



2021 - 2022

STUDENT HANDBOOK





WYTHE COUNTY PUBLIC SCHOOLS

SCHOOL BOARD OFFICE
1570 WEST RESERVOIR STREET
WYTHEVILLE, VA 24382
276-228-5411
FAX: 276-228-9192
wythe.k12.va.us

SCHOOL BOARD
Peggy A. Wagy, Chair
Ann H. Manley, Vice-Chair
Tonya M. Freeman
Chalmer L. Frye
Lee. H. Johnson
Stephen R. Sage
Don L. Goode

Future Primum A Nobis
The Future Begins with Us

Scott L. Jefferies, Ed.D.
DIVISION SUPERINTENDENT

WCPS Families,

Welcome to the 2021-2022 school year! All of WCPS is excited to begin our new school year together, and we look forward to a safe and successful school year for all of our students and families!

The mission of Wythe County Public Schools, in partnership with our community, is to ensure students are empowered with the knowledge and skills necessary to meet the challenges of the future. WCPS is committed to preparing all of our students for their future by providing them with high quality, well-rounded educational programs. With this commitment in mind, the staff of WCPS has prepared and updated the student handbook for the 2020-2021 school year.

This handbook was created to help families and students become familiar with the policies and procedures of Wythe County Public Schools. It also provides a number of important resources that families and students can utilize to maximize their experience with WCPS. Please take some time to review this helpful document, including information regarding school policies and division expectations. Should you have specific questions regarding this document, please do not hesitate to contact your child's school for immediate assistance.

As you know, this school year will be unique. The Covid-19 pandemic has caused our school division to constantly monitor the conditions. While this student handbook is prepared for 'normal' times, please know that some aspects of this handbook may not necessarily apply should we find ourselves in a different educational setting. No matter the educational setting, WCPS is committed to working side-by-side with our school community to make this a successful school year.

We look forward to working with you this school year, and we appreciate your continued support of Wythe County Public Schools.

Respectfully,

Scott L. Jefferies, Ed.D.
Superintendent
Wythe County Public Schools



WYTHE COUNTY PUBLIC SCHOOLS

2021-2022 School Calendar



July 2021

Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

July

- 4 Independence day - School Buildings Closed
- 21-22 Admin. Meetings

January 2022

Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January

- 3 Teacher Workday - Schools Closed
- 4 Students return after Winter Break (S2 begins)
- 17 MLK Jr. Day - Schools Closed

August 2021

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August

- 5 New Teacher Orientation
- 9-13 Teacher PD/Workdays
- 12 Student School Visitation by Appointment
- 16 & 17 Kindergarten (K) Orientation Days
- 16 Grades 1-6 and 9 only First Day of School
- 17 All Students Grades 1-12 Report to School
- 18 & 19 Staggered K Start (based on School's schedule)
- 20 All K Report to School

February 2022

Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

February

September 2021

Su	M	Tu	W	Th	F	Sa
	1	2	3	4		
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

September

- 6 Labor Day - Schools Closed

March 2022

Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

March

- 13 Daylight Saving Time Ends
- 16 End of Third Quarter - Q3
- 16 12:00pm Dismissal for Grading and Recording

October 2021

Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

October

- 13 End of First Quarter - Q1
- 13 12:00pm Dismissal for Grading and Recording

April 2022

Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April

- 11-15 Spring Break
- 25 Spring SOL Testing Window Begins

November 2021

Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

November

- 2 Election Day - Schools Closed
- 7 Daylight Saving Time Starts
- 24-26 Thanksgiving Holiday - Schools Closed

May 2022

Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

May

- 2-20 Spring SOL Testing Window
- 19 WCTC Graduation
- 20 6:00pm RRHS Graduation 8:00pm GWHS Graduation
- 21 10:00am FCHS Graduation
- 26 12:00pm Dismissal - Last Day of School
- 27 Teacher End of Year Workday
- 30 Memorial Day - School Buildings Closed

December 2021

Su	M	Tu	W	Th	F	Sa
	1	2	3	4		
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

December

- 2-16 Fall SOL Testing Window
- 17 12:00pm Student Dismissal
- End of Second Quarter Q2 and Semester 1 S1
- 20- Winter Break - Schools Closed

June 2022

Su	M	Tu	W	Th	F	Sa
	1	2	3	4		
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

June

- 20 Juneteenth State Holiday - School Buildings Closed

school BREAKFAST



All WCPS students will be offered breakfast and lunch throughout the school year at no cost.

See attached letter on page 5



Students will be able to purchase extra food items on a daily basis pending availability.

Payments may be made online by setting up an account:

<https://www.myschoolbucks.com/ver2/login/getmain?requestAction=home>

Sports Information



Get the most up-to-date information on your team!

MOUNTAIN EMPIRE DISTRICT

<http://www.mountainempiredistrictva.org/q5-bin/client.cgi?G5genie=292>

HOGOHEEGEE DISTRICT

<https://www.hogoheegeedistrictva.org/q5-bin/client.cgi?G5genie=290>



School Closings and weather conditions:

WDBJ 7 Television
WSLS 10 Television
WYVE 1280 AM Radio



Helpful Websites

<https://wythe.k12.va.us/>
Wythe County Website

<https://wythe.powerschool.com/public/>
Parent Portal

https://secure.caredox.com/accounts/login?utc_source=marketingwebsite&utm_medium=web
CareDox

https://wythek12.instructure.com/?login_success=1
Wythe County CANVAS Page

<https://schoolquality.virginia.gov/>
VA School Quality Profiles

School Messenger is the main communication tool for Wythe Co. Schools. Please sign up at <https://go.schoolmessenger.com/#/home> to receive important phone calls, text messages, and emails from your child's school and our school division.



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Scott L. Jefferies, Ed.D.
DIVISION SUPERINTENDENT

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Dear Parent or Guardian:

We are pleased to inform you that Wythe County Public Schools will be implementing a new option available to schools participating in the National School Lunch and School Breakfast Programs called the Community Eligibility Provision (CEP) for school year 2021-2022.

What does this mean for you and your children attending school in Wythe County?

Great news for you and your students! All enrolled students of Wythe County Public Schools are eligible to receive a healthy breakfast and lunch at school at **no charge** to your household each day of the 2021-2022 school year. No further action is required of you. Your child(ren) will be able to participate in these meal programs without having to pay a fee or submit a meal application.

The U.S Department of Agriculture (USDA) is allowing school divisions to operate the Seamless Summer Option during school year 2021-2022. This flexibility allows the school division to continue to provide healthy and nutritious meals and/or snacks at no charge to all students.

If you have questions or need help, please contact us at 276-228-5411.

Tracy Webster
School Nutrition Coordinator

WYTHE COUNTY PUBLIC SCHOOLS

1570 West Reservoir Street Wytheville, VA 24382
 (276) 228-5411 Fax (276) 228-9192 <https://wythe.k12.va.us/>

Scott Jefferies, Ed.D. Division Superintendent

Jackson Memorial Elementary School Marie Coen, Principal 4424 Fort Chiswell Road Austinsville, VA 24312 (276) 699-0160 https://jackson.wythe.k12.va.us/	Spiller Elementary School Scott Hoagland, Principal Mandi Tate, Ast. Principal 330 Tazewell Street Wytheville, VA 24382 (276) 228-3561 https://spilles.wythe.k12.va.us/	Speedwell Elementary School Allison Wright, Principal 6820 Cedar Springs Road Speedwell, VA 24374 (276) 621-4622 https://speed.wythe.k12.va.us/
Max Meadows Elementary School Brett Booher, Principal 213 School Street Max Meadows, VA 24360 (276) 637-3211 https://mmes.wythe.k12.va.us/	Scott Memorial Middle School Kim Kirtner, Principal Kristen Williams, Ast. Principal 950 South 7th Street Wytheville, VA 24382 (276) 228-2851 https://smms.wythe.k12.va.us/	Rural Retreat Elementary School Alan Rouse, Principal 100 Martha DeBord Way Rural Retreat, VA 24368 (276) 686-4125 https://rres.wythe.k12.va.us/
Sheffey Elementary School Dyer Jackson, Principal 621 Mountain View Road Wytheville, VA 24382 (276) 699-1771 https://shef.wythe.k12.va.us/	George Wythe High School Kim Ingo, Principal Jason Morris, Ast. Principal #1 Maroon Way Wytheville, VA 24382 (276) 228-3157 https://gwhs.wythe.k12.va.us/	Rural Retreat Middle School Thad Umberger, Principal 325 East Buck Street Rural Retreat, VA 24368 (276) 686-5200 https://rrms.wythe.k12.va.us/
Fort Chiswell Middle School Tammy Watson, Principal Jenny Buchanan, Ast. Principal 101 Pioneer Trail Max Meadows, VA 24360 (276) 637-4400 https://fcms.wythe.k12.va.us/	Wythe County Technology Center Summer Stone, Principal 1505 West Spiller Street Wytheville, VA 24382 (276) 228-5481 https://wctc.wythe.k12.va.us/	Rural Retreat High School Charles DeBord, Principal Brandon Blankenship, Ast. Principal 321 East Buck Street Rural Retreat, VA 24368 (276) 686-4143 https://rrhs.wythe.k12.va.us/
Fort Chiswell High School Michael Souma, Principal Melissa Reardon, Ast Principal #1 Pioneer Trail Max Meadows, VA 24360 (276) 637-3437 https://fchs.wythe.k12.va.us/	New Horizons Academy Summer Stone, Principal H.S. Ingo, Lead Teacher 1505 West Spiller Street Wytheville, VA 24382 (276) 228-5481 https://wctc.wythe.k12.va.us/	

Wythe County School Board

Peggy Waggy, Chairperson
 Chalmer Frye

Lee Johnson

Ann Manley, Vice Chairperson
 Steve Sage

Don Goode

Tonya Freeman

CENTRAL OFFICE STAFF

Superintendent of Schools

Scott L. Jefferies, Ed.D.

Instructional Personnel

Rebecca C. James, Ed.D., Assistant Superintendent of Curriculum/Instruction

Marcy R. Olinger, Director of Elementary Instruction

Brad Haga, Director of Secondary Instruction and Technology

Shannon Vaught, Director of Middle Schools and Testing

Lisa G. Jonas, Reading Recovery Consortium Leader

Amanda Gillman, Reading Coach

Teresa H. Wassum, Textbook Coordinator and Instructional Secretary

Administrative Personnel

G. Wesley Poole, Ed.D., Assistant Superintendent of Facilities and Operations

Anthony Sykes, Director of Human Resources

Richard W. Skeens, Jr., Director of Transportation and Food Services

Charlie Odum, Supervisor of Technology

Tracy A. Webster, Food Services Coordinator

Educational Services

Susan L. Hill, Director of Special Education Services

Jessica Riffe, Supervisor Special Education/WCFE Director

Gretchen B. Robinson, School Health Coordinator

Mary F. Henslee, School Social Worker, Compliance Officer

P.G. Rigney, Educational Support Services, Homeless Liaison, Foster Care Liaison

Anita F. Hedrick, Educational Support Services Coordinator

Support Staff

Nicki Blankenship, Administrative Assistant to the Superintendent, Deputy Clerk, FOIA Officer

Catrina L. Hall, Finance Manager, Clerk of the School Board

Debbie Jones, Payroll Clerk

Alisa Sharitz, Accounts payable/Payroll Assistant

Sara F. Dickens, Finance Consultant

Leslie Poe, Secretary of Human Resources /Payroll Assist

Sara Buchanan , Receptionist and Secretary for Health Services

Carolyn D. Umberger, Secretary of Facilities and Transportation

Robin Cornett, Custodian

This excerpt of the Student Handbook is provided for your convenience, the complete, most up-to-date handbook is available on the division website, www.wythe.k12.va.us.

Parents will be required to sign a statement indicating they have read this handbook and return this statement to their child's school.

VISION

Educating Students for Success in a Changing World.

MISSION

The mission of the Wythe County Public Schools, in partnership with our community, is to ensure students are empowered with the knowledge and skills necessary to meet the challenge of the future.

PHILOSOPHY

Each student has the right to expect an educational environment in which he/she can achieve to his/her intellectual potential. The most important student responsibility is to avoid disruptive conduct, which infringes on the rights of others.

The student is expected to be diligent in his/her studies and to behave in such a way that the rights and privileges of others are not violated. He/she is required to know and to conform to the rules and regulations of his/her school, to conform to the directions of school staff, and to comply with the provisions of law.

EDUCATIONAL RECORDS

The Wythe County Public Schools forwards educational records requested by other educational agencies in which the student seeks or intends to enroll. These records include disciplinary records with respect to a suspension or expulsion, by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends or is instructed to enroll, on a full or part-time basis, in the school.

WYTHE COUNTY PUBLIC SCHOOLS OPERATING BUDGET

2014 – 2015	Per pupil proposed expenditure	\$ 9,892
2015 – 2016	Per pupil proposed expenditure	\$ 9,761
2016 – 2017	Per pupil proposed expenditure	\$10,442
2017 – 2018	Per pupil proposed expenditure	\$10,622
2018 – 2019	Per pupil proposed expenditure	\$10,948
2019 – 2020	Per pupil proposed expenditure	\$11,025
2020 – 2021	Per pupil proposed expenditure	\$12,489

NON-DISCRIMINATION

Notice of Non-Discrimination: The Wythe County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

The following persons have been designated to handle inquiries regarding the non-discrimination policies: Director of Personnel and Human Resources or School Social Worker: 1570 W. Reservoir Wytheville, VA 24382, 276-228-5411.

You may also contact these individuals at: <https://wythe.k12.va.us/cms/One.aspx?portalId=433983&pageId=2352681> . For further information on notice of nondiscrimination, visit <https://www2.ed.gov/about/offices/list/ocr/index.html> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

ROLES AND RESPONSIBILITIES

School Board members, school personnel, parents, and students share the responsibility of creating and maintaining a school environment that is conducive to learning. Clearly defined roles are essential for fulfilling these responsibilities. The following responsibilities have been identified by the Wythe County School Board:

RESPONSIBILITIES OF THE SCHOOL BOARD

- Adopt policies and regulations governing suspension and expulsion (§22.1-278).
- Maintain and follow an up-to-date policy manual (§22.1-253.13.7).
- Include in the policy manual the purpose for the requirement that certain acts (e.g., actual or attempted physical injury, unlawful wounding, maiming, and homicides) be reported to the principal or his designee (§22.1-280.1), and the procedure for such reporting.
- Provide parents of each enrolled student a copy of the School Board's **Wythe County Public Schools Student Handbook** including a statement to be signed by the parent.
- Long-term suspend or expel students and evaluate any requests for readmission.

RESPONSIBILITIES OF SCHOOL ADMINISTRATORS

- Establish and implement clear rules and regulations for acceptable student conduct not covered by school board policy.
- Make policies, rules, and regulations available to students and parents.
- Enforce policies consistently and fairly.
- Support teachers in their efforts to maintain discipline and create an environment conducive to learning.
- Implement corrective measures including, but not limited to, suspension or recommendation for expulsion.
- Maintain open communication with parents.

RESPONSIBILITIES OF TEACHERS

- Inform students of behavioral expectations by developing a list of classroom rules.
- Maintain proper conduct and discipline in the classroom, in the school building, on the school grounds, and at school-sponsored activities on and off school property.
- Provide open lines of communication with parents concerning any and all disciplinary issues.

RESPONSIBILITIES OF PARENTS

- Review, understand, and acknowledge receipt of the **Wythe County Public Schools Student Handbook** by signing the required forms.
- Use proper channels for dealing with questions and concerns regarding disciplinary actions, beginning at the school level.
- Assume responsibility for your child's behavior and teach compliance with school rules.
- Know the school rules and sanctions for violations of the rules and discuss them with your child.
- Require and monitor daily attendance.
- Bring to the attention of the school authorities any problem that affects your child or other children in the school.
- Maintain regular communication with the school.

RESPONSIBILITIES OF STUDENTS

- Become familiar with the **Wythe County Public Schools Student Handbook** and obey all rules.
- Be on time to school and class.
- Be prepared to work by bringing school supplies and materials to class.
- Complete required class work and homework assignments on time.
- Attend school regularly.
- Take care of school materials, equipment, school buses, and school building.
- Show respect for teachers, substitute teachers, administrators, and other adults.
- Accept and demonstrate the obligation of good citizenship to help prevent problems from happening and to help solve problems.
- Accept the consequences for student behavior.
- Sign and return the **Wythe County Public Schools Student Handbook** signature page acknowledging the receipt of this document.

SCHOOL YEAR/SCHOOL DAY (Policy IC/ID)

The length of the school year is at least 180 teaching days or 990 teaching hours. Days on which a school or schools or all the schools in the division are closed due to severe weather or other emergencies are made up as provided below if necessary to meet these requirements.

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division or in an unscheduled remote learning day for a school or schools in the division for

- five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day;
- six days or more, the first five days plus one day for each two days missed in excess of the first five are made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any school in the school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement. If severe weather conditions or other emergency situations result in the closing of any school in the school division for in-person instruction, the school division may declare an unscheduled remote learning day whereby the school provides instruction and student services that are consistent with guidelines established by the Department of Education to ensure the equitable provision of such services.

WCPS Codes for Inclement Weather and Altered Schedules

Schools Closed	<p>This is a non-instructional school cancellation due to inclement weather. These days are a chance for both our in-person and distance learners to have a traditional “snow day” remain a part of their lives. It is a chance to enjoy their day with family and friends!</p> <p><i>School Meals will NOT be served.</i></p>
Schools Closed Code 4 Distance Learning Day	<p>*School Buildings Closed - Distance Learning Day for Students from 10:15am – 3:15pm*</p> <p>Students will participate in an instructional day to not lose momentum with their learning. A Code 4 day is designed to function as an extension of classroom learning in a Distance Learning format. Students will log on to their teacher(s) CANVAS platform to access their assignments for the day. Live meets with their will also be held throughout the day.</p> <p><i>School Meals can be served.</i></p>
2-hr Delay	<p>Schools Buildings Open from 10:15am - 3:15pm</p> <p><i>School Meals will be served at school.</i></p>

If a decision is made to close schools, or open schools late, every effort will be made to make the announcement by 6:30 a.m.

ATTENDANCE EXPECTATIONS

The Wythe County School Board recognizes that regular school attendance is directly related to academic success and to the formulation of desirable work habits in young people. The Code of Virginia Section 22.1-254, mandates that every parent, guardian, or other person in the Commonwealth having control or charge of any child who has reached his/her first birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each school year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public or to a private, denominational or parochial school or have such child taught by a tutor or a qualified teacher prescribed by the Board of Education and approved by the division Superintendent or provide for home instruction of such child as described in Virginia Code section 22.1-254.1.

Students are expected to attend school except in cases of personal illness, family emergency, or death in the immediate family. Any student absent for any part of the school day will not be allowed to participate in co-curricular or extra-curricular activities that day without permission of the school administration.

Failure to make up missed work will likely result in a failing grade. It is the responsibility of students and parents to make arrangements with

the teachers to make up work upon reentry to school. Work must be completed within a time frame equal to the number of days missed. If a student is absent on the day of an announced test, he/she is expected to make up the test on the day he/she returns to school.

ANNUAL NOTIFICATIONS TO STUDENT/PARENTS COMPULSORY SCHOOL ATTENDANCE LAW

§22.1-254 Ages of children required to attend

- A. Every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in §22.1-254.1.
- As prescribed in the regulation of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational, or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start Program, or in a private, denominational, or parochial school educational pre-kindergarten program.
- B. Instruction in the home of a child or children by the parent, guardian, or other person having control or charge of such child or children shall not be classified or defined as a private, denominational, or parochial school.
- C. The requirements of this section shall not apply to any child who obtained a high school diploma, its equivalent, or a certification of completion, or has otherwise complied with compulsory school attendance requirements as set forth in this article.
- D. The requirements of this section shall apply to any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his/her eighteenth birthday, and any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in §22.1-253.13:1 and §22.1-254.01.
- E. Within one calendar month of the opening of school, each school board shall send to the parent/guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the School Board. Each parent/guardian shall submit to the school board a statement, provided with the materials, acknowledging receipt of these materials.
- F. The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan (ISAEP) developed in conformity with guidelines prescribed by the Board of Education under the following conditions: (JEG)
1. The student must be at least sixteen years of age.
 2. There shall be a meeting of the student, the student's parent(s), and the principal or designee to develop the plan, which must include the following:
 - Career guidance counseling;
 - Mandatory enrollment and attendance in general educational development preparatory program or other alternative education program approved by the local school board, with attendance reported to the principal or his designee;
 - 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 deemed in violation of the compulsory attendance laws, and the superintendent or attendance officer shall seek immediate compliance with such laws.

ATTENDANCE REQUIREMENTS

There is a strong positive correlation between attendance and academic progress. Therefore, students are to be in attendance unless an emergency situation arises. Parents are responsible for contacting their child's school as soon as possible any morning that their child(ren) will be absent.

Wythe County Public Schools will accept eight (8) days of absences from school, per school year, as excused (verified) with a parent's note. Absences beyond the eight (8) accepted parent notes, will be unexcused (unverified), and subject to truancy regulations except in the following circumstances:

- Serious illness or death in the immediate family (sibling, parent, grandparent);
- Observation of religious holy days;
- Student's court or probation appointment;
- Parent departure or return to active military duty;
- School based activity;
- College or university visit (1 per junior and 2 per senior year with appropriate verification);

- Natural disaster;
- Extended documented medical condition;
- Extenuating circumstances recognized by the principal.
-

A. Five (5) Absences

If a student accrues five (5) absences in which there is no indication that the student's parent is aware of and supports the absence (unverified), the principal/designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person (attendance meeting) or through a telephone conversation, to obtain an explanation for the student's absence and to explain to the parent the consequences of continued nonattendance. The school's attendance officer, the student, and the student's parent shall jointly develop a plan to resolve the student's nonattendance. Such plan shall include documentation of the reasons for the student's nonattendance.

B. Six (6) Absences

If the student is absent an additional day (6th unverified absence) after direct contact with the student's parent and the school attendance office has received no indication that the student's parent is aware of and supports the student's absence, the attendance office shall schedule a conference within ten (10) school days, which must take place no later than the fifteenth (15) school day after the sixth (6) absence. At this conference (Wythe County Truancy Team Meeting), the student, his/her parent, and school personnel, shall meet to resolve issues related to the student's nonattendance. Other community service providers may also be included in the conference.

C. Seven (7) Absences

Upon the occasion of the 7th unverified absence, the principal will refer the student and his/her parent(s) or guardian(s) to the division attendance office to evaluate appropriate legal action. According to the Code of Virginia, in cases where noncompliance continues without apparent extenuating circumstances, appropriate legal action will be initiated by either or both of the following: (1) file a complaint with the Juvenile and Domestic Relations Court alleging the child is a child in need of supervision as defined in §16.1-228 or (2) instituting proceedings against the parent pursuant to §18.2-371 or §22.1-262. In file a complaint against the student, the attendance office shall provide written documentation of the efforts already undertaken to resolve the student'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 the last known addresses.

D. Ten (10) Absences

Students with ten (10) full day absences will have their attendance record reviewed by the principal/designee. In addition, students with any combination of checkouts, tardies, and full day absences which total ten (10) or more will have their attendance record reviewed by the principal/designee. If the attendance record review indicates a pattern of truancy, the parents or guardians will be notified either by telephone or in writing by school personnel and will be provided the opportunity to discuss attendance concerns. A plan to resolve attendance issues will be developed. Failure to comply with the plan will result in a referral to the Wythe County Truancy Team and/or a referral to the Juvenile and Domestic Relations Court.

E. Parental Cooperation in Remediating Excessive Absences

It is expected that parents will cooperate with the division attendance office and other school office to remedy the student's attendance problem. If 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 division attendance office, 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 division attendance office shall document the school division's compliance with this Code section. Nothing in this policy shall be construed to limit in any way the authority of any attendance office or the division superintendent to seek immediate compliance with the compulsory school attendance laws.

CHRONIC ABSENTEEISM

Students who are at academic risk because they missed too much school for any reason – excused, unexcused, and suspensions. Defined as missing 10% or more of school days. Based on a 180 day school year, that means a student who misses 18 days or more per year is determined to be a chronically absent student.

Chronic absence is different from truancy (unexcused absences only) or average daily attendance (how many students show up to school each day).

While chronic absence presents academic challenges for students not in class, when it reaches high levels in a classroom or school, all students may suffer because the resulting classroom churn hampers teachers' ability to engage all students and meet their learning needs. Improving attendance matters because it reflects:

- Exposure to language: Starting in Pre-K, attendance equals exposure to language-rich environments especially for low-income children.
- Time on Task in Class: Students only benefit from classroom instruction if they are in class.
- On Track for Success: Chronic absence is a proven early warning sign that a student is behind in reading by 3rd grade, failing middle & high school classes, and likely to drop-out.
- College Readiness: Attendance patterns predict college enrollment and persistence.
- Engagement: Attendance reflects engagement in learning.

Each school, along with the WCPS school division as a whole, will be measured by Chronic Absenteeism on their yearly accreditation reports. We work really hard to ensure all of our schools are accredited for the betterment of our community. Please make every effort to make sure your child attends school on a regular basis.

STUDENT CONDUCT (JFC) (Updated July 2021)

The Wythe County School Board establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards of Student Conduct and a list of possible actions for violations of those Standards.

This Policy and the Standards of Student Conduct apply to all Wythe County school students. They are enforced when the student's conduct occurs when the student is

- On school property.
- Traveling to school or from school.
- Traveling to, at, and from bus stops.
- In School Board vehicles.
- In attendance at any school-sponsored activity.
- Off school property if the conduct disrupts the learning environment.

The School Board and superintendent biennially review the model student conduct code developed by the Virginia Board of Education to incorporate into policy and the Standards of Student Conduct a range of discipline options and alternatives to preserve a safe and non-disruptive environment for effective learning and teaching.

Parental Involvement and Responsibility

Each parent of a student enrolled in Wythe County schools has a duty to assist in enforcing this policy, the Standards of Student Conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law is sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of this policy, the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school maintains records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review this policy, the Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress.

The school principal may notify the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies the parent of any student involved in an incident required to be reported to the superintendent and Virginia Board of Education as described in Policy CLA Reporting Acts of Violence and Substance Abuse.

If a parent fails to comply with the requirements of this Policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of the Code of Virginia.

A parent, guardian or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records.

Prevention, Intervention, and Treatment Activities and Programs

Any student involved in a reportable drug or violent incident, as described in Policy CLA Reporting Acts of Violence and Substance Abuse, participates in prevention and intervention activities deemed appropriate by the superintendent or superintendent's designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

Prohibited Conduct

The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

Bullying and Use of Electronic Means for Bullying

Bullying is prohibited. "Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

Gang Activity

Gang activity, as defined in Policy JFCE Gang Activity or Association, is prohibited.

Harassment

As provided in Policy JFHA/GBA Prohibition Against Harassment and Retaliation, students are prohibited from harassing other students, school staff, volunteers, student teachers or any other person present in school facilities or at school functions.

Hazing

Hazing is prohibited.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

Self-defense

Whether a student acted in self-defense is considered when the student's conduct is evaluated for disciplinary action.

Threats: Intimidation

Students are prohibited from making any verbal, written or physical threat of bodily injury to another person.

Trespassing

Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property

Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs

Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

Students are prohibited from attempting to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

Students are prohibited from being under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, nicotine vapor products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

Use of Profane or Obscene Language and Conduct

Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

Vandalism

Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person.

The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property pursuant to Policy ECAB Vandalism.

STANDARDS OF STUDENT CONDUCT (WCPS Policy JFC-R) **(Updated November 2020)**

The following are standards of student conduct established by the School Board for all students. The consequences of any act are determined on the basis of the facts presented in each situation in the reasonable discretion of the Board, its designated committees and other appropriate school officials.

1. Assault and Battery

A student shall not assault or commit battery upon another person on school property, on school buses or during school activities on or off school property.

An assault is a threat of bodily injury.

A battery is any bodily hurt, however slight, done to another in an angry, rude or vengeful manner.

2. Attendance; Truancy

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

3. Bomb Threats

Students shall not engage in any illegal conduct involving firebombs, explosive or incendiary materials or devices or hoax explosive devices or chemical bombs as defined in the Code of Virginia. Moreover, students shall not make any threats or false threats to bomb school personnel or school property.

4. Bullying

A student, either individually or as a part of a group, shall not bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. Prohibited conduct includes, but is not limited to, physical, verbal, or written intimidation, taunting, name-calling, and insults and any combination of prohibited activities.

5. Bus-Related Offenses

Students shall not behave in a disruptive manner or otherwise violate these Standards of Conduct while waiting for a school bus, while on a school bus or after being discharged from a school bus.

6. Cheating

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- cheating on a test or assigned work by giving, receiving, offering and/or soliciting information
- plagiarizing by copying the language, structure, idea and/or thoughts of another
- falsifying statements on any assigned schoolwork, tests or other school documents

7. Communication Devices

Students may possess a beeper, cellular telephone, smart phone, tablet, Personal Digital Assistant (PDA) or other communications device on school property, including school buses, provided that the device must remain off and out of sight during instructional time unless it is being used for instructional purposes at the direction of the student's teacher.

At no time may any device be used with an unfiltered connection to the Internet.

The division is not liable for devices brought to school or school activities.

If a student possesses or uses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent.

8. Defiance of the Authority of School Personnel

Students shall comply with any oral or written instructions made by school personnel within the scope of their authority as provided by Board policies and regulations.

9. Disruptive Conduct

Students are entitled to a learning environment free of unnecessary disruption. Any physical or verbal disturbance which interrupts or interferes with teaching and orderly conduct of school activities, is prohibited.

Disruptive conduct includes but is not limited to display, while on school property, of any item that is prohibited in section 24 (Student Dress) of the Standards of Student Conduct.

10. Extortion

No student may obtain or attempt to obtain anything of value from another by using a threat of any kind.

11. 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.

12. Fighting

Exchanging mutual physical contact between two or more persons by pushing, shoving or hitting with or without injury is prohibited.

13. Gambling

A student shall not bet money or other things of value, or knowingly play or participate in any game involving such a bet, on school property, on school buses or during any school related activity.

14. Gang Activity

Gang-related activity is not tolerated. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes association, rituals associated with, or activities by an identified group of students). (See Policy JFCE Gang Activity or Association.)

15. 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. (See Policy JFHA/GBA Prohibition Against Harassment and Retaliation).

16. 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 any sports team, school activity, 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.

17. Internet Use

Students shall abide by the Wythe County School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA/GAB Acceptable Computer System Use.)

18. Laser Pointers

Students shall not have in their possession laser pointers.

19. 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.

20. Possession or Use of Weapons or Other Dangerous Articles

Students shall not have in their possession any type of unauthorized firearm or other dangerous weapon or device. (See Policy JFCD Weapons in School.)

21. Profane, Obscene or Abusive Language or Conduct

Students shall not use vulgar, profane, discriminatory, racist, or obscene language or gestures or engage in conduct that is vulgar, profane, discriminatory, racist, obscene or disrupts the teaching and learning environment.

* School administrators should immediately report incidents involving discriminatory or racist behavior to their immediate supervisor.

22. 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.

23. Stalking

Students shall not engage in a pattern of behavior that places another person in fear of serious harm.

24. Student Dress

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with the rights of others or interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar; obscene; discriminatory, or associated with racial or ethnic intimidation, hatred, or violence, including but not limited to swastikas and confederate flags or other imagery; clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco products, nicotine vapor products, or drug paraphernalia; or clothing that contains threats such as gang symbols is prohibited.

Clothing should fit, be neat and clean, and conform to standards of safety, good taste and decency. Clothing that exposes cleavage, private parts, the midriff, or undergarments, or that is otherwise sexually provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back, clothing constructed of see-through materials, head coverings unless required for religious or medical purposes.

Additionally, disciplinary action will be taken against any student taking part in gang-related activities that are disruptive to the school environment, which include the display of any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students not complying with this policy will be asked to cover the noncomplying clothing, change clothes or go home.

25. Theft

A student shall not intentionally take or attempt to take the personal property of another person by force, fear or other means.

26. Threats or Intimidation

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic

technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

27. Trespassing

Students shall not trespass on school property or use school facilities without proper authority or permission, or during a period of suspension or expulsion.

28. Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs

A student shall not possess, use, or distribute any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

A student shall not attempt to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

A student shall not be under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, nicotine vapor products as defined in Policy JFCH Tobacco Products and Nicotine Vapor

Products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

The School Board may require any student who has been found in possession of, or under the influence of, drugs or alcohol in violation of School Board policy to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the division superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

29. Vandalism

Students shall not willfully or maliciously damage or deface any school building or other property owned or under the control of the School Board. In addition, students shall not willfully or maliciously damage or deface property belonging to or under the control of any other person at school, on a school bus or at school-sponsored events.

CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. The facts and circumstances of each offense are considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss of privileges, including access to the School Division's computer system
5. Parental conferences
6. Modification of student classroom assignment or schedule
7. Student behavior contract
8. Referral to student assistance services
9. Removal from class
10. Initiation of child study process
11. Referral to in-school intervention, mediation, or community service programs
12. Tasks or restrictions assigned by the principal or his designee
13. Detention after school or before school
14. Suspension from school-sponsored activities or events prior to, during, or after the regular school day
15. In-school suspension
16. Out-of-school suspension
17. Referral to an alternative education program
18. Notification of legal authority where appropriate
19. Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event and recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana onto school property or to a school sponsored activity
20. Evaluation for alcohol or drug abuse
21. Participation in a drug, alcohol or violence intervention, prevention or treatment program

WEAPONS IN SCHOOL

Carrying, bringing, using or possessing any firearms, 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 fi 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.

SEARCH AND SEIZURE/EVIDENCE/CONTRABAND (JFG)

To maintain order and discipline in the schools and to protect the health, safety, and welfare of students and school personnel, school authorities may search a student, student lockers, or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term “unauthorized” means any item dangerous to the health or safety of students or school personnel, or disruption 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 officers 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.

A student’s person and/or personal effects (e.g. purse, book bag, etc.) may be searched by a school official if the 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. A personal search may include requiring a student to be scanned with a metal detector.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation, or that illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities are contained inside the automobile. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Computer Searches

School computers, software, and Internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school. School officials may search school computers, software, and internet access records at any time for any reason and without student consent.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such files shall be turned over to proper legal authorities for ultimate disposition.

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 as defined in this policy.

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, electronic 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 including but not limited to an electronic cigarette.

STUDENT DRESS CODE

Student 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. Wearing of clothes, jewelry, or other apparel or personal belongings that advocate violence, alcohol or other drug use and/or distribution; that represent gang activity or membership; that advertise obscenities; that reflects adversely on a person’s race, gender, creed, national origin, physical, emotional, or intellectual abilities; or that are considered inappropriate attire shall not be worn.

Dress that is unacceptable in grades 5 – 12 includes but is not limited to: pajamas, tube tops, exposed midriff, halter tops, spaghetti straps, short shorts, muscle shirts, fishnet shirts, pants worn below the waist, and exposed undergarments. Additional regulations include:

1. Tops must have a minimum one-inch shoulder strap and fall one inch below the waist of the student’s pants, skirts, and/or other items worn from the waist down.
2. Shorts must be of appropriate length; when the student is standing, the hem of the shorts will be no higher than the extended tip of the finger against the side of the leg.
3. Clothing must cover underwear.
4. Hats, scarves, and other headpieces shall not be worn within the school building.

Enforcement of the student dress policy:

- On the first offense, any student wearing inappropriate attire will be required to change into appropriate clothing, wear a cover-up (e.g., shirt, jacket, jeans, etc.) return home to change, or have clothing brought from home that meets appropriate standards.
- On the second and subsequent offenses, the student will be required to change into appropriate clothing as well as subject to further disciplinary action that may include, but not be limited to detention, in-school suspension, or other punishment as deemed appropriate by the school administration.

SCHOOL BUS SAFETY AND DISCIPLINE

Each principal is responsible for carrying out a school bus safety program and has jurisdiction over the conduct of students while on the bus. The school bus driver has the authority to maintain discipline on his/her bus.

Students are to observe the following precautions: When walking to the stop and waiting for the bus:

- arrive on time at the bus stop
- wait in a safe place off the main road
- remain at the assigned bus stop area and maintain an orderly behavior
- give the bus room to stop
- stay off private property
- do not play in the road

When boarding the bus:

- do not cross the road until the bus has stopped
- check the traffic in both directions before crossing
- form a single line as the bus approaches
- wait for the bus to stop before moving toward it
- enter the bus in single file; allowing younger students to board first
- go directly to your seat and remain seated

While the bus is in motion:

- remain seated until the bus reaches its destination or comes to a complete stop
- keep all parts of the body and other objects inside of bus
- keep the aisle clear of objects
- hold books, coats, and other objects in lap
- talk in normal voice

- do not change seats
- do not throw objects
- show respect for the driver
- do not push or fight

While the bus is unloading:

- remain seated until the driver opens the door
- exit the bus in a single file line
- leave the bus and the unloading area promptly

When crossing the street:

- wait until the driver gives a signal to cross
- walk at least 10 feet in front of the bus
- stop when even with the traffic side of the bus and check carefully in both directions before continuing to cross
- help smaller children to cross the road safely

Other conditions:

- at all times ride the bus to which you are assigned unless given special permission by parents and the principal get off the bus at the same stop where you were picked up
- follow the rules and regulations of the school where bus transfers are made (all students are subject to the school officials of any school)
- eating, drinking, smoking, and chewing on the bus are prohibited

SUSPENSIONS AND EXPULSIONS

Suspensions are defined in §22.1-277.04 and .05 of the Code of Virginia as any disciplinary action whereby a student is not permitted to attend school, but fewer than 365 days.

- Short-term suspension involves one to ten days.
- SB170 prohibits, except for drug offenses, firearm offenses, and certain criminal acts, students in preschool through grade three from being suspended for more than three school days or expelled from attendance at school unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or his designee finds that aggravating circumstances exist.
- Long-term suspension means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days, unless they meet aggravating circumstances.

Legislation enacted July 1, 2018, directed the Virginia Department of Education to define “aggravating circumstances” concerning suspension of students. The Virginia Department of Education staff and multiple stakeholder groups collaborated to create the following definition:

For the purposes of §22.1-277 and §22.1-277.05 of the Code of Virginia, “aggravating circumstances” shall mean:

- i. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or
- ii. That a student’s presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or
- iii. That a student engaged in a serious offense that is:
 - a) persistent (repeated similar behaviors are documented on the student’s disciplinary record), and
 - b) unresponsive to targeted interventions as documented through an established intervention process.

Expulsion is defined in § 22.1-277.06. of the Code of Virginia as “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.”

Suspension, expulsion, or both, may be used as disciplinary measures when local school authorities determine that such action meets the following suspension or expulsion criteria. Suspension or expulsion is:

- An appropriate disciplinary sanction for a violation of the student code of conduct;
- Appropriate to prevent disruption of the school’s learning environment, programs, or activities;

- Appropriate to ensure the safety and welfare of the student, other students, and/or staff; and
- Appropriate to maintain a safe, drug-free, and orderly school environment conducive to learning.

For a complete overview of the WCPS Student Suspension/Expulsion Policy, please refer to policy JGD/JGE.

HEALTH SERVICES

Wythe County Public Schools provides school health services for children and faculty during the school day for the initial emergency care of students who have been injured while at school or who have become sick. In addition, health care is provided to students who have chronic health care problems. This care is administered by a school nurse who is a Virginia licensed health care provider. Presently, there is a school nurse in every school in the county for at least a portion of the school day.

SCREENING PROCESS FOR WYTHE COUNTY PUBLIC SCHOOLS

The existing Board of Education Regulations, effective January, 1994 require that:

“All children, within 60 administrative working days (school days) of initial enrollment in a public school, shall be screened in the following areas to determine if formal assessment is indicated: (A) Speech, Voice, and Language; and (B) Vision and Hearing.”

This regulation applies to all kindergarten students and to other students attending Virginia Public Schools for the first time. Additional screening for vision and hearing will be done in grades 3, 7, 10 and for all new students and any children who are referred by a teacher or parent. Follow up with the parent is provided when necessary.

If you have a child in grades 3, 7, or 10, you are hereby notified that your child will be screened for defects in vision and hearing. Should your child fail any of the screening procedures, you will be notified by the school principal.

Scoliosis Information:

Scoliosis is a curvature of the spine. It occurs in otherwise healthy children and can be a serious health problem if it becomes severe. It generally occurs during the growing years, especially during the growth spurt from 10 to 17 years of age. Scoliosis is more frequently noted in females and when there are other affected family members. It is not caused by anything a child or his or her parents did or failed to do, although a minority of cases is associated with other medical conditions. Early detection is essential to help avoid complications that include back pain, fatigue, reduced exercise tolerance, deformity, and in severe cases, problems with heart and lung function.

For more information on scoliosis, please visit the WCPS website on the Health Services tab. The need for treatment is best determined by a trained medical professional. If you suspect your child may be affected, contact your physician or school nurse. The school nurse provides screening for individual referrals from parents, teachers, or other school staff members.

ADMINISTERING MEDICINES TO STUDENTS (JHCD)

(Updated July 2021)

Self-Care and Self-Administration of Medication

Each enrolled student who is diagnosed with diabetes, with parental consent and written approval from the prescriber, is permitted to

- carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and
- self-check his own blood glucose levels on school buses, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or reinsertion of the pump or any of its parts. Nothing in this policy requires any employee to assist with the insertion or reinsertion of the pump or any of its parts.

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. A student may possess and self-administer asthma medication, or auto-

injectable epinephrine, or both, when the following conditions are met:

- Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, is on file with the school.
- Written notice from the student's health care provider is on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication.
- An individualized health care plan is prepared, including emergency procedures for any life-threatening conditions.
- There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.
- Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health.
- Information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

Permission granted to a student to possess and self-administer asthma medications or auto-injectable epinephrine, or both, will be effective for a period of 365 calendar days, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication or auto-injectable epinephrine, or both, may be limited or revoked after appropriate school personnel consult with the student's parents.

Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, School Board employee, employee of a local appropriating body or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction.

Albuterol Inhalers

Albuterol inhalers and valved holding chambers are stocked in each school in the division to be administered by any school nurse, employee of the School Board, employee of a local appropriating body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

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.

GUIDANCE AND COUNSELING PROGRAM

Each school will provide the following guidance and counseling services to all students:

- academic guidance to assist 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 to help students acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities.
- personal/social counseling to assist students 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 co-operate with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations, and career schools.

EATING DISORDERS AWARENESS IN THE PUBLIC SCHOOL SETTING

Disorders. The *Code of Virginia* requires that each school board shall annually provide parent educational information regarding eating disorders for pupils in grades five through twelve.

Recommendations

In compliance with the *Code of Virginia* § 22.1-273.2, each school board shall adopt policies to provide parent educational information on eating disorders for students in grades five (5) through twelve (12) on an annual basis.

Early detection and treatment of eating disorders offer the best opportunity for positive outcomes and minimal long-term consequences. Educational materials are available through the school and on the Wythe County Public Schools Health Services website which provide the following science-based information:

- A description of eating disorders
- A description of how eating disorders are identified
- A statement describing why it is important to screen for eating disorders (early detection and treatment)
- A description of eating disorders screening information or referral for assessment, diagnosis and treatment
- A description of potential treatment

Referral and Follow-up. Wythe County Schools will notify parents/guardians of all students who are identified as possibly “at risk”. Parents/guardians should be encouraged to schedule a follow-up evaluation for their children with their health care provider and/or a qualified eating disorders specialist. Wythe County Schools may request a notice of receipt from the parent, indicating the receipt of the referral and plans for the follow-up care.

Documentation. Documentation of referral will be maintained in a confidential manner according to the Family Educational Rights and Privacy Act.

STUDENT ACCIDENT INSURANCE

This student accident coverage includes supervised school time activities, physical education and field trips. Student accidents due to athletic participation are not included in coverage. The accident must be reported to the school on the day of the accident and an accident report completed.

Claims are processed by VACo Risk Management Programs. This coverage is secondary to all other coverage and will pay eligible medical expenses not payable by other sources.

ELEMENTARY AND MIDDLE SCHOOL PROMOTION AND RETENTION

Promotion or retention of each elementary and middle school student shall occur at the close of the school year. Factors to be considered are the student’s academic performance, school attendance, and his/her social, intellectual, physical, and emotional readiness for the next grade level. The final placement decision rests with the principal in consultation with the student’s teacher(s).

WYTHE COUNTY PUBLIC SCHOOLS K-12 GIFTED PROGRAM

Wythe County Public Schools offers an enrichment program for students identified as gifted in grades K-12. Students may be referred for screening by school personnel, parents, other students, and by self-referral at any time during the school year.

STUDENT FEES, FINES AND CHARGES (JN) (Updated July 2021)

The School Board charges student fees and takes action to recover funds for the loss of or damage to School Board property in accordance with the state and federal law. No fee may be charged unless it has been approved by the School Board.

The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher’s price. If sold, the School Board shall ensure that

workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees will not be charged to students for instructional materials, textbooks, or other materials used by a School Board employee that are not directly used by a public school student.

The following fees are charged.

Elementary:

Planners—\$5.00

Music Recorders—\$4.50

Middle:

Locker Fee - \$5.00

Physical Education Locker Fee - \$3.00

Club Dues - \$5.00

Workbook - \$15.00

High:

Locker Fee—\$10.00

Parking Fee—\$15.00

Physical Education Locker Fee—\$3.00

FBLA Club Dues—\$15.00

FCCLA Club Dues \$15.00

DECA Club Dues \$15.00

FFA Club Dues \$20.00

SkillsUSA Club Dues \$13.00

HOSA \$15.00

Hi-Y \$12.00

All Other Club Dues \$10.00

All other fees (for required field trips, extracurricular activities, etc.) will be posted on the division's website after approval by the school board and prior to the commencement of the activity.

Fees may be charged for:

- 1) optional services such as parking or locker rental;
- 2) student-selected extracurricular activities;
- 3) class dues;
- 4) field trips or educationally-related programs that are not required instructional activities;
- 5) fees for musical instruments, as long as the instruction in the use of musical instruments is not part of the required curriculum;
- 6) distance learning classes for enrichment which are not necessary to meet the requirements for a diploma;
- 7) 7) summer school, unless the classes are required for remediation as prescribed by the Standards of Quality;
- 8) overdue or lost or damaged library books;
- 9) lost or damaged textbooks;
- 10) lost or damaged 1:1 device;
- 11) lost or damaged Mi-fi device
- 12) consumable materials such as workbooks, writing books, drawing books and fine arts materials and supplies; however, workbooks, writing books, drawing books and fine arts materials and supplies must be furnished to students who are unable to afford them at a reduced price or free of charge; fees may not be charged to students for instructional materials, textbooks, or other materials that are not directly used by a public school student;
- 13) the behind-the-wheel portion of the driver's education program;
- 14) a fee not to exceed a student's pro rata share of the cost of providing transportation for voluntary extracurricular activities; and
- 15) 15) the preparation and distribution of official paper copies of student transcripts; a reasonable number of copies of official paper copies must be provided for free before a charge is levied for additional official copies; official electronic copies of student transcripts must be provided for free.

- 16) dual enrollment class tuition if the class is dropped after WCC's drop deadline unless waived by the superintendent for extenuating circumstances. Students failing to earn a "C" or higher in an approved dual enrollment class may be required to reimburse WCPS for tuition and fees if the course was paid for by WCPS.

Fees may not be charged:

- 1) as a condition of school enrollment, except for students who are not of school age or who do not reside within the jurisdiction;
- 2) for instructional programs and activities, or materials required for instruction, except as specified in by 8 VAC 20-720-80.H;
- 3) for textbooks or textbook deposits; however, a reasonable fee or charge for lost or damaged textbooks may be charged;
- 4) for pupil transportation to and from school; or
- 5) for summer school programs or other forms of remediation required by the Standards of Quality.
- 6) Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; and families that are homeless.

Each time a fee is charged, notice will be given that a fee waiver may be requested. The notice will include directions as to how to apply for a waiver.

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

The consequences for nonpayment of fees include exclusion from the activity related to the fee. Seniors may not be allowed to participate in graduation exercises unless all outstanding individual accounts have a zero balance.

No student's report card, diploma or class schedule will be withheld because of nonpayment of fees or charges. No student will be suspended or expelled for nonpayment of fees or charges.

The School Board upon recommendation of the superintendent may take action against a pupil or the pupil's parent for any actual loss, breakage, or destruction of or failure to return property owned by or under the control of the School Board, caused or committed by such pupil in pursuit of his studies. Such action may include seeking reimbursement from a pupil or pupil's parent for any such loss, breakage, or destruction of or failure to return school property.

COLLECTION OF MONIES/FEES/EQUIPMENT

It is the responsibility of parents to pay for the repair and/or replacement of school board owned property and/or equipment when it has been damaged and/or lost by their child. It is the expectation of the Wythe County School Board that this remuneration be submitted immediately to the school principal. Each school is to keep a list of all financial obligations that a parent is obligated to pay resulting from the above. This record is to remain a part of each student's record until all financial obligations have been satisfied. A student may not participate in the graduation ceremony of his/her school until he/she has met all of his/her financial obligations to the Wythe County Public Schools.

It is the responsibility of parents to pay for student meals either in advance or at the time the meal is served.

STUDENT RECORDS (JO)

Generally

The Wythe County School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The superintendent and/or his designee(s) is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Definitions

For the purposes of this policy, the Wythe 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 Wythe 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 Wythe 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 Wythe 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 Wythe County Public Schools regarding whom the school division maintains education records or personally identifiable information.

Dissemination and Maintenance of Records About Court Proceedings

The superintendent shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G. contained in a notice received pursuant to Va. Code § 16.1-305.1 to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.

A parent, guardian, or other person having control or charge of a student, and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor.

The parent or guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record. Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by him and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

Petitions and Reports

The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.
- If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Protective Orders and Orders Prohibiting Contact with a Child

Any school principal who receives notice that a circuit court, general district court, juvenile and domestic relations district court, or magistrate has issued a protective order for the protection of any child who is enrolled at the school, or any other order prohibiting contact with such a child, notifies licensed instructional personnel and other school personnel who (i) provide direct educational or support services to the protected child or the child subject to the order, (ii) have a legitimate educational interest in such information, and (iii) are responsible for the direct supervision of the protected child or the child subject to the order that such order has been issued.

Annual Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- the type of information designated as directory information and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Copies of Education Records

The Wythe 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 \$.30 cents per page. The actual cost of copying time and postage will be charged. The Wythe County Public Schools does not charge for search and retrieval of the records. The Wythe County Public Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

The Wythe 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 Wythe County Public Schools maintain, their locations, and their custodians.

Types	Location	Custodian	Information
Academic Records	Local School	Principal	Academic
Special Education	Wythe County	Director of Special Education	Special Education
Residential Records	School Board Office	Director of Special Education	Residential Records
Home School Academics	Wythe County	Instruction Department	Home School
School Board Office	Instruction Department	Academic Records	

Disclosure of Education Records

The Wythe County Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.
A school official is:
 - a person employed by the School Board
 - a person appointed or elected to the School Board
 - a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
 - a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education recordsA school official has a legitimate educational interest if the official is:
 - performing a task that is specified in his or her position description or by a contract agreement
 - performing a task related to a student's education
 - performing a task related to the discipline of a student
 - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.

6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which

- specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
- requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
- requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
- requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.

7. To accrediting organizations to carry out their functions.

8. To parents of an eligible student who claim the student as a dependent for income tax purposes.

9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.

10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:

- the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
- the parties to whom the division disclosed the information.

11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.

12. Directory information so designated by the school division.

13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

Unauthorized Disclosure of Electronic Records

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent of any student affected by such disclosure, except as otherwise provided in Va. Code §§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Wythe County School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

Disclosure of Information Relating to Home Instructed Students

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student's parent, such information to the extent provided by the parent's consent. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

- Any authorized representative other than an employee must be designated by a written agreement which
- designates the individual or entity as an authorized representative;
- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity

with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;

- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- specifies the time period in which the information must be destroyed; and
- establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

The Wythe County Public Schools provides, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student. The school division notifies parents of the option to make a request and complies with any request.

The school division provides military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

Record of Disclosure

The Wythe County Public Schools maintains a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his assistants who are responsible for the custody of such records and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

Directory Information

The Wythe County School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

No school discloses the address, telephone number, or email address of a student pursuant to the Virginia Freedom of Information Act unless the parent or eligible student affirmatively consents in writing to such disclosure. Except as required by state or federal law, no school discloses the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11) unless (a) the disclosure is to students enrolled in the school or to school board employees for educational purposes or school business and the parent or eligible student has not opted out of such disclosure in accordance with Virginia law and this policy or (b) the parent or eligible student has affirmatively consented in writing to such disclosure.

Parents and eligible students may not use the right to opt out of directory information disclosures to 1) prevent disclosure of the student's name, identifier or institutional email address in a class in which the student is enrolled; or 2) prevent an educational agency or institution from requiring the student to wear, to display publicly or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

Directory Information has been designated to be:

- Student's name
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Photograph
- Degrees*, honors and awards received
- Dates of attendance
- Grade level

*Excludes specifying diploma type

The primary purpose of the directory information is to allow the Wythe County Public Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama ;
- The annual yearbook;

- Honor roll or other recognition lists;
- Graduation programs;
- Sports activity sheets, such as for wrestling, showing weight and height of team members; and
- Live or recorded audio/video of school related activities

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 Wythe 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. Wythe 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, Wythe 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. Wythe 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 Wythe 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 Wythe 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 Wythe County Public Schools complies with the confidentiality requirements of Va. Code § 32.1-36.1 providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division maintains confidentiality of drug and alcohol treatment records as required by federal and state law.

LAWS GOVERNING PROSECUTION OF JUVENILES AS ADULTS

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

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

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

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

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

Circumstance #1

A transfer can occur when a juvenile, who is age 14 or older at the time of the offense, is charged with a crime which would be a felony if committed by an adult (§ 16.1-269.1 A. of the *Code of Virginia*). Offenses are either felonies or misdemeanors. Those offenses that are punishable by confinement in a state correctional facility or death are felonies; all other offenses are misdemeanors. Felonies are classified for the purposes of punishment and sentencing into six classes. Class 1 felony – death if the person convicted was 18 years of age or older at the time of the offense and is not determined to be mentally retarded and a fine of not more than \$100,000. If the person was under 18 years of age at the time of the offense or is determined to be mentally retarded, the punishment shall be imprisonment for life or imprisonment for life and a fine of not more than \$100,000.

Class 2 felony – imprisonment for life or for any term not less than twenty years or imprisonment for life or for any term not less than twenty years and a fine of not more than \$100,000.

Class 3 felony – a term of imprisonment of not less than five years nor more than twenty years or a term of imprisonment of not less than five years nor more than twenty years and a fine of not more than \$100,000.

Class 4 felony – a term of imprisonment of not less than two years nor more than ten years or a term of imprisonment of not less than two years nor more than ten years and a fine of not more than \$100,000.

Class 5 felony – a term of imprisonment of not less than one year nor more than ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.

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

(§§ 18.2-9 and 18.2-10 of the *Code of Virginia*)

In this circumstance, the Commonwealth's Attorney's office makes a formal request to the judge of the juvenile court for the juvenile to be transferred to the circuit court. The juvenile court holds a transfer hearing and may retain jurisdiction or transfer the juvenile to the appropriate circuit court for criminal proceedings. Any transfer to the circuit court is subject to the following conditions: (1) notice; (2) probable cause to believe that the juvenile committed the alleged delinquent act or a lesser included delinquent act; (3) the juvenile is competent to stand trial; and, (4) the juvenile is not a proper person to remain within the jurisdiction of the juvenile court.

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

The juvenile's age;

The seriousness and number of alleged offenses;

Whether the juvenile can be retained in the juvenile justice system long enough for effective treatment and rehabilitation;

The appropriateness and availability of the services and dispositional alternatives in both the criminal justice and juvenile justice systems needed by the juvenile;

The record and previous history of the juvenile in the jurisdiction where the alleged crime occurred or in other jurisdictions;

Whether the juvenile has escaped from a juvenile correctional entity in the past; The extent, if any, of the juvenile's degree of mental retardation or mental illness; The juvenile's school record and education;

The juvenile's mental and emotional maturity; The juvenile's physical condition and maturity.

Circumstance #2

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

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

Circumstance #3

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

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

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

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

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

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

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

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

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

PARENTAL RESPONSIBILITY

Parental responsibility and involvement requirements:

- A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and is supportive of individual rights.
- B. The School Board shall provide opportunities for parental and community involvement in every school in the School Division.
- C. Within one calendar month of the opening of school, the School Board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student a notice of the requirements of the sections and a copy of the School Board's Standards of Student Conduct. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or School Division's policies or decisions. Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the School Board's Standards of Student Conduct and the notice of the requirements of this section. Each school shall maintain records of such signed statements.
- D. The school principal may request the student's parent(s) to meet with the principal or his/her designee to review the School Board's Standards of Student Conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress.
- E. In accordance with §22.1-277 and the guidelines required by §22.1-278, the school principal may notify the parent(s) of any student who violates a School Board policy when such violation could result in the student's suspension, whether or not the school administration has imposed such disciplinary action. The notice shall state the date and particulars of the violation, the obligation of the parent(s) to take actions to assist the school in improving the student's behavior, and that, if the student is suspended, the parent(s) may be required to accompany the student to meet with school officials.
- F. No suspended student shall be admitted to the regular school program until such student and his parent(s) have met with school officials to discuss improvement of the student's behavior, unless the school principal or his/her designee determines that readmission, without parent conference, is appropriate for the student.
- G. Upon the failure of a parent to comply with the provisions of this section, the School Board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior, as follows:
 1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the School Board's Standards of Student Conduct and the parent's responsibility to assist in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet.
 2. If the court finds that the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or the student or his parent to be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.00.
- H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision 2 of subsection G. Upon failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.
- I. All references in this section to the juvenile and domestic relations court shall also be deemed to mean any successor in interest of such court.

NOTICE TO PARENTS AND STUDENTS REGARDING GRADUATION

Students who fail to graduate or achieve the number of verified units of credit required for graduation and who have not reached 20 years of age on or before August 1st of the school year have the right to a free public education. If the student is one for whom English is a second language, the student has the right to a free public education in accordance with VA. Code §22.1-5.

ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES (KFB)

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 un-emancipated 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. 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 local implementation policy.

II. Physical Examinations and Screenings.

If the Wythe 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 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 non-emergency, 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. 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;
- any non-emergency, 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 RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

(1) The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal or the Executive Director of Educational Services a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal or the Executive Director of Educational Services, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the Division decides not to amend the record as requested by the parent or eligible student, the Division will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school official with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official

has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the Division discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Division to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education 400 Maryland Avenue, SW
Washington, DC 20202

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student —

- To other school officials including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a) (1))
- 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 if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, 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. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specific allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to:
 - (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a) (7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization to have access to the student's educational records without having to obtain parental consent or a court order. This exception applies

to children for whom the public child welfare agency has legal responsibility for their care and protection, specify those children in the legal custody of the agency who are placed in out-of-home care. This would include children placed under a voluntary placement agreement and shared case responsibility youth who have been adjudicated dependent. Specifically, those who have the right to access the child's case plan, includes the following:

- the child's caseworker from the public children and youth agency;
- the child's caseworker from a private children and youth agency with whom the public agency contracts; and
- the supervisors or managers of such agencies.

In order to obtain a student's records, proof of this relationship with the child must be provided. This proof can be in the form of a court order or written notification on agency letterhead indicating that the agency has legal custody or is otherwise legally responsible for the care and protection of the child. This exception does not usurp the right of a student's parent to make all other decisions regarding the release of the child's education records, nor does it place the child welfare agency in the role of parent or educational decision maker. Additionally, in cases where a parent is a party to a proceeding involving child abuse or neglect, or a dependency matter, and a court order is issued authorizing the disclosure of education records, additional notice need not be provided to the parent by the educational agency before educational records are released. (Added to reflect *Uninterrupted Scholars Act*, P.L. 112-278, January 14, 2013).

- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Wythe County Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. For example, no school shall disclose the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11), § [22.1-287.1](#), or the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) unless the parent or eligible student has affirmatively consented in writing to such disclosure. However, Wythe County Public Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in

accordance with District procedures. The primary purpose of directory information is to allow the Wythe County Public Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. Please obtain the "Parental Refusal of Permission Regarding Military Recruiters" opt-out form from your child's school in the main office.

If you do not want Wythe County Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within 15 days of the beginning of each school year or the student's enrollment date. Wythe County Public Schools has designated the following information as directory information:

- student's name
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- photograph
- degrees (excludes specific diploma type if student earns the following: Modified Standard Diploma, IEP Diploma and/or Certificate of Attendance)
- honors, and awards received
- dates of attendance
- grade level
- live or recorded audio/video of school related activities

If you do not want the school to release "Directory Information" about your child, please complete and sign the Parental Opt-out Form for the Release of Directory Information located in the main office at your child's school. Please return this form to your son's/daughter's principal within fifteen (15) days of the receipt of this student handbook.

****Please note that this opt-out transfers from parents of any student who is 18 years old or an emancipated minor under state law.***

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility. Receive notice and an opportunity to opt a student

out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and

3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

Wythe County Public Schools has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Wythe County Public Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Wythe County Public Schools has adopted policy KFB, Administration of Surveys and Questionnaires and policy JHDA, Human Research. Wythe County Public Schools will also directly notify, such as through Mail or email, parents of students who are scheduled to participate in the specific activities or surveys. Wythe County Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notified of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office

U.S. Department of Education 400 Maryland Avenue, S.W.

Washington, D.C. 20202

PPRA Notice and Consent/Opt-Out for Specific Activities

The protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires Wythe County Public Schools to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliation or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of others with whom respondents have close family relationships
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliation or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

The Wythe County Public Schools will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, or obtain consent where mandated, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

At this time, there are no surveys or activities planned by the Wythe County Public Schools that would require receiving parental permission or an “opt out” this school year.

PROHIBITION AGAINST HARASSMENT AND RETALIATION (JFHA/GBA)

(Updated July 2021)

I. Policy Statement

The Wythe County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or

related medical conditions, military status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

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

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

“Consent” is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

“Sexual harassment prohibited by Title IX” means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- “sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

Additional Prohibited Behavior

Bullying or abusive behavior; behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX.

The Title IX Coordinator may be contacted at https://wythe.k12.va.us/district/central_office_staff.

III. Complaint Procedures

Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to the Title IX Coordinator or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to the Title IX Coordinator or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

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

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

Investigation by Compliance Officer

Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;
- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after referral of the complaint to the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

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

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

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

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

Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Wythe County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling.

Appeal

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

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the

disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

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

Compliance Officer Informal Procedure

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

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

Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

"Program or activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

The standard of evidence used to determine responsibility is preponderance of the evidence.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of Allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the

identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standards of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
- ensures that the decision-maker for the appeal complies with the standards set forth in title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved with 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. Retaliation

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

V. Right to Alternative Complaint Procedure

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

VI. Prevention and Notice of Policy

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

VII. False Charges

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

EQUAL EDUCATIONAL OPPORTUNITIES/ NONDISCRIMINATION (JB)

I. Policy Statement

Equal educational opportunities are available for all students, without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. Educational programs are designed to meet the varying needs of all students.

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 BLANK School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

D. Appeal

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

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

E. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at https://wythe.k12.va.us/district/central_office_staff. Complaints of discrimination may also be made to the Alternate Compliance Officer at https://wythe.k12.va.us/district/central_office_staff.

The Compliance Officer

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal

education opportunity and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

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

IV. Right to Alternative Complaint Procedure

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

V. Prevention and Notice of Policy

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

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Notice of Non-Discrimination:

The Wythe County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

The following persons have been designated to handle inquiries regarding the non-discrimination policies: Director of Personnel and Human Resources or School Social Worker: 1570 W. Reservoir Wytheville, VA 24382, 276-228-5411.

You may also contact these individuals at: <https://wythe.k12.va.us/cms/One.aspx?portalId=433983&pageId=2352681> For further information on notice of nondiscrimination, visit <https://www2.ed.gov/about/offices/list/ocr/index.html> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

School Nutrition Program:

In accordance with Federal Law and U.S. Department of Agriculture policy, Wythe County Public Schools is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

WYTHE COUNTY SCHOOLS' POLICY MANUAL

The updated and most recent version of the manual is available on the WCPS website located at <http://wythe.k12.va.us/> under the District/Policy tabs. When electronically accessing the policy manual, a viewer may word or phrase search the document. A paper copy of the WCPS Policy Manual is maintained in the School Board Office.

WYTHE COUNTY PUBLIC SCHOOLS STUDENT HANDBOOK

The updated and most recent version of the WCPS Student Handbook is available on the WCPS website located at <http://wythe.k12.va.us/> under the District/Handbook tabs. When electronically accessing the policy manual, a viewer may word or phrase search the document. A paper copy of the WCPS Student Handbook is maintained in each of our school as well as the School Board Office.

Wythe County Public Schools

Student Handbook Forms



Please note before signing the form, some forms allow student inclusion and others opt students out.

Each school will have copies for parents/guardians and students to sign.



2021 – 2022 REQUIRED SIGNATURE PAGES

Receipt of NOTICE OF REQUIREMENTS/PARENTAL RESPONSIBILITIES § 22.1-279.3 and WYTHE COUNTY PUBLIC SCHOOL STUDENT HANDBOOK:

I am the parent/guardian of the below name child, and by my signature, I acknowledge that I understand a copy of the WCPS Student Handbook can be found on the WCPS website <https://wythe.k12.va.us/>. A printed copy is available upon request by contacting 276-228-5411. Access to WCPS Student Handbook satisfies the requirements of § 22.1279.3 entitled “Parental Responsibility and Involvement Requirements.”

By signing this agreement, I, as the parent of the student, am also acknowledging that I am financially responsible for all school items, including but not limited to textbooks, issued to my student by the Wythe County Public Schools.

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT:

Each individual associated with Wythe County Public Schools 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.

Policy GAB/IIBEA and Regulation GAB-R/IIBEA-R, located on the WCPS website <https://wythe.k12.va.us/> under the “District” tab, contains the Acceptable Computer System Use Agreement in its entirety. If you have any questions about this policy or regulation, contact your supervisor or your student’s principal.

I understand and agree to abide by the School Division’s Acceptable Computer System Use Policy and Regulation. I understand that the School Division may access, monitor, and archive my use of the computer system, including my use of the internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system Privileges may be revoked and disciplinary action and/or legal action may be taken against me.



By signing this Statement of Receipt of the Wythe County Public Schools Student Handbook and Acceptable Computer System Use Agreement

✓ *I understand that I may choose to access the accompanying documents in their entirety electronically on the Wythe County Public Schools Webpage <https://wythe.k12.va.us/> under the Parent/Student section **or** I may request print copies from my child’s school office or by contacting 276-228-5411.*

✓ *I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions of laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school’s or school division’s policies or decisions.*

Date	Student Signature	Print Name
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Date	Parent/Guardian Signature	Print Name
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NOTICE FOR DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Wythe County Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. For example, no school shall disclose the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11), § [22.1-287.1](#), or the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) unless the parent or eligible student has affirmatively consented in writing to such disclosure. However, Wythe County Public Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Wythe County Public Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965 (ESEA)* to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. Please obtain the "Parental Refusal of Permission Regarding Military Recruiters" opt-out form from your child's school in the main office.

If you do not want Wythe County Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within 15 days of the beginning of each school year or the student's enrollment date. Wythe County Public Schools has designated the following information as directory information:

- student's name
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- photograph
- degrees (excludes specific diploma type if student earns the following: Modified Standard Diploma, IEP Diploma and/or Certificate of Attendance)
- honors, and awards received
- dates of attendance
- grade level
- live or recorded audio/video of school related activities

If you do not want the school to release "Directory Information" about your child, please complete and sign the Parental Opt-out Form for the Release of Directory Information located in the main office at your child's school. Please return this form to your son's/daughter's principal within fifteen (15) days of the receipt of this student handbook. *Please note that this opt-out transfers from parents of any student who is 18 years old or an emancipated minor under state law.



A.

Parental Opt-Out Form for the Release of Directory Information

This Form may be obtained from the Main Office at each School

If you do not want the school to release "Directory Information" about your child, please complete and sign below and return it to your son's/daughter's principal within fifteen (15) days of the receipt of this student handbook. (Please note that this opt-out transfers from parents of any student who is 18 years old or an emancipated minor under state law.)

Date

Student Signature

Print Name

Date

Parent/Guardian Signature

Print Name



B.

Parental Opt-Out Form for the PPRA Information
Protection of Pupil Rights Amdement

(Form may be obtained from the Main Office at each School)

If you do not want the school to release “PPRA” about your child, please complete and sign below and return it to your son’s/daughter’s principal within fifteen (15) days of the beginning of each school year or the student’s enrollment date receipt of this student handbook. (Please note that this opt-out transfers from parents to any student who is 18 years old or an emancipated minor under state law.)

_____	_____	_____
Date	Student Signature	Print Name

_____	_____	_____
Date	Parent/Guardian Signature	Print Name



C.

**Parental Consent Form for the Release of PPRA Information
Protection of Pupil Rights Amendment**

*The school will issue this consent form as PPRA information is needed in
accordance with WCPS Policy JOB*

I _____ give my consent for _____
Parent/Guardian Student

Name of Survey or Other PPRA Information Requested

administered on or about _____ .
Date

Date Student Signature Print Name

Date Parent/Guardian Signature Print Name



D.

Parental Refusal of Permission Form

Regarding Military Recruiters

(Form may be obtained from the Main Office at each School)

If you do not want the school to release your son's/daughter's name, address, and phone number to military recruiters, please complete and sign the form below and return it to your son's/daughter's principal within fifteen (15) days of receipt of the Wythe County Schools Student Handbook.

School Year: _____

TO: Principal of _____ (Name of School)

Re: _____ (Print Child's Name)

Date

Parent/Guardian Signature

Print Name



E.

Student Refusal of Permission Form Regarding Military Recruiters

(Form may be obtained from the Main Office at each School)

If you do not want the school to release your name, address, and phone number to military recruiters, please complete and sign the form below and return it to your principal within fifteen (15) days of receipt of the Wythe County Schools Student Handbook.

School Year: _____

TO: Principal of _____ (Name of School)

Re: _____ (Print Child's Name)

Date

Student Signature

Print Name



F.

**Parent Opt-out/ Refusal of Permission Form Regarding
Institutions of Higher Learning**

(Form may be obtained from the Main Office at each School)

If you do not want the school to release your son's/daughter's name, address, and phone number to staff at Institutions of Higher Learning, please complete and sign the form below and return it to your son's/daughter's principal within fifteen (15) days of receipt of the Wythe County Schools Student Handbook.

School Year: _____

TO: Principal of _____ (Name of School)

Re: _____ (Print Child's Name)

_____	_____	_____
Date	Parent/Guardian Signature	Print Name



G.

**Student Opt-out/Refusal of Permission Form Regarding
Institutions of Higher Learning**

(Form may be obtained from the Main Office at each School)

If you do not want the school to release your name, address, and phone number to staff at Institutions of Higher Learning, please complete and sign the form below and return it to your principal within fifteen (15) days of receipt of the Wythe County Schools Student Handbook.

School Year: _____

TO: Principal of _____ (Name of School)

Re: _____ (Print Child's Name)

Date

Student Signature

Print Name