

# **AMELIA COUNTY PUBLIC SCHOOLS**



## **EXPECTATIONS OF STUDENT CITIZENSHIP AND STANDARDS OF STUDENT CONDUCT 2018-2019**

**Respect and Responsibility  
for Socially Acceptable Behavior**

## **Mission Statement**

With high expectations and equitable professional services, the Amelia County Public Schools will build positive relationships with students and community and assure attainment of high academic achievement, which exceeds all state and federal standards and provides all students with a foundation for the future.

## **Vision Statement**

The Amelia County Public Schools resolves to become the schools of choice for the community of Amelia where all students achieve at exemplary levels and emerge prepared for the future.

## **Equal Educational Opportunities/Nondiscrimination**

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

Any student who believes that he or she has been the victim of prohibited discrimination should follow the complaint procedures outlined in Section J of the Amelia County School Board Policy Manual.

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*The division’s Standards of Student Conduct  
is a companion to each school’s Parent-Student Handbook .*

## Superintendent's Message

Dear Parents and Students:

The purpose of this booklet is to introduce to and familiarize you with the *Expectations of Student Citizenship and Standards of Student Conduct* for the Amelia County Public Schools. The Expectations of Student Citizenship represent what is expected of students on a daily basis throughout the school year. The Standards of Student Conduct section represents elements of unacceptable behavior that can result in disciplinary action.

Please read and discuss the *Expectations of Student Citizenship and Standards of Student Conduct* with your child. Then both you and your child should sign and date the enclosed form on the last page and return it to school. The booklet is yours to keep for future discussions with your child.

Safe, secure schools for students and staff are essential to teaching and learning. Parents must know that their children will be safe and secure at school and that they will receive excellent instruction in a disruption-free, non-threatening environment. The School Board and I enlist the support and cooperation of principals, teachers, support staff, parents, students and community to achieve safe, secure schools and quality instruction.

Thank you for doing your part to ensure safe, secure schools for learning!

Sincerely,

*Jack McKinley*

Superintendent

## Expectations for Student Citizenship

This booklet, *Expectations of Student Citizenship and Standards of Student Conduct*, provides information to assist students in becoming valuable and productive members of society. Students must develop and reflect good character in their dealings with other people in order to become good citizens. They must learn the appropriate actions to take in everyday situations and understand how these actions affect others as well as themselves.

In developing good character, students must know and practice the six pillars of Character Education: Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship. The following are examples of each pillar:

**Trustworthiness** – Being honest and telling the truth; Keeping promises; Doing the right thing even if it means losing friends.

**Respect** – Treating others with consideration and courtesy; Being nice to people.

**Responsibility** – Helping others; Doing your part; Striving to do your best academically and attending school regularly.

**Fairness** – Treating everyone the same; Listening to others and trying to understand how they feel.

**Caring** – Being helpful; Kind and giving; Watching out for others; Sharing.

**Citizenship** – Being concerned about the welfare of others; Preserving the environment; Voting; Being a good role model to your family.

Students who develop and exhibit these character traits will find success both in school and later as adults in a global society.

## Standards of Student Conduct

The following are standards of student conduct established by the School Board for all students under its jurisdiction. Consequences shall be determined on the basis of the facts presented in each instance of misconduct in the reasonable discretion of the Board, its designated committees, and other appropriate school officials.

These standards can be found in Policy JFC of the Amelia County Public School Board Policy Manual and in Regulation JFC-R of the Amelia County School Board Regulations. Other references are noted throughout this book.

The Amelia County School Board Policy Manual and Amelia County School Board Regulations can be found at the following sites: [www.amelia.k12.va.us](http://www.amelia.k12.va.us), Amelia County Elementary School, Amelia County Middle School, Amelia County High School, Amelia County School Board Office and the James L. Hamner Public Library.

## Parental Responsibility and Involvement

The information below is contained in the Code of Virginia, § 22.1-279.3. 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 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.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section; (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. 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, the notice of the requirements of this section, and the compulsory school attendance law. Each school shall maintain records of such signed statements.

D. The school principal may request the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or his designee to review the school board's standards of student conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, 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.

E. In accordance with the due process procedures set forth in this article and the guidelines required by § 22.1-279.6, the school principal may notify the parents of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compulsory school attendance compliance; (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (iv) 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.

F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance, 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 the school 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; or

2. If the court finds that a 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, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision G 2. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.

(1995, c. 852; 1996, c. 771; 2000, c. 538; 2001, cc. 688, 820; 2004, c. 573.)

## **Attendance**

Believing that school attendance is directly related to academic achievement and instilling in young people good habits that are important in the world of work, the School Board supports a cooperative effort in maintaining optimum student attendance. Students and parents are urged to accept responsibility for good school attendance along with teachers and administrators.

## **Compulsory Attendance Law**

The information below is contained in the Code of Virginia § 22.1-254. **Compulsory attendance** required; excuses and waivers; alternative education program attendance; exemptions from article.

A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent, or provide for home instruction of such child as described in § 22.1-254.1.

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private,

denominational, or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

Instruction in the home of a child or children by the parent, guardian, or other person having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school.

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of § 22.1-253.13:1 and in § 22.1-254.01. The requirements of this section shall not apply to (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing a general educational development (GED) certificate but is not enrolled in an individual student alternative education plan pursuant to subsection E, and (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a GED certificate, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

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

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. Each local school board shall develop policies for excusing students who are absent by reason of observance of a religious holiday. Such policies shall ensure that a student shall not be deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, for any which he missed by reason of such absence, if the absence is verified in a manner acceptable to the school board.

D. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or

2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

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

For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
- c. Mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
- d. Successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
- e. Counseling on the economic impact of failing to complete high school; and
- f. Procedures for reenrollment to comply with the requirements of subsection A.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

F. A school board may, in accordance with the procedures set forth in Article 3 (§ 22.1-276.01 et seq.) of Chapter 14 and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § 16.1-260; (iii) suspended pursuant to § 22.1-277.05; or (iv) expelled from school attendance pursuant to § 22.1-277.06 or 22.1-277.07 or subsection B of § 22.1-277, require the child to attend an alternative education program as provided in § 22.1-209.1:2 or 22.1-277.2:1.

G. Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime that resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

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

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

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

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
5. Children excused pursuant to subsections B and D.

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

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

(Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251; 2006, c. 335; 2010, c. 605; 2012, cc. 454, 642.)

## **Attendance Policy**

The following information is contained in Policy JED of the Amelia County School Board's Policy Manual  
STUDENT ABSENCES/EXCUSES/DISMISSALS

### **I. Student Attendance Policy**

Student attendance is a cooperative effort and the School Board shall involve parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age shall be responsible for such child's regular and punctual attendance at school as required under provisions of the law.

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

Students who are absent must bring a valid note stating the reason for absence upon returning to school.

Unexcused absences shall be handled according to regulations issued by the superintendent.

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

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

### **II. Compulsory Attendance Procedures**

#### **A. Upon Fifth Absence Without Parental Awareness and Support**

If (1) a student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the Principal or designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

#### **B. Upon Sixth Absence Without Parental Awareness and Support**

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, his parent, and school personnel, shall meet to resolve issues related to the pupil's nonattendance. Other community service providers may also be included in the conference.

### **C. Upon Additional Absence Without Parental Awareness and Support**

Upon the next absence after the conference without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the Principal or designee shall notify the attendance officer or Superintendent who shall enforce the compulsory attendance rules by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § 16.1- 228 or (ii) instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts already undertaken to resolve the pupil's absence. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses.

### **D. Parental Cooperation in Remediating Excessive Unexcused Absences**

It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remediating the student's attendance problem, the superintendent or the superintendent's designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge and approval of the Superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of § 22.1-258, the attendance officer shall document the school division's compliance with this Code section.

### **III. Report for Suspension of Driver's License**

In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

### **IV. Attendance Reporting**

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

### **V. Dismissal Precautions**

Principals shall not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of parent or guardian. The superintendent shall provide procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained in each school.

Adopted:8-09

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-258 through 22.1-269, 22.1-279.3, 46.2-323 and 46.2-334.001.

8 VAC 20-110-10 et seq.

Cross Ref. : IGAJ Driver Education

JFC Student Conduct

JFC-R Standards of Student Conduct

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Students who are absent from school must have their parents call the school on the day that they are absent. In addition, the student must bring a valid note stating the reason for the absence upon their return to school. The note must be given to the teacher or attendance officer as per individual school procedure. The note must include the student's name, date of absence, reason for absence, parent's signature and telephone number. The principal or designee shall determine whether the reason for the absence is excused or unexcused according to the guidelines below.

In order to stress good attendance, the School Board considers the following reasons as examples of excused absences:

- illness (if over two (2) days, the school may require a note from a doctor)
- court appearance
- death in the family
- religious holidays
- extenuating circumstances which are determined by the administration
- medical appointments

The following reasons are considered examples of unexcused absences:

- personal business
- car trouble
- missing the bus
- oversleeping
- skipping
- truancy
- out of school suspension
- working – Virginia state law prohibits the excusal students for the purpose of work during scheduled school days (22.1-265 Code of Virginia)

Field trips sponsored by and conducted by an Amelia County Public School are not recorded as absences from school and do not count against students when determining perfect attendance and exam exemptions.

Extenuating circumstances may be considered by the principal or designee in honoring requests to extend the time limit for make-up.

The school will contact the home of students who are absent. Follow up telephone calls will be made to parents when a student has been absent three (3) consecutive days or has failed to bring a note explaining their absences.

Letters will be sent to parents when their child has missed 3 consecutive days, 5 and 10+ days in a semester. When a student has accumulated 15 unwarranted or unexcused absences, a referral will be made to the attendance/truancy officer which may result in a CHINS petition being filed.

Credit for a class/subject will not be granted if absences in one semester exceed ten (10) days. This will be equivalent to a failing grade for the semester. If more than twenty (20) absences in a school term occur for a class/subject, credit for a class subject will not be granted for the school year. This will be equivalent to a failing grade for the year and possible grade retention. Appeals may be made to the Attendance Board for review.

It is a misdemeanor to make false statements as to school division or attendance zone residency. (Virginia Code 22.1-264.1).

## **Tardy to School**

Students who arrive at school after classes have begun must report to the office and sign in on the indicated form. The student must bring a note explaining why he/she is late. The note must be signed by the parent. Students who arrive on a late bus will not be considered tardy.

## **Leaving the School Grounds**

Students must have written parental permission and the principal or designee's permission to leave the school grounds any time between the time of arrival and the time school is dismissed in the afternoon. Students must be signed out in the office. If a student wishes to return to school after being signed out, he/she must report to the office upon returning and sign in.

## **Early Dismissal**

The following procedures are to be followed when a student is requesting early dismissal from school.

The student must bring a note to school signed by the parent. The note must give the date, time and reason for dismissal and telephone number where parents can be reached. The note must also state the person picking up the student if other than the parent. Also the person picking up the student must have a picture ID card when picking up a student from school.

The parent/person designated on the note must come to the office to pick up the student (except in the case of a high school student who drives himself/herself to school).

Parents will be contacted if there is a question concerning the note.

## **Unexcused Absences**

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

## **Student Dress**

A student's dress and appearance shall not be such that it causes disruption, distracts others from the educational process or creates a health or safety problem. Students must comply with specific building dress regulations of which students will be given prior notice. These specific dress regulations can be found in each school's handbook.

## **Acceptable Computer System Use Policy**

The Amelia County Public Schools (the "school division" or "division") values the impact technology has on personal growth and academic achievement. This regulation is a guide to ensure that the computer system in each of our schools is used as a safe and secure learning platform. This regulation shall cover all individuals who use or may have access to the school division's computer system, including students, teachers/staff, and guests of the school division.

## **Definitions**

For the purposes of this regulation:

1. “Computer system” shall have the same definition as provided in School Board policy GAB/IIBEA, Acceptable Use Policy.
2. “Computer network” means internet, intranet, or other online access, either through a wired or wireless connection, to the school division’s computer system or the World Wide Web.
3. “Credentials” are a set of unique identifiers to gain access to services on the computer system or network. “Credentials” include usernames, passwords, and potentially bio-metric identification systems such as fingerprint scanners.
4. “Devices” are computing or other electronic devices, including electronic handheld gaming devices, iPods or other MP3 players, iPads or other tablets, smart phones, laptops, personal computers, printers, tape drives, optical devices, USB drives, and other devices that may be able to access the division’s computer network
5. “External devices” are computing or other electronic devices owned by students, their families, teachers/staff, or guests of the school division. This regulation covers how these devices may or may not be used on the division’s computer network.
6. “Social networking” means the use of dedicated websites or other online services to communicate formally or informally with other members of the website or online service by posting messages, photographs, or other forms of communication (examples include Twitter, Facebook, Edmodo, AOL Instant Messaging, etc.). This regulation provides guidelines for the use of social networks for staff.

Please contact the school division technology staff for clarification on technical terms used in this regulation or for the names of services referenced within (Google Apps, Edmodo, etc.).

## **Guidelines**

The school division will monitor user data and computer network access for both division-owned devices and external devices. The school division makes no guarantee for network access for external devices. Individuals who wish to connect external devices to the division’s computer network must first obtain authorization and credentials for network access.

Violations of any policies, regulations, or school rules involving the use of external devices connected to the division’s computer system or network may result in the loss of use of the device on school grounds and/or may subject the individual to any applicable disciplinary action. The division reserves the right to confiscate and inspect any external-device connected to the computer system or network if there is a reasonable

suspicion of a violation of School Board policies, regulations, school rules, or other misconduct while using the external-device.

Educational uses of the computer system take precedence over non-educational uses such as entertainment, videos, and gaming.

School-owned devices may be audited by the Division Superintendent or designee at any time.

### **Purpose**

The primary use of the computer system must be for educational purposes. Examples of educational purposes include:

- Learning assessment and testing;
- Media creation (written reports, podcasts, videos, artwork, etc.);
- Skills practice (educational games, informal assessment);
- Communication (class discussions, journal writing);
- Accessing information (research, webquests, reading); and
- Publishing original thoughts and ideas (blogs, webpages, videos).

### **Access**

Any individual permitted to access the computer system shall be provided one or more unique credential(s) by the school division. Credentials are required to access individual computers, certain network services, online services, and other aspects of the computer system. Credentials shall not be divulged to others. Compromised credentials must be reported immediately to the school division's technology staff. Use of another individual's credential to access the computer system is strictly prohibited.

The school division may offer e-mail or other web services accounts to staff. These accounts must be used for school division business only and not for private communication.

The school division may permit the appropriate use of the computer network by students. This is a privilege that may be suspended if students engage in any of the following prohibited behaviors.

### **Prohibited Behaviors**

The following behaviors do not support the educational mission of the school division and are, therefore, prohibited:

- Trespassing, Theft and Intrusion;
- Cyberbullying and harassment;
- Use of or access to Impermissible Software or Other Inappropriate Content;
- Divulgence of Confidential Student Information;
- Excessive and Impermissible Uses of Space and Storage; and
- Cheating
- Running software applications from a USB device

**Trespassing, Theft, and Intrusion include:**

- Touching an electronic device without express permission of the owner.
- Use or manipulation of another person's user account.
- Accessing another person's files or resources.
- Accessing areas of the network for which an individual has not been given permission to access.
- Utilization of external network "hotspots" or access points inside school buildings without prior approval by school administration.
- Illegally downloading materials (e.g. cracked software, pirated music or movies, copyright-protected media) or intellectual property.
- Peer to peer file sharing (Bit Torrent, etc.).
- Spamming, hacking, hawking, or trolling.
- Sending or accessing content not directly associated with educational research, academic instruction, or school division business.
- Deliberately or negligently spreading viruses, malware, or spyware.
- Impermissibly attempting to access any aspects of the computer system.
- Private or non-school division profit ventures or fundraising via the computer system. Prohibited conduct includes but is not limited to using the email system to advertise for personal goods or services for sale or rent.

**Cyberbullying and Harassment include:**

- Bullying, harassment, threats, or intimidate another person via the computer system.
- Posting or sending messages, pictures, sounds, or video that is obscene, rude, harassing, or insulting to anyone.

**Impermissible Software and Other Inappropriate Content include:**

- Downloading and loading of any game, video, or music file on any computer system device that you have not paid for or that you do not have the right to use.
- Sending, receiving, viewing, or downloading illegal material via the Internet.
- Accessing material that the school division deems to be harmful to juveniles, including explicit or, obscene material and material that is otherwise inappropriate for minors.
- Online chats or playing music/videos without express permission.
- Taking or posting pictures of others without asking and receiving their permission.

**Divulgence of Confidential Student Information**

- Communication about or access to confidential student information shall meet the standards and requirements set forth in POLICIES JO and JOA.
- Confidential student information shall not otherwise be divulged via the computer system.

**Excessive and Impermissible Uses of Space and Storage include:**

- Excessive occupation of bandwidth on the computer system by downloading movies, music, pictures, or by playing online games not directly connected to educational research, academic instruction or school division business.
- Storage of music, movies, pictures, or files on the computer system not connected to educational research, academic instruction or school division business.
- Storage of personal files on the computer system.

## **Cheating**

- Plagiarism via the computer system.
- Use of the computer system to compromise the integrity of assessments via impermissible research.

## **Social Networking Guidelines for Staff**

Communications via the computer system between employees, volunteers, and individual students must be transparent, accessible to supervisors and parents, and professional in content and tone. The division believes this transparency in communication is vital for maintaining an open and safe environment for students. Employees are prohibited from the non-educational or non-job specific use of social networks (e.g. Facebook, Twitter, Pinterest, Google+, etc.) during contract hours. Such permitted use must be directly related to an employee's job function (s) and a supervisor may restrict an employee's use of social networks if the use is believed to negatively impact an employee's job performance and/or violate school board policies or regulations.

As with in-person communications, educators and volunteers must avoid appearances of impropriety and refrain from inappropriate electronic communications with students. Factors that may be considered in determining whether an electronic communication is inappropriate include, but are not limited to:

- The subject, content, purpose, authorization, timing and frequency of the communication;
- Whether there was an attempt to conceal the communication from supervisors and/or parents;
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- Whether the communication was sexually explicit; and
- Whether the communication involves discussion promoting illegal activity, including the use of controlled substances.

Communications between students and division staff and volunteers regarding school division business **shall be limited** to channels controlled by the school division. These include:

- Division e-mail accounts,
- Division telephone (school telephone), and
- Division educational online or cloud-based services.

Communications with students over social networks and through personal computing devices is discouraged and considered outside of official school business. Communications via these means is acceptable if the relationship between school personnel and volunteers with students has been appropriately established before the school relationship (i.e., the employee or volunteer is a relative, a family friend, or mentor).

## **Monitoring and Filtering**

The Division Superintendent, in consultation with the Supervisor of Technology and/or Systems Administrator, will select and institute a technology protection measure to filter or block Internet access to

- (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
- (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

(c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

### **Sanctions for Non-Compliance with This Regulation**

For students:

- Withdrawal of privileges including network access;
- Confiscation of personal device used inappropriately;
- Withdrawal of the right to bring personal devices on school premises; and/or
- Payment for willful damage to the computer system.
- For serious breaches of these guidelines, incidents will be handled following the school division's discipline procedures, which can include suspension, expulsion, and involvement of law enforcement.

For teachers and staff:

- Documentation of infraction in personnel file;
- Payment for willful damage to the computer system; and/or
- For serious breaches of these guidelines, incidents will be processed as a personnel matter, which can include termination, and involvement of law enforcement and/or child protective services.

For guests:

- Restriction from having access to the computer system; and/or
- Payment for willful damage to the computer system.
- For serious breaches of these guidelines, the guest may be banned from use and incidents may be reported to law enforcement agencies and/or child protective services.

### **Liability**

The school division makes no warranties for the computer system it provides and denies any responsibility for the accuracy or quality of information obtained through the computer system. The school division shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The user agrees to indemnify the school division for any losses, costs, or damages incurred by the school division relating to or arising out of any violation of this regulation.

# **Search and Seizure**

## **Policy JFG**

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

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

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

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

### **PERSONAL SEARCHES**

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched by a school officials whenever the official has reasonable suspicion to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of the violation.

A personal search may include requiring a student to be scanned with a metal detector.

A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

Strip searches may only be used when an extremely serious situation exists requiring immediate action. Such a search should be used only in the context of imminent threat of death or great bodily injury to a person or persons. If a strip search is necessary the school official should contact the appropriate law enforcement official, and the search should be conducted by a sworn law enforcement officer of the same sex, in the presence of a same sex adult witness. School officials may only conduct a strip search in cases where it is necessary to avoid the imminent threat of death or great bodily injury to the student or another person. If a strip search must be conducted by a school official, it must be by a same sex official with a same sex adult witness, and the school official must have the prior approval of the superintendent or his designee, unless the health or safety of the student is endangered by the delay.

## **LOCKER SEARCHES**

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers and are responsible for the content of their assigned locker at all times. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

## **AUTOMOBILE SEARCHES**

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

## **SEIZURE OF ILLEGAL MATERIALS**

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

## **COMPUTER SEARCHES**

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

## **CONSENT SEARCHES**

If a student gives a school official consent for a search the school official does not need to demonstrate reasonable suspicion. A student's consent is only valid if given willingly and with knowledge of the meaning of consent. Students should be told of their right to refuse to be searched, and students must not perceive himself at risk of punishment for refusing to grant permission for the search.

## **SEIZURE OF ILLEGAL MATERIALS**

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

Adopted: May 11, 2004

Revised: May 10, 2005

Legal Refs.: New Jersey v. T.L.O., 469 U.S. 325 (1985).

Constitution of the United States, Amendment IV.

Constitution of Virginia, Article I, section 10.

Code of Virginia, 1950, as amended, § 22.1-279.7.

Board of Education Guidelines for Student Searches in Public Schools, (12/21/99).

Cross Refs.: GAB/IIBEA Acceptable Computer System Use

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## **Pupil Transportation**

### **Student Conduct on School Buses**

Riding a school bus is a privilege. Students who violates the Code of Student Conduct and designated bus rules on the school bus may lose the privilege of riding the bus for specified period of time or permanently. In addition, other consequence may apply. When the driver requires assistance to resolve a potentially harmful situation on the bus, the principal or designee of the school served by the driver will provide assistance.

Glass containers, inflated balloons, live animals, water guns, skate boards, toy weapons, or weapons of any type are not allowed on the bus or at the bus stop. Only band instruments, athletic equipment, school projects, and backpacks that may be held in the student's lap may be carried on the bus. All provisions of this Code are in full effect on the school bus and include the following bus rules:

- Students **MUST** sit in the seats facing forward.
- **EATING** and **DRINKING** on the bus is not allowed
- Harassment, aggressive behavior, bullying, or discriminatory/ abusive language or conduct towards the driver or other persons, on or off the bus is prohibited.
- Possession of weapons such as knives, guns, chains or any other dangerous item(s) including laser pointers is prohibited.
- Throwing, spitting, kicking, or shooting items inside the bus or out the windows is prohibited.
- Smoking or chewing tobacco and possession of alcohol or illegal drugs while on the bus is illegal.
- All cell phones and communication devices must remain off and out of sight while riding the bus.
- To prevent injury to students and others, no body part or other object may be extended out a bus window.
- Students must have written permission from parent/administrator to use a bus stop other than their regularly assigned stop.

The driver is in full charge of the bus and students. The driver has the right to assign seats to meet the needs of the majority of passengers. Students who behave inappropriately and do not follow bus rules are subject to discipline up to and including suspension from all bus riding privileges.

**Video cameras are recording on buses while transporting students.**

Policies JFCC, JFCC-R, EEA, EEACC

### **Motor Vehicle Drivers**

High school students who meet the requirements and accept the responsibilities of driving private automobiles to school are permitted to do so dependent upon the student's willingness to follow the parking and auto usage regulations as prescribed by the high school.

Failure to adhere to these regulations could result in forfeiture of the privilege of parking a motor vehicle on school property, or in the case of a parking violation, having one's vehicle towed from the premises at the vehicle owner's expense.

## **Walkers**

Students in elementary, middle, and high schools who walk are required to arrive promptly at school. Parents are encouraged to identify and assist in the choice of a safe route.

Student walkers are prohibited from violating the property rights of homeowners, apartment dwellers and businesses on their way to or from school.

## **Medications**

### **Prescription Medications**

Amelia County Public Schools personnel may give prescription medication to students only with the written order of a physician or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student. No student may have in his /her possession any medication or prescription drug even if recommended or prescribed for the student use. "Medication" shall mean any drug or other substance used in treating diseases, healing, or relieving pain including all over-the-counter drugs such as aspirin, cough syrup, gargles, caffeine pills, and the like.

### **Nonprescription Medications**

Amelia County Public Schools personnel may give non-prescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent or guardian of the student.

### **Self-Administration of Medication**

Self-administration of any medication with the exception of asthma medication and auto-injectable epinephrine, as discussed below, is prohibited for students in grades kindergarten through eight. Students in grades nine through twelve may be allowed to possess and self-administer non-prescription medicine if:

- written parental permission for self-administration of specific nonprescription medication is on file with the school;
- the non-prescription medication is in the original container and appropriately labeled with the manufacturer's directions;
- the student's name is affixed to the container; and
- the student possesses only the amount of non-prescription medicine needed for one school day/activity.

Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited. Permission to self-administer non-prescription medication may be revoked if the student violates this policy and the student may be subject to disciplinary action in accordance with the Standards of Student Conduct.

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school sponsored activities, or while on a school bus or other school property. In order for a

student to possess and self-administer asthma medication, or auto-injectable epinephrine, or both, the following conditions must be met:

- written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, must be on file with the school;
- written notice from the student's health care provider must be on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication;
- an individualized health care plan must be prepared, including emergency procedures for any life-threatening conditions; and
- information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

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

Policies JHCD, JGD/JGE-R

## **Substance Abuse**

### **Use and/or Possession of Alcohol, Tobacco,**

### **Anabolic Steroids, and Other Drugs**

A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property. This includes, but may not be limited to, smokeless tobacco, anabolic steroids, look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD.

A student shall not possess, procure or purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in this regulation or what is represented by or to the student to be any of the restricted substances listed in this regulation or what the student believes is any of the restricted substances in this regulation.

Restricted substances include alcoholic drinks, marijuana, narcotic drugs, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act referenced below, as well as any item with the potential to be abused such as abueable glue, paint and similar materials, anabolic steroids and both prescription and non-prescription drugs if they are not taken according to the prescription or directions on the package, and includes anything that a student represents to be a restricted substance or which a student believes is a restricted substance.

## **ELECTRONIC CIGARETTES**

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes in school premises and school vehicles

Code of Virginia, 1950, as amended 15.2-2820, 15.2-2824, 15.2-2825, 15-2827, 22.1-79.5, 22.1-279.6 Policy GBEC

### **Distribution or Sale of Illegal Drugs or Possession with Intent to Sell**

Students shall not manufacture, give, sell, distribute or possess with intent to give, sell or distribute marijuana or other controlled substance as defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia.

Code of Virginia 18.2-247 and Policies CLA, JFCF, JFCH, JGDA, JGDA-R

### **Random Drug Testing**

In order to be eligible to participate in any school-sponsored VHSL (Virginia High School League) or SMSC (Southside Middle School Conference) affiliated activity, participants must agree to submit to a physical examination, including drug testing. Participants must agree to random drug testing throughout the season; a parent or guardian must also signify agreement with this policy.

Substantiation of the use of illegal substances will temporarily or permanently render a student ineligible for activities with VHSL or SMSC. The status of ineligibility will be determined by the number of substantiated violations of the drug testing policy and in the case of alcohol and anabolic steroids by law.

In the case of a student using or testing positive for illegal use of anabolic steroids, the student will not be permitted to participate in a VHSL or SMSC affiliated program for two years, based on Virginia Code §22.1-276.3.

The results of any test administered under the terms of this policy shall be kept confidential and disclosed only to the student athlete, his/her parents or guardians and school officials designated by the superintendent, unless the student is determined to be under the influence and law enforcement is involved.

Code of Virginia 22.1-276.3 and Policies JFCBA, JFCBA-R

## **WEAPONS IN SCHOOLS**

### **Possession or Use of Weapons Prohibited**

Possession or use of a weapon, whether operable or inoperable, including, but not limited to, knives, firearms, explosives and flammables, or any item that can be or is used as a weapon or to start a fire, in a school building, on school property, at a school-sponsored activity, or going to or from school, is prohibited. Students who violate this prohibition will be subject to disciplinary action up to and including expulsion. A violation will also be reported to law enforcement officials.

In accordance with state and federal law, a student who brings or possesses a firearm as defined in section 22.1-277.07(E) of the Code of Virginia or other weapon or device prohibited by section 22.1-277.07(A) of the Code of Virginia onto school property or to a school sponsored activity must be expelled for a minimum of 365 days. The School Board may determine, based on the facts of the particular case, that special circumstances exist and that another disciplinary action is appropriate. Nothing herein shall prohibit the Board from permanently expelling such student. In addition, the superintendent or his designee is authorized to conduct a preliminary review of the matter and determine whether disciplinary action other than expulsion is appropriate.

While the possession or use of any weapon is prohibited and may result in disciplinary action up to and including expulsion, the following weapons on school property or at school-sponsored events require an automatic recommendation of expulsion:

1. Any firearm. "Firearm" means any weapon, including a starter gun, that will, or is designed or may readily converted to, expel single or multiple projectiles by the action of an explosion of a combustible material or the frame or receiver of any such weapon. "Firearm" does not include any pneumatic gun, as defined in subsection E of § 15.2-915.4.
2. Any firearm muffler or firearm silencer.
3. Any pneumatic gun. "Pneumatic gun" means any implement, designed as a gun that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.
4. Any destructive device. "Destructive device" means (i) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (ii) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (iii) any combination of parts either designed or intended for use in converting any device into any destructive device described in this subsection and from which a destructive device may be readily assembled. "Destructive device" does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of § 18.2-308.2:2.

Code of Virginia 15.2-915.4 (E), 18.2-299, 18.2-308.2:2. (G), 22.1-277.07(A), and 22.1-277.07(E)  
and Policy JFCJ

## **STANDARDS OF STUDENT CONDUCT**

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

### **1. Assault and Battery**

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

An assault is a threat of bodily injury.

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

### **2. Attendance; Truancy**

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with School Board policy or regulation. (See Policy JED Student Absences/Excuses/Dismissals.)

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

3. **Bomb Threats**

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

4. **Bullying**

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

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

5. **Bus-Related Offenses**

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

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 not possess a beeper, tablet, Personal Digital Assistant (PDA) or other communications device on school property, including school buses. Students may possess a cell phone providing that the cell phone 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.

**10. Electronic Cigarettes**

Students shall not possess electronic cigarettes on school premises, on school buses or at school sponsored activities.

**11. Extortion**

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

**12. Felony Charges**

Students charged with any offense, wherever committed, that would be a felony if committed by an adult may be disciplined and/or required to participate in prevention/ intervention activities.

**13. Fighting**

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

**14. Gambling**

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

**15. Gang Activity**

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

**16. Harassment**

A student shall not harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions.

**17. Hazing**

Students shall not engage in hazing.

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

The principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

**18. Internet Use**

Students shall abide by the AMELIA COUNTY School Division's Acceptable Computer Use Policy and Regulation. (See Policy IIBEA Acceptable Computer System Use.)

**19. Laser Pointers**

Students shall not have in their possession laser pointers.

**20. Other Conduct**

In addition to these specific standards, students shall not engage in any conduct which materially and substantially disrupts the ongoing educational process or which is otherwise a violation of federal, state or local law.

**21. Possession or Use of Weapons or Other Dangerous Articles**

Students shall not have in their possession any type of unauthorized firearm or other article which may be used as a weapon, regardless of whether it is commonly accepted as such. (See Policy JFCD Weapons in School.)

**22. Profane, Obscene or Abusive Language or Conduct**

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

**23. Reports of Conviction or Adjudication of Delinquency**

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled.

**24. Stalking**

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

**25. Student Dress**

Students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with or disrupts the educational environment is unacceptable. Clothing with language or images that are vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia or clothing that contains threats such as gang symbols is prohibited.

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

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

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

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

**26. Theft**

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

**27. Threats or Intimidation**

Students shall not make any verbal, written, or physical threat of bodily injury or use of force directed toward another person. Students shall not use electronic technology or communication devices, such as the internet or cell phones, to intimidate or threaten for any reason.

**28. Trespassing**

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

**29. Use and/or Possession of Alcohol, Tobacco, Anabolic Steroids, and Other Drugs**

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

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

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

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

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

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

**30. Vandalism**

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

**31. Cellular Phones and Electronic Devices**

ACPS recognizes that student access to cell phones and other electronic devices is common in 21<sup>st</sup> Century society; however, it is imperative that students and parents understand that there are appropriate and inappropriate times for the use of such devices. Students using cell phones or other electronic devices to record anything or anyone without authorization on school property or at school events is strictly prohibited. Also posting other students and recordings will result but limited to ISS or OSS pending an investigation.

Failure to adhere to this policy will result in a consequence of the device being confiscated and used as evidence. By administrative discretion, cellphones or electronic devices may be detained until the following school day prior to retrieval by parents/guardians. Teachers who confiscate devices must turn them in to the main office so they can be stored in a safe place. Confiscated devices can be retrieved during normal school office hours as designated by school staff.

Cell phones and said devices may be used during class at the teacher's direction for instructional purposes only.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-56, 18.2-83, 18.2-85, 18.287.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-202, 22.1-253.13:7.C.3, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.6, 46.2-323, 46.2-334.001.

Student Code of Conduct Policy Guidelines (Virginia Board of Education October 2013).

Information Brief: Cyberbullying and School Policy (Virginia Department of Education August 2008).

Policy ECAB

## VII. REPORTING

- A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports shall be made to the division superintendent and to the principal or his designee on all incidents involving
- (1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
  - (2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
  - (3) any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1: 1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
  - (4) any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
  - (5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
  - (6) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85 or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
  - (7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
  - (8) the arrest of any student for an incident occurring on a school bus, on school property, or at a school sponsored activity, including the charge therefor; and
  - (9) any illegal possession of weapons, alcohol, drugs, or tobacco products.
8. The division superintendent and the principal or his designee shall receive reports

made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq.,

and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VILA. of this policy, and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 shall report such information to the principal of the school in which the juvenile is enrolled.

- C. The principal or his designee shall submit a report of all incidents required to be reported pursuant to subsection VILA.(1-8) of this policy to the superintendent of the school division. The division superintendent shall annually report all such incidents to the Department of Education.

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

- D. The principal or his designee shall also notify the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students.
- E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or his designee. Prevention and intervention activities shall be identified in the local school division drug and alcohol violence prevention plans developed pursuant to the federal Improving America's Schools Act of 1994 (Title IV-Safe and Drug-Free Schools and Communities Act).
- F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal shall immediately report to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VILA. of this policy that may constitute a criminal offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VILA. of this policy.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal shall also immediately report any act enumerated in clauses (2) through (5) of subsection VILA of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal shall report that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

- G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

File: JGD/JGE (Option 1) (School Board

## **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

Adopted: July 13, 2015

### **NOTE:**

Students convicted or adjudicated delinquent of an offense listed in the Code of Virginia, 1950, as amended § 16.1-305.1, may be suspended or expelled.

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

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.

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.

## **VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS**

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the BLANK Schools, in accordance with Policy JEC (G). In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this policy or Policy JEC, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board or superintendent or his designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

### **LAWS REGARDING THE PROSECUTION OF JUVENILES AS ADULTS**

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

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

School boards shall provide information developed by the office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

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

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

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

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

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

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

**Circumstance #1**

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

Class 1 felony – death if the person convicted was 18 years of age or older at the time of the offense and is not determined to be mentally retarded and a fine of not more than \$100,000. If the person was under 18 years of age at the time of the offense or is determined to be mentally retarded, the punishment shall be imprisonment for life or imprisonment for life and a fine of not more than \$100,000.

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

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

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

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

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

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

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

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

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

### **Circumstance #2**

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

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

### **Circumstance #3**

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

Transfer under this circumstance is automatic. Whenever a juvenile 14 years of age or older is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding, he or she must be tried as an adult. The juvenile court holds a preliminary hearing to determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is transferred for prosecution as an adult. (§ 16.1-269.1 B of the *Code of Virginia*)

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

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

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

**What can happen if a juvenile is tried as an adult?** There are significant differences between a juvenile being tried as a juvenile and a juvenile being tried in the circuit court as an adult. In the juvenile system, a juvenile is given added protections because of his or her youth. First, records pertaining to the charge and adjudication of delinquency are confidential and may not be available to the public unless the crime was a felony. Second, if the adjudication is for a misdemeanor, the juvenile court record is expunged when the juvenile reaches the age of majority and is considered an adult. Third, a juvenile who is adjudicated delinquent remains in the juvenile system where a judge has discretion in the determination of the punishment or consequences to be imposed. In the juvenile system, the emphasis is on treatment and education.

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

**I. Parental Statement of Receipt of Notice of Requirements of Virginia Code 22.1-279.3 and School Board's *Expectations of Student Citizenship and Standards of Student Conduct***

By signing the below statement of receipt, you shall not be deemed to waive, and you expressly reserve, your rights protected by the constitution or laws of the United States or the Commonwealth, and you have the right to express disagreement with the school's or school division's policies or decisions.

I am the parent/guardian of the below named child and, by my signature, I acknowledge that I have received a copy of the Amelia County Public Schools' *Expectations of Student Citizenship and Standards of Student Conduct* and *Acceptable Computer System Use Policies and Regulation*.

**Parent/Guardian Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Student:** I have reviewed the Amelia County Public Schools' *Expectations of Student Citizenship and Standards of Student Conduct* and *Acceptable Computer System Use Policies and Regulation*.

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Grade Level:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**II. Authorization to Photograph/Videotape Physical Likeness**

I grant permission to the Amelia County Public Schools to photograph my child and use his/her picture, silhouette, or other reproductions of physical likeness in connection with publications (i.e., newsletters, websites, brochures), videotapes, news releases and articles, or television or internet broadcasts of Amelia County Public Schools.

Yes  No

I grant permission to photographers representing Amelia County Public Schools to photograph my child for the school yearbook and release my child's full name, grade level and/or homeroom teacher to the yearbook publisher.

Yes  No

I grant permission to my child's school to release mailing label information to school picture/yearbook photographers and/or PTA/PTO/PTSA.

Yes  No

**Parent/Guardian Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Continued on the next page**

### III. Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Amelia County Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Amelia 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 Amelia 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 education agencies (LEA's) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters or an institution of higher education, upon request, with three directory information categories – 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.

If you do not want Amelia County Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the Guidance Counselor at your child's school in writing 15 days after the student enters school. Amelia County Public Schools has designated the following information as directory information: (Note: Amelia County Public Schools may, but does not have to, include all the information listed below.) Place a check in the box below next to any information that you do not wish for Amelia County Public Schools to disclose about your child.

#### **DO NOT DISCLOSE**

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

**Note: According to Section 99.36 of the Federal Educational Rights and Privacy Act (FERPA), educational agencies and institutions may disclose information from educational records to appropriate parties, including parents, whose knowledge of the information is necessary to protect the health or safety of a student or another individual if there is a significant and articulable threat to the health or safety of a student or other individual, considering the totality of the circumstances.**

Complete, sign and date the form on the lines below and return it to the child's school within fifteen (15) administrative working days from the date on which you received this notice.

**Child's Name:** \_\_\_\_\_

**Grade Level:** \_\_\_\_\_

**Parent/Guardian Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

The School Board and its staff thank you for reviewing the *Expectations of Student Citizenship and Standards of Student Conduct* and appreciate your assistance in maintaining environments conducive to learning in our schools.

**Please return this page to your child's teacher within 15 days of enrollment of each new school year.**