activity.

#### **Documentation and Notice to Parents**

A parent or guardian will be notified in writing within a reasonable period of time, not to exceed 15 school days, after any use of

- physical restraint; or
- seclusion resulting in observed physical injury to the student.

The staff member who utilizes restraint or seclusion will be responsible for making a record of information regarding its use including the date, time, duration, precipitating behavior, outcome and other pertinent observations. Documentation is not required when using mechanical devices that are authorized and utilized for the student's safety or physical support such as bus harnesses, lap belts, rifton chairs and similar devices. This policy does not permit the use of a restraining device to limit a student's mobility when that device is not ordinarily used with the student.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-279.1.

Cross Refs.:	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGA	Corporal Punishment

JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

## STUDENT FEES, FINES, AND CHARGES

It shall be the policy of the School Board to charge student fees and to recover funds for the loss of or damage to School Board property in accordance with the Code of Virginia.

The School Board shall provide, 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.

Only those fees and charges permitted by law or the regulations of the Board of Education may be required of students. No school or employee may require a fee or charge of any student without the prior approval of the Superintendent or his or her designee who may approve such fees and charges only if the school board has adopted a resolution authorizing the superintendent or his or her designee to approve such fees and charges. In approving any such fee or charge, the Superintendent/designee shall ensure that the fee or charge is either reduced or waived for those students who are unable to afford them. The superintendent/designee shall inform the school board of any fee or charge assessed, and of any changes to such fees/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:

---



---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-6, 22.1-243, 22.1-280.4.

Virginia Department of Education Superintendents Memo. No.95, Informational, May 1994.

8 VAC 20-370-10

Cross Refs.:	ECAB	Vandalism
	IIA	Instructional Materials

## STUDENT RECORDS

### **Generally**

The Southampton County School Board shall maintain accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The superintendent and/or his designee(s) shall be responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent shall also provide for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

### **Definitions**

For the purposes of this policy, the Southampton 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 Southampton 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 Southampton 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 Southampton 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 Southampton 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.

### **Petitions and Reports**

The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.
- If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

### **Annual Notification**

The school division shall annually notify parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's educational records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- the type of information designated as directory information and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the 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 shall have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

### **Copies of Education Records**

The Southampton 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 **20 cents per page**. The actual cost of copying time and postage will be charged. The Southampton County Public Schools shall not charge for search and retrieval of the records. The Southampton County Public Schools shall not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

### **Types, Locations, and Custodians of Education Records**

The Southampton 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 the Southampton County Public Schools maintain, their locations, and their custodians.

<b>Types</b>	<b>Location</b>	<b>Custodian</b>	<b>Information</b>
--------------	-----------------	------------------	--------------------

**THE SCHOOL DIVISION WILL COMPLETE  
THIS SECTION AS APPROPRIATE.**

### **Disclosure of Education Records**

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

1. To school officials who have a legitimate educational interest in the records.

A school official is:

- A person employed by the School Board
- A person appointed or elected to the School Board
- A person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
- A contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement
  - Performing a task related to a student's education
  - Performing a task related to the discipline of a student
  - Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. If records or information are released under this provision, the student's parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.
  3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
  4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
  5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
  6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
    - specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;

- requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
  - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
  - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
7. To accrediting organizations to carry out their functions.
  8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
  9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
  10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
    - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
    - the parties to whom the division disclosed the information.
  11. Directory information so designated by the school division.
  12. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

### **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**

The Southampton County Public Schools will provide, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent. The school division will notify parents of the option to make a request and will comply with any request.

The school division will provide 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**

The Southampton County Public Schools shall maintain a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies, or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his assistants who are responsible for the custody of such records, and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

## **Directory Information**

The Southampton County School Board shall notify parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

Parents and eligible students may not use the right to opt out of directory information disclosures to 1) prevent disclosure of the student's name, identifier, or institutional email address in a class in which the student is enrolled; or 2) prevent an educational agency or institution from requiring the student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

## **SCHOOL BOARD SHALL INSERT LIST OF DIRECTORY INFORMATION**

### **Correction of Education Records**

The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows.

1. Parents or the eligible student must request in writing that the Southampton 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. SOUTHAMPTON 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, Southampton 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. Southampton 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 Southampton 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 Southampton 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 Southampton County Public Schools shall comply with the confidentiality requirements of Section 32.1-36.1 of the Code of Virginia, 1950, as amended, providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division shall maintain confidentiality of drug and alcohol treatment records as required by federal and state law.

Adopted:

---

---

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.

20 U.S.C. §§ 1232g, 7908.

42 U.S.C. § 290dd-2.

34 C.F.R. 99.3, 99.7, 99.10, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37.

Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-287, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23-2.1:3, 32.1-36.1.

8 VAC 20-720-130.

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
KBA-R	Requests for Information
KBC	Media Relations
KNB	Reports of Missing Children
KP	Parental Rights and Responsibilities
LEB	Advanced/Alternative Courses for Credit

## STUDENT PUBLICATIONS

### Definition of Official School Publications

Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. In all instances related to these publications, the School Board will be the publisher, the principal will be the editor, the faculty sponsor will be co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

### Responsibilities of Student Editors and Journalists

Student editors and journalists shall be responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that

- is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
- which advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
- which advertises or advocates illegal products or services; or
- which advocates prejudice, hatred, violence, or harassment on the basis of race, religion, national origin, ancestry or disability.

### Responsibilities of Student Publications Faculty Co-Editor

School publications faculty co-editors shall instruct students in the Code of Ethics of the American Society of Newspaper Editors and help students to understand and follow it. Faculty members shall instruct students in correct and appropriate journalistic techniques and consult with the principal, who is the editor, on material that may violate the law or the journalism Code of Ethics. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal (editor).

### Responsibilities of the School Principal (Editor)

The school principal is responsible for approving all publications in accordance with School Board policy and his/her judgment and discretion.

Adopted:

---

---

---



98 L.Ed.2d 592 (1988).

Cross Refs:	AC	Nondiscrimination
	GB	Equal Employment Opportunity/Nondiscrimination
	JB	Equal Educational Opportunities/Nondiscrimination
	JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion

---

## **SECTION K: School-Community Relations**

---

KA	Goals for School-Community Relations
KB	Public Information Program
KBA KBA-R KBA-1 KBA-2	Requests for Information
KBC	Media Relations
KBE	Internet Privacy
KC	Community Involvement in Decision Making
KD	Public Participation at Board Meetings (Also BDDH)
KF	Distribution of Information/Materials (Option 1 and Option 2)
KFB	Administration of Surveys and Questionnaires
KG	Community Use of School Facilities
KGA	Sales and Solicitations in Schools
KGB	Public Conduct on School Property
KGC	Tobacco Use on School Premises
KH	Public Gifts to the Schools
KJ	Advertising in the Schools
KK	School Visitors
KKA	Service Animals in Public Schools
KL	Public Complaints
KLB	Public Complaints About Learning Resources (Options 1& 2)
KM	Relations with Community Organizations
KMA	Relations with Parent Organizations

---

## **SECTION K: School-Community Relations**

---

KN	Sex Offender Registry Notification
KNA	Violent Sex Offenders on School Property
KNAJ	Relations with Law Enforcement Authorities
KNB	Reports of Missing Children
KP	Parental Rights and Responsibilities
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## 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 will set goals and standards for school-community relations and regularly evaluate its relationship with the public and its programs for maintaining open channels of communication and good relations with parents, community organizations, the business and industrial sector, and the community at large.

Through its school-community relations program, the Board will encourage the community to

1. take an active interest in the schools and participate in school activities,
2. place a high priority on education and make funds available for an educational system that supports learning for all children, and
3. establish partnerships with the schools to enhance learning opportunities.

Adopted:

---



---



---

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
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships
	IGBC	Parental Involvement

## PUBLIC INFORMATION PROGRAM

The Southampton 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:

---

---

---

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

Cross Refs.:	KA	Goals for School Community Relations
	KBA	Requests for Information
	KBC	Media Relations

## REQUESTS FOR INFORMATION

Southampton County Public Schools shall comply with Virginia's Freedom of Information Act. All requests for information shall be processed in accordance with KBA-R.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3700 et seq.

## REQUESTS FOR INFORMATION

Southampton County Public Schools is committed to full compliance with Virginia's Freedom of Information Act, and shall process all requests for information in accordance with the following procedures:

### Access to Records

1. Official records subject to disclosure under the Freedom of Information Act shall be open to inspection and copying during the regular office hours of the Southampton County Public Schools' central office.
2. When practicable, the following records shall be available on demand at the central office: **[SCHOOL BOARD SHALL INSERT LIST OF INFORMATION AVAILABLE ON DEMAND--for example, most recent school board meeting minutes]**.
3. Unless otherwise specified by the Superintendent, inspection of records shall take place at the central office of Southampton County Public Schools, and shall not be 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 shall be produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Southampton County Public Schools, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
4. One of the following forms of photo identification must be presented, or a photocopy thereof must be provided, before any person shall be allowed to inspect any records or receive copies of any records:
  - Press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth, or of a radio or television station broadcasting in or into the Commonwealth, OR
  - Driver's License or other official photo identification showing that requester is a citizen of the Commonwealth.
5. The Superintendent or a designee shall be present during inspection or copying of records. A record of each inspection shall be made, using form KBA-F2.

### Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the Southampton County Public Schools central office at: **P. O. Box 96, Courtland, VA 23837---757-653-2692, Fax: 757-653-9422**
3. Requesters should make their requests using Form KBA-F1. Requests received at the central office via telephone shall be transcribed onto Form KBA-F1 by central office staff. Written requests other than on Form KBA-F1 shall be appended to a copy of the form by central office staff, who shall fill out as much of the form as possible.
4. Building office personnel shall provide Form KBA-F1 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 central office. Telephone inquiries shall be redirected to the central office. Any written requests received by building personnel shall be immediately forwarded to the central office, 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 will provide the requested records to the requester, or make one of the following responses in writing:
  - (a) The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. 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 that authorizes the withholding of the records.
  - (b) The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. 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) which authorize the withholding of the records. When a portion of a requested record is withheld, the school division will delete or excise only that portion of the record to which an exemption applies and will release the remainder of the record.
  - (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 will include 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 will specify the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses shall be provided within an additional seven-day period.

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 shall begin on the first working day following the day the request is received by the central office or by a building office, and shall end at the close of business on the fifth working day following receipt of the request. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice shall not be counted in calculating the five work days.

### **Processing of Requests**

1. The Superintendent or a designee shall, after receiving a request, promptly make 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 Superintendent or designee is unsure whether the requested documents should be provided to the requester, legal advice shall be promptly sought.
3. If the Superintendent or designee is uncertain whether the requested records exist or where they may be located, efforts shall be 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 Superintendent or a designee shall promptly consult with central office 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 shall also be taken into account. The following costs shall be charged at the rates indicated, not to exceed actual cost:

**[SCHOOL BOARD SHALL FILL IN THE SCHEDULE BELOW WITH RATES NOT TO EXCEED ACTUAL COST. A RANGE OF RATES SHOULD BE INSERTED FOR STAFF MEMBER TIME]**

- Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates calculated by Southampton County Public Schools Finance Department.
  - Computer search time, charged at the rate calculated by Southampton County Public Schools Finance Department.
  - Computer printouts, charged at the rate calculated by Southampton County Public Schools Finance Department.
  - Photocopies (including those necessary to perform redactions), charged at the rate of 20 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 Superintendent or designee 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 shall be assembled for inspection and copying by central office staff, under the direction and supervision of the Superintendent or a designee.

9. Central office staff shall be responsible for recording the date the request was received, verifying photo identification and signature, and recording and assembling additional information about the request as indicated on Form KBA-F1.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3704.

**REQUEST FOR PUBLIC RECORDS**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_

I am a (check one):

- ☐ Citizen of the Commonwealth of Virginia  
☐ Member of the Press referenced in Va. Code  
 §2.2-3704  
 News Organization \_\_\_\_\_

Identification must be presented prior to inspection  
 of records or receipt of copies. A photocopy of  
 identification is acceptable with a mailed/faxed  
 request.

**STAFF USE ONLY**

Date Request Received: \_\_\_\_\_

Request was made (check one)

- ☐ by requester on this form  
☐ by telephone  
☐ in writing other than on form  
 (attach original request)

Date Response Sent: \_\_\_\_\_  
 (attach copy)

☐ Identification Verified

Type: \_\_\_\_\_

Number: \_\_\_\_\_

☐ Itemized Cost Estimate Attached

I am requesting access to the following records (please be as specific as possible, and attach  
 additional paper if necessary):

---



---



---

Reasonable costs may be assessed in connection with this request. A current schedule of  
 costs appears in Regulation KBA-R. If the costs associated with this request are expected to exceed  
 \$200, the requestor will be asked to pay the estimated costs before the request is processed.

In addition, the requestor may ask for an advance determination of the cost of the request.  
 Please indicate here if you would like an advance determination of cost. Yes \_\_\_\_ No \_\_\_\_

If you are requesting copies, please specify the format in which you would like to receive  
 them. Southampton County school division will provide the record(s) in the requested format if that  
 medium is used by it in the regular course of its business.

Specify format desired (if available):

- ☐ Photocopies ☐ E-mail (give address): \_\_\_\_\_  
☐ Website posting ☐ Other (please specify): \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**RETURN COMPLETED FORM TO:**

Southampton County Public Schools—P.O. Box 96, Courtland, VA 23837



## RECORD OF INSPECTION and/or DELIVERY OF COPIES

## Inspection of Public Records

Date \_\_\_\_\_ Time In \_\_\_\_\_ Time Out \_\_\_\_\_

## Person Inspecting Records

Name	Signature
------	-----------

Staff Person in Attendance

Name	Signature
------	-----------

Records Reviewed (describe)

## Copies of Public Records

<u>Record</u>	<u>No. Pages</u>	<u>Delivery Method</u> <u>(mail, e-mail, etc.)</u>	<u>Date of Delivery</u>	<u>Cost (if any)</u>	<u>Date and</u> <u>Method of</u> <u>Payment</u>
---------------	------------------	---	-------------------------	----------------------	---

Staff Person Providing Copies \_\_\_\_\_

Name Signature

## MEDIA RELATIONS

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities.

News and information concerning personnel and students shall be released to the press only with the approval of the principal and in accordance with state and federal laws regarding confidentiality.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-287, 22.1-287.1.

Cross Ref.:	JO	Student Records
	KB	Public Information Program

## INTERNET PRIVACY

The Southampton County School Board is committed to complying with the Government Data Collection and Dissemination Practices Act (formerly known as the Privacy Protection Act) and the Virginia Freedom of Information Act. The Southampton County School Division shall not collect unnecessary personal information by means of its website, and shall collect only appropriate personal information to the extent necessary to serve its constituents and the community.

Personal information collected and retained by the school division's website will be maintained in compliance with the Government Data Collection and Dissemination Practices Act. Any individual wishing to learn the purpose for which information has been recorded and the particulars of its use and dissemination may contact the Superintendent or the Superintendent's designee regarding this information. Any person wishing to correct, erase or amend inaccurate, obsolete or irrelevant information may do so by procedures established by the Superintendent or the designee.

The school division shall inform the public of any personal information collected through its website by posting the following privacy statement or a link to this privacy statement in a conspicuous fashion at the top of the website home page:

### Southampton County Public Schools Internet Privacy Policy Statement

The following information explains the Internet Privacy Policy, which the Southampton County Public Schools has adopted for its website. The following is intended to explain our current Internet privacy practices, but shall not be construed as a contractual promise. We reserve the right to amend our Internet Privacy Policy Statement at any time without notice.

#### **Virginia law**

We protect our records in accordance with our obligations as defined by applicable Virginia statutes, including, but not limited to, Government Data Collection and Dissemination Practices Act, the *Virginia Freedom of Information Act*, and by any applicable federal laws.

#### **Links to other websites**

Our website may contain links to other public or private entities' websites, whose privacy practices we do not control.

#### **Information we collect**

When you access our website, the routing or client information, and the essential and nonessential technical information listed below, is automatically collected. No other information is collected through our website except when you deliberately decide to send it to us (for example, by clicking on a link to send us an e-mail). The information you might choose to send us is listed below as "optional information."

Routing, or client, information: the Internet domain and Internet address of the computer you are using;

Essential technical information: identification of the page or service you are requesting, type of browser and operating system you are using, and the date and time of access;

Nonessential technical information: the Internet address of the website from which you linked directly to our website, and the "cookie information" described below;

Optional information: when you send us an e-mail, your name, e-mail address, and the content of your e-mail, and/or when you fill out online forms, all the data you choose to fill in or confirm; and,

**Cookies:**

Our website does not place any "cookies" on your computer.

**OR**

Our website places "cookies" on your computer, unless your browser is set to reject cookies. The cookies enable our website to recognize you when you return to the website at a later date or time and enable us to personalize the website with preferences or information you have provided during prior sessions. The cookies information placed on your computer by this website includes the following:

How the collected information is used

Routing information is used to route the requested web page to your computer for viewing. We send the requested web page and the routing information to our internet Service Provider (ISP) or other entities involved in transmitting the requested page to you. We do not control the privacy practices of those entities. Essential and nonessential technical information helps us respond to your request in an appropriate format, or in a personalized manner, and helps us plan website improvement.

Optional information enables us to provide services or information tailored more specifically to your needs or to forward your message or inquiry to another entity that is better able to do so, and also allows us to plan website improvements.

We may keep your information indefinitely, but we ordinarily delete the routing information from our computer within [X] days after the web page is transmitted and do not try to obtain any information to link it to the individuals who browse our website. We use this routing information primarily in a statistical summary type format to assess site content and server performance. We may share this summary information with our business partners when needed.

However, on rare occasions when a "hacker" attempts to breach computer security, logs of routing information are retained to permit a security investigation and in such cases may be forwarded together with any other relevant information in our possession to the appropriate law enforcement agency.



Optional information is retained in accordance with the Records Retention Schedules promulgated by the Library of Virginia.

Under the Freedom of Information Act, any records in our possession at the time of a request for information may be subject to being inspected by or disclosed to members of the public for any purpose.

#### Choice to provide information

There is no legal requirement for you to provide any information at our website. However, our website will not work without routing information and the essential technical information. Failure of your browser to provide nonessential technical information will not prevent your use of our website, but may prevent certain features from working. Failure to provide optional information may mean that the particular feature or service associated with that part of the web page would not be available to you.

#### Comments or review

If you have questions about this privacy statement or the practices of this website or if you choose to review or correct any information, please contact us at Southampton County School Board, 757-653-2692.

Adopted:

---

---

---

Legal Refs: Code of Virginia, 1950, as amended, § 2.2-3803(B).

Internet Privacy Guidelines (Final Draft), Virginia Department of Technology Planning.

## COMMUNITY INVOLVEMENT IN DECISION MAKING

The Southampton 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-86, 22.1-253.13:7.C.4.

Cross Ref.:	AF	Comprehensive Plan
	BCF	Advisory Committees to the School Board
	BDDH/KD	Public Participation at Board Meetings
	CA	Administration Goals

## PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Any citizen may address the Board at any regular meeting. Persons wishing to appear before the School Board are requested to contact the superintendent, the School Board chairman, or their designee for placement on the agenda.

The chairman is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and length of time for such presentation. No one will be allowed to make additional presentations until everyone 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 citizens to present matters of concern.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.C.4.

## DISTRIBUTION OF INFORMATION/MATERIALS

The Southampton County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. The division superintendent, or his/her designee, must approve, in advance, any materials sought to be distributed or made available by non-school organizations, including parent-teacher organizations and booster clubs. Approval will be granted only for materials from governmental organizations regarding activities related to the educational mission of the Southampton 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, or any illegal substance or action;
- endorse or encourage any violation of the Standards of Student Conduct (see Policy JFC-R); or
- are obscene, pornographic, or defamatory.

The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

### Political Communications

Students shall not be required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question; or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.

This Policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

Adopted:

---

---

---

Legal Refs.: U. S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> Cir. 2006)

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-131, and 22.1-293(B-D).

Cross Refs.:	JFC-R	Standards of Student Conduct
	KFB	Administration of Surveys and Questionnaires
	KG	Community Use of School Facilities
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## DISTRIBUTION OF INFORMATION/MATERIALS

The Southampton County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. The division superintendent, or his/her designee, must approve, in advance, any materials sought to be distributed or made available by non-school organizations, including parent-teacher organizations and booster clubs. Approval will be granted only for materials from governmental organizations and nonprofit community organizations regarding activities related to the educational mission of the Southampton 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, 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 Southampton 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:

---

---

---

Legal Refs.: U. S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> Cir. 2006)

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-131, and 22.1-293(B-D).

Cross Refs.:	JFC-R	Standards of Student Conduct
	KFB	Administration of Surveys and Questionnaires
	KG	Community Use of School Facilities
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

## ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

### I. Instructional Materials and Surveys

#### A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with Policy KBA.

#### B. Participation in Surveys and Evaluations

No student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning

- (1) political affiliations or beliefs of the student or the student's parent,
  - (2) mental or psychological problems of the student or the student's family,
  - (3) sex behavior or attitudes,
  - (4) illegal, anti-social, self-incriminating, or demeaning behavior,
  - (5) critical appraisals of other individuals with whom respondents have close family relationships,
  - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
  - (7) religious practices, affiliations, or beliefs of the student or student's parent, or
  - (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),
- without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

#### C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting sexual information of students is to be administered, the school board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the survey, and whether and how any findings or results will be disclosed. Parents shall have the right to review the questionnaire or survey and to exempt their child from participating in the survey. No questionnaire or survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six and, unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information.

#### D. Youth Health Risk Behavior Survey

The school board will notify parents of each student enrolled in a middle or high school selected for participation in the survey of student health risk behaviors pursuant to Va. Code § 32.1-73.8, in writing and at least 30 days prior to administration of the survey,

that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation in writing prior to administration of the survey. The notice will inform the parent regarding the nature and types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, whether and how any findings or results will be disclosed, and the steps that will be taken to protect students' privacy. Parents have the right to review the survey prior to its administration.

#### E. Additional Protections

A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with Policy KBA.

In addition, 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 will be protected by: **[insert list of arrangements to protect student privacy in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above.]**

#### II. Physical Examinations and Screenings

If the Southampton County School Division administers any physical examinations or screenings other than

- those required by Virginia law, and
- surveys administered to a student in accordance with the Individuals with Disabilities Education Act,

policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

#### III. Commercial Use of Information

Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment;
- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;



- tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

#### IV. Notification

##### Notification of Policies

The Board shall provide notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student, or of other students.

##### Notification of Specific Events

The Board will directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student, or of other students.

#### V. Definitions

**Instructional material:** the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive physical examination: the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent: the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Personal information: the term "personal information" means individually identifiable information including

- a student or parent's first and last name;
- a home or other physical address (including street name and the name of the city or town);
- a telephone number; or
- a Social Security identification number.

Survey: the term "survey" includes an evaluation.

Adopted:

---

---

---

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, § 22.1-79.3.

Cross Refs.:	JHDA	Human Research
	KBA	Requests for Information
	KF	Distribution of Information/Materials

## COMMUNITY USE OF SCHOOL FACILITIES

The School Board may permit use of school property by members of the community when such use will not impair the efficiency of the school. The superintendent shall develop guidelines and applications for use of school property. Requests for the use of any school facilities shall be made to the superintendent or superintendent's designee. The superintendent shall report actions taken under this policy to the School Board at the end of each month.

If the School Board permits the use of its facilities by members of the community or the distribution of literature on school property or at school functions, it will permit such use or such distribution by the Boy Scouts of America, the Girl Scouts of the United States of America, and other youth groups designated as patriotic societies by federal law, to the same extent and in the same manner as all other persons or groups.

Adopted:

---

---

---

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.

Cross Refs.: IGDA Student Organizations  
KF Distribution of Information/Materials

## SALES AND SOLICITATIONS IN SCHOOLS

No one may sell or offer for sale, within the school, on school grounds, or at school-sponsored activities, any product or service except when the sale will benefit the educational program of the schools.

Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours. Individual discussions between school division employees during school hours are not prohibited.

Adopted:

---

---

---

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

Cross Refs.:	DJG	Vendor Relations
	GCQAB	Tutoring for Pay
	JL	Fund Raising and Solicitation
	KG	Community Use of School Facilities
	KJ	Advertising in the Schools
	KK	Visitors to the Schools

## PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors shall 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, smoking is not permitted in schools or school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local 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 prosecuted.

Adopted:

---

---

---

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.

Cross Refs:	ECAB	Vandalism
	GBEC/JFCH	Tobacco-Free School for Staff and Students
	KGC	Tobacco Use on School Premises
	KK	School Visitors
	KNA	Violent Sex Offenders on School Property

## TOBACCO USE 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.

Adopted:

---

---

---

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.

Cross Refs.: JFCH/GBEC Tobacco-Free School for Staff and Students  
KG Community Use of School Facilities  
KGB Public Conduct on School Property

## PUBLIC GIFTS TO THE SCHOOLS

The School Board shall act on individual requests of offers of gifts from individuals to schools or to the school division and on the limitations on advertising and commercial interests in purchasing and presenting gifts.

When any real or personal property is given to and accepted by the Board, it shall be vested in the Board unless inconsistent with the terms of the gift, devise or bequest, and shall be managed by the Board, according to the wishes of the donor. The Board shall, in addition to the regular settlement it is required to make of all school funds, settle annually before the commissioner of accounts so far as the management of the property bequeathed or devised is concerned.

In the case of any change in the boundaries of the division, the Board shall make provision for continuing the fulfillment of the purposes of the donor as far as practicable and settlement shall be made as provided for above.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-126.

Cross Ref: KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

## ADVERTISING IN THE SCHOOLS

Individual schools may not endorse or imply endorsement of any product. All requests for endorsement should be directed to the superintendent or his/her designee.

In order to solicit advertisements from merchants and business establishments for school publications, school organizations must secure approval from the principal. If there is need for policy clarification, the principal shall consult with the superintendent.

Commercial establishments whose primary source of revenue is the sale of intoxicants may not advertise in school publications.

Neither the facilities, nor the staff, nor the students of any school may be used in any manner for advertising or otherwise promoting the interests of any commercial or other non-school organization.

Adopted:

---

---

---

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

Cross Refs.:	DJG	Vendor Relations
	KF	Distribution of Information/Materials
	KGA	Sales and Solicitations in Schools
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships



## SCHOOL VISITORS

### Generally

Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office. Potential visitors, including parents, who are registered sex offenders, should consult Policy KN Sex Offender Registry Notification and Policy KNA Violent Sex Offenders on School Property before arriving at school property or school sponsored activities. The school division expects mutual respect, civility, and orderly conduct from all individuals on school property and at school events. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator.

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 shall not be 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 will be to maintain contact with building employees and increase understanding of actual educational practices.

Adopted:

---



---



---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 18.2-128; 18.2-415, 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

## 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 or necessary to mitigate a disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing as a service animal.

### B. REQUIREMENTS THAT MUST BE SATISFIED BEFORE A SERVICE ANIMAL WILL BE ALLOWED ON SCHOOL PROPERTY

**Request:** A person who wants to be accompanied by his/her service animal must make a prior written request of the school’s principal if the service animal will come into a school. A person who wants to be accompanied by his/her service animal must make a prior written request of the superintendent for all other locations. These requests must be renewed each school year.

**Vaccination:** The service animal must be immunized against diseases common to that type of animal.

**Health:** The service animal must be in good health. The owner or handler of the animal must submit to the school principal each school year documentation from a licensed veterinarian of the following: a current veterinary health certificate; and proof of the service animal’s current vaccinations and immunizations.

**Control:** A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack, vest identifying the dog as a trained service dog, leash (blaze orange in color for hearing dogs), or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.

### C. SERVICE DOGS IN TRAINING

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school

property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

Use of Harnesses, Vests, etc. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

All requirements of this policy which apply to service animals, such as health certificates, annual written requests, and supervision, care and damages, also apply to dogs in training.

#### D. MINIATURE HORSES

The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division must consider the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

#### E. EXTRA CHARGES

The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

## F. SUPERVISION AND CARE OF SERVICE ANIMALS

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

## G. DAMAGES TO SCHOOL PROPERTY AND INJURIES

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

## H. REMOVAL OF SERVICE ANIMALS FROM SCHOOL PROPERTY

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others;  
or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

## I. DENIAL OF ACCESS AND GRIEVANCE

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division's Section 504 Coordinator.

Adopted:

---

---

---

Legal Refs.: 28 C.F.R. Part 35

Code of Virginia, 1950, as amended, § 51.5-44.

Cross Refs.:	DJG	Vendor Relations
	GB	Equal Employment Opportunity/Nondiscrimination
	JB	Equal Educational Opportunities/Nondiscrimination
	JBA	Section 504 Nondiscrimination Policy and Grievance Procedures

JFHA/GBA	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
KK	School Visitors
KGB	Public Conduct on School Property
KN	Sex Offender Registry Notification
KNA	Violent Sex Offenders on School Property

## PUBLIC COMPLAINTS

A complaint involving a particular school shall be handled within the school through the established channel of responsibility. If the complaint cannot be resolved at the level of the principal, it shall be referred to the superintendent or his/her 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 BLANK 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 board exceeded its authority, acted arbitrarily or capriciously, or abused its discretion.

Adopted:

---



---



---

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	Sexual Harassment/Harassment Based on Race, National Origin, Disability and Religion
	GBLA	Third Party Complaints Against Employees
	JB	Equal Educational Opportunities/Nondiscrimination

## PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES

If there are objections concerning learning resources, the procedure for filing a complaint will be as follows:

1. The complaint should be filed in writing with the principal on the “Request for Reconsideration of Learning Resources” form KLB-E. This form may be obtained from the principal or the central office.
2. A review committee consisting of the principal, the library media specialist, the classroom teacher (if involved), a parent and/or student, and the complainant will convene.

The responsibilities of the committee will be to:

- a. read, view or listen to the challenged material;
  - b. read several reviews, if available;
  - c. check standard selection aids;
  - d. talk with persons who may be knowledgeable about the material in question and similar material;
  - e. discuss the material;
  - f. make a decision to recommend retaining or withdrawing the material;
  - g. file the recommendation of the committee with the principal and the superintendent or his/her designee;
  - h. notify the complainant of its recommendation and the disposition of the challenged material.
3. The complainant may appeal the decision, in turn, to the superintendent or his/her designee and, then, to the School Board.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.C.2.

8 VAC 20-170-10.

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





**SOUTHAMPTON 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

3. Are you aware of evaluations of this material by professional critics?
- ☐ YES                      ☐ NO

If no, would you be interested in receiving this information?

☐ YES                      ☐ NO

4. Describe what prompted your concern about the material. Please cite page numbers and/or specific information from the material to support your concerns (attach additional material, if necessary).

5. Does the general purpose for the use of the material, as described by the school staff or in the Southampton County school division's program objectives, seem a suitable one for you?

☐ YES ☐ NO

If not, please explain (attach additional material, if necessary)

6. What action[s] would you like to see the school take regarding this material?

☐ Do not assign it to my child ☐ The school should reevaluate the material

☐ Other—Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Are there other materials of the same subject and format that you would suggest for consideration in place of this material? ☐ YES ☐ NO

If yes, please identify your suggestions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**RETURN COMPLETED FORM TO SCHOOL PRINCIPAL**

## RELATIONS WITH COMMUNITY ORGANIZATIONS

The Schools shall cooperate with other governmental organizations and non-profit and non-partisan agencies, such as social services, recreation, health, safety, fire, civil defense, and law enforcement agencies, in promoting the general public interest and the educational welfare of the students.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-253.13:7.C.4.

Cross Ref: KF                      Distribution of Information/Materials

## RELATIONS WITH PARENT ORGANIZATIONS

The School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state statutes. The Board recommends that parent-teacher organizations maintain a close liaison with the board, administration, and staff, and that they plan their actions in accordance with established board and school policies.

Adopted:

---

---

---

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
	KM	Relations with Community Organizations

## SEX OFFENDER REGISTRY NOTIFICATION

The Southampton 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 Southampton 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 Southampton 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 Southampton County school division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not disseminate registry information to parents.

### Use of Sex Offender Registry Information

Registry information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.

1. Registered Sex Offender Sighted. If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Superintendent or his designee shall be notified immediately. The Superintendent or his designee may, in his or her discretion, notify local law-enforcement.

2. School Volunteers and Student Teachers. Each staff member shall submit to the Principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. The Principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the Principal shall notify the Superintendent, who shall confirm the match. If the match is confirmed, the Superintendent shall inform the individual, in writing, that he or she may not serve as a volunteer or student teacher. The notice shall provide the reason with reference to this policy. The Superintendent shall provide a copy of the notice to the Principal and staff member.
3. Contractors' Employees. In addition to ensuring that the certification requirements of Policy DJF Purchasing Procedures are met, the Superintendent shall include the following language in all Division contracts that may involve an employee of the contractor having any contact with a student:

The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.

4. School Division Employees. Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the School Board. The School Board will take the appropriate action to comply with state law which may include termination of employment.
5. Applicants for Employment. Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the division.
6. Parents of Students and other Visitors.

Persons who have been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may be present at school during school hours or during school related or school sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity only as provided in Policy KNA Violent Sex Offenders on School Property.

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When a parent who is a registered sex offender is permitted at school or at school functions he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children. Principals will

consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school functions, he or she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

7. Precautions to Protect Students. When the Superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect division students.

#### Requests for Registry Information

Anyone requesting registry information from the school division shall be referred to the State Police.

Adopted:

---

---

---

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-914, 9.1-918, 18.2-370.5, and 19.2-390.1.

Commonwealth v. Doe, 278 Va. 223 (Va. 2009).

Cross Ref:	BBA	School Board Powers and Duties
	DJF	Purchasing Procedures
	KK	School Visitors
	KNA	Violent Sex Offenders on School Property
	KNAJ	Relations with Law Enforcement Authorities

## VIOLENT SEX OFFENDERS ON SCHOOL PROPERTY

No adult who has been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless

- he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote;
- he is a student enrolled at the school; or
- he has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the school boards' terms and conditions and those of the court order.

Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy KN Sex Offender Registry Notification.

Adopted:

---

---

---

Legal Ref: Code of Virginia, 1950, as amended, §§ 9.1-902, 18.2-370.5.

Commonwealth v. Doe, 278 Va. 223 (2009).

Cross Ref: KK School Visitors  
KN Sex Offender Registry Notification



## RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

### Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the principal shall be contacted immediately. The principal or his/her designee shall make a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or his/her designee shall be 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 shall be served at the principal's office of the school at which the student is in attendance 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 shall seek 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 shall obtain and use Sex Offender Registry information in accordance with Policy KN.

### Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal shall immediately report to local law-enforcement officials all incidents listed below that may constitute a criminal offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, 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.

Adopted:

---

---

---

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, 22.1-280.2:1, 22.1-293(B-D).

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 Southampton 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:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-288.1; 52-31.1.

## 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:

---

---

---

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 Southampton 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 Division. For that reason, the Southampton 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 to the school.

The school board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The school board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the school board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

### **Requirements**

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.
- A statement that the school board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.

- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the school board and the partner or sponsor whose agreement has been terminated for a specified period of time.
- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the school board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or school board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or school board must approve its identification as a partner or co-sponsor in all publicity materials.
- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or school board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, school board employee, school board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances and school board policies and regulations and with all preexisting school board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have

direct contact with students on school property during regular school hours or during school-sponsored activities, the school board will require the partner or sponsor to provide certification that all such persons have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

- A statement that no partnership or sponsorship shall exploit any student or school board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or school board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or school board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or school board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the school board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

### **Prohibitions**

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or school board policy;
- promotion of the use of drugs, alcohol, tobacco, 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:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, § 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
KM	Relations with Community Organizations

---

## **SECTION L: Education Agency Relations**

---

LA	Education Agency Relations Goals
LB	Relations with Private Schools
LBD	Home Instruction
LC	Charter Schools
LC-E	Charter School Application Addendum
LEA	Student Teachers
LEB	Advanced/Alternative Courses for Credit
LI	Relations with Educational Accreditation Agencies

## EDUCATION AGENCY RELATIONS GOALS

The Southampton County School Board will support the endeavors of other educational institutions whose goals are compatible with those of the division.

To the extent appropriate, the school division will utilize the resources of other educational institutions for the benefit of its students and the development of its staff.

The school division will cooperate with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise utilize division students shall be submitted directly to the superintendent.

The school division will strive to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The school division will cooperate with professional educational organizations whose goals are compatible with those of the division.

Adopted:

---

---

---

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

Cross Refs.:	JHDA	Human Research
	KFB	Administration of Surveys and Questionnaires
	LEA	Student Teachers

## RELATIONS WITH PRIVATE SCHOOLS

The School Board and superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. The School Board will not enter into agreement with any nonpublic school within the division to provide student transportation to and from such schools.

Adopted:

---

---

---

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78; 22.1-176.1.

## HOME INSTRUCTION

The Southampton 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 he

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
- provides evidence that he is able to provide an adequate education for the child.

## DEFINITION

For purposes of this policy, "parent" means the biological parent or adoptive parent, guardian 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 division superintendent no later than August 15 of his 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 division superintendent of his 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 division 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 division 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 (ii) an evaluation or assessment which the division 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 division 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 division 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 division superintendent, the parent shall submit to such division 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 division 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

Students receiving home instruction and their parents will be notified of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Test (PSAT) examinations and the availability of financial assistance to low-income and needy students to take these examinations. Such notice will be given when the parent notifies the division that the student will receive home instruction.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

Pollard v. Goochland County School Board, No. 3:00CV563 (E.D. Va. Sept. 27, 2001).

## CHARTER SCHOOLS

### Purpose

In order to (i) encourage the development of innovative programs; (ii) provide opportunities for innovative instruction and student assessment; (iii) provide parents and students more choices; (iv) provide innovative scheduling, structure and management; (v) encourage the use of performance-based educational programs; (vi) establish high standards for teachers and administrators; and (vii) develop models for replication in other public schools, the **Southampton County** School Board shall receive and consider 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 **Southampton 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 shall not be 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 will give priority to public 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.

All charter schools shall be subject to federal and state law, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services. Charter schools shall also be subject to any court-ordered desegregation plan in effect in the school division. Charter schools, like all public schools, shall also be subject to the requirements of the federal No Child Left Behind Act of 2001.

### Application Process

Any person, group or organization may submit an application for the formation of a charter school to the **Southampton County** School Board. 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. The Board of Education will examine such applications 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 will be 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.

The applicant must complete the entire application in the format provided in Exhibit LC-E. 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.<sup>1</sup> 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)<sup>2</sup> 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 Southampton 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.<sup>3</sup> 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, 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 is denied, revoked, or not 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 shall be final and not subject to appeal.



Nothing in this section shall prohibit 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

Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract.<sup>4</sup> The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

#### 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 designate in its regulation governing charter schools which School Board policies may not be waived. 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 (See Section XXIV in the Application).

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 §§ 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.<sup>5</sup>

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.<sup>6</sup>

#### Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

#### Revocation and Renewal of the Charter Contract<sup>7</sup>

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);<sup>8</sup>
- 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 the public charter school 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 **September 1st** of the school year the charter expires.<sup>9</sup>

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; and
- other information the School Board may require.

---

<sup>9</sup> There is no statutory deadline for submitting a renewal application. Wisdom suggests that the renewal application renewed, the conclusion of financial and administrative operations, including the reassignment of personnel may be accomplished.

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.<sup>10</sup>

## Reports

The School Board shall report to the Board of Education the following:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any such denial or revocation, the report to the Board of Education shall contain 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 or any students served by schools that have not achieved full accreditation; and
- an annual evaluation of each charter school.

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:

---

---

---

Legal Refs: 20 U.S.C. § 6311(b)(1)(B).

Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.

---

<sup>10</sup> This provision should be included in the charter contract.

## **[Southampton County Public Schools] 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 **[Southampton County Public Schools]** Charter School Application (“Application”) consists of (i) the Applicant’s *Virginia Public Charter School Application* package submitted to the State Board of Education, (ii) the result of the State Board of Education’s review of the Applicant’s state application, and (iii) the **[Southampton County Public Schools]** *Charter School Application Addendum* prepared in accordance with this policy.

Applications must be received by the **[Dr. Alvera J. Parrish]**<sup>1</sup> on or before **[September 1st]**<sup>2</sup> prior to the year in which the charter school desires to open. An original plus **[Fifteen]**<sup>3</sup> copies of the application must be submitted. An application fee of \$**[100.00]**<sup>4</sup> shall be submitted with the application. Applicants must follow the application addendum format provided below.

### **I. Applicant Information**

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

### **II. Facility**

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. If the facility is not property of the school division, then the following must be provided: (1) a certificate of occupancy; (2) a health inspection certificate; (3) an annual fire certificate of inspection; (4) proof of compliance with federal, state and local health and safety laws and regulations; and (5) 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.<sup>5</sup>

### **III. Services**

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.<sup>6</sup> Also, list services and their estimated costs that will be provided by others.

### **IV. 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.**

**V. 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.

**VI. 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

**VII. 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.

**VIII. Emergency Displacement Plan: Pupils and Employees**

Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied or dissolved for any reason.

**IX. 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 of the proposed management committee.<sup>7</sup> This section should include (1) a detailed description of the relationship between the management committee and the local school board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) 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; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.

**X. 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.<sup>8</sup> 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

---

<sup>7</sup>

.

school, including any services provided by the school division, will be conducted.<sup>9</sup> Anticipated gifts, grants or donations and a student fee schedule should be included.<sup>10</sup>

## **XI. Legal Liability and Insurance Coverage**

Describe the arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage.<sup>11</sup> Insurance coverage should include health, property and casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.

## **XII. Waivers<sup>12</sup>**

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. With the exception of the Virginia Public Procurement Act, no waiver of state statutes or federal statutes or regulations is permitted.**

## **XIII. Discrimination**

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

## **XIV. 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:

---

---

---

## STUDENT TEACHERS

The Southampton County School Board cooperates with accredited colleges and universities to provide opportunities for student teaching in accordance with the following guidelines:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.
2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.
3. Teachers who serve as supervising teachers will have at least three years of teaching experience, with at least one of those years having been in the school to which the student teacher is assigned.
4. All teachers who serve as supervising teachers will be recommended by the principal of the school to the superintendent or designee for approval.
5. A class will have no more than one student teacher during the regular school year.
6. No supervising teacher will have a student teacher assigned to him for more than one semester during the regular school year.
7. A principal may reject or terminate any student teacher who has a negative effect on the instruction or welfare of students.
8. Information concerning students may be available to student teachers at the discretion of the supervising teacher and/or principal. Student teachers will respect the confidential nature of information provided.
9. Student teachers will follow all the policies and regulations of the Southampton County School Board that apply to teachers.

Adopted:

---

---

---

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

Cross Refs.: JO Student Records  
KN Sex Offender Registry Notification

## ADVANCED/ALTERNATIVE COURSES FOR CREDIT

Southampton County School Board will enter into 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.

Beginning in the middle school years, students will be 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 will include access to at least three Advanced Placement courses or three college-level courses for degree credit. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students will be 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:

---



---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

8 VAC 20-131-140.

Cross Ref.: IGBI Advanced Placement Classes and Special Programs

IKF Graduation Requirements



## RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

All Southampton County Public Schools shall be accredited according to standards developed by the Board of Education. The school board will review the accreditation status of each school in the division annually in a public session of a board meeting.

The school board will recognize individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The school board may ask the Board of Education for release from state regulations and for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC 20-131-280 C.

Adopted:

---

---

---

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-19, 22.1-253.13:3, 22.1-253.13:9.

8 VAC 20-131-5 et seq.

