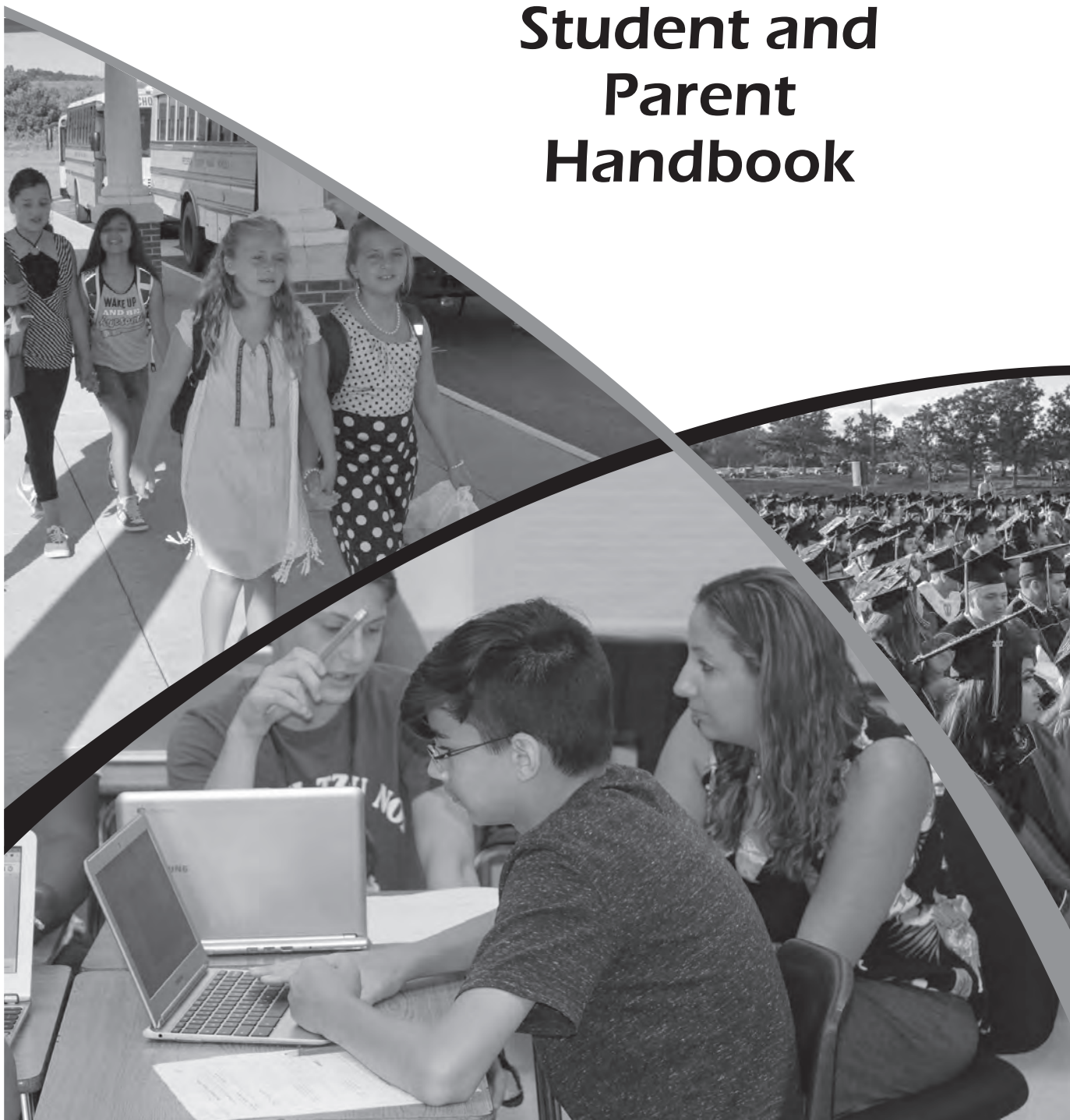


Student and Parent Handbook



Records, Attendance, Student Conduct,
School Counseling, and Parent Responsibilities

August 2017

DISCLAIMER NOTICE

The information in this handbook has been collected and compiled using data current at the time of publication. As an organization responds to new information and plans for improvement, it may need to revise the policies and regulations that communicate expectations for students. As those occur, Frederick County Public Schools will communicate those to students and their parents or guardians. The most recently published expectations will guide our work and will be included in future publications of the *Student and Parent Handbook*.

PUBLIC NOTICE OF NON-DISCRIMINATION

In compliance with the Executive Order 11246; Title II of the Education Amendments of 1976; Title VI of the Civil Rights Act of 1972; Title IX Regulation Implementing Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; and all other Federal and State laws and school policies and regulations, Frederick County Public Schools does not discriminate on the basis of race, color, national origin, religion, sex, age, political affiliation, disability, or veteran status in the education program and activities, or employment and provides equal access to the Boy Scouts and other designated youth groups.

It is the intent of Frederick County Public Schools to comply with both the letter and spirit of the law in making certain that discrimination does not exist in its policies, regulations, and operations. Grievance procedures, for Title IX and Section 504, have been established for students, their parents, and employees who feel discrimination has been shown by the school division.

All students attending Frederick County Public Schools may participate in education programs and activities, including but not limited to health & physical education, music, career and technical education. Educational programs and services will be designed to meet the varying needs of all students and will not discriminate against any individual for reasons of race, color, national origin, sex, religion, age, political affiliation, disability, or veteran status.

Questions concerning the application of this non-discrimination policy may be made to:

Title IX Coordinator (Adults)
John Linaburg
Exec. Director of Human Resources
1415 Amherst Street
Winchester, VA 22601
540-662-3888

Title IX Coordinator (Students)
Teresa Ritneour
Director of Student Support Services
1415 Amherst Street
Winchester, VA 22601
540-662-3888

Section 504 Coordinator
Michele Sandy
Director of Special Instructional Services
1415 Amherst Street
Winchester, VA 22601
540-662-3888

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August 16, 2017

Dear Students and Parents,

I extend a warm welcome to you as we begin the 2017–18 school year. I am looking forward to another year of opportunities to engage with you and to collaborate with teachers, administrators, school staff, and our community partners to ensure all students an excellent education.

Frederick County Public Schools is the 22nd largest of 134 school divisions in Virginia. We serve nearly 13,500 students at our 18 schools and two learning centers. All of our schools are accredited by the Virginia Department of Education. We place a great deal of focus on academic rigor and career readiness skills. In order for our students to be successful learners, our schools must be safe and free from distractions that interfere with teaching and learning.

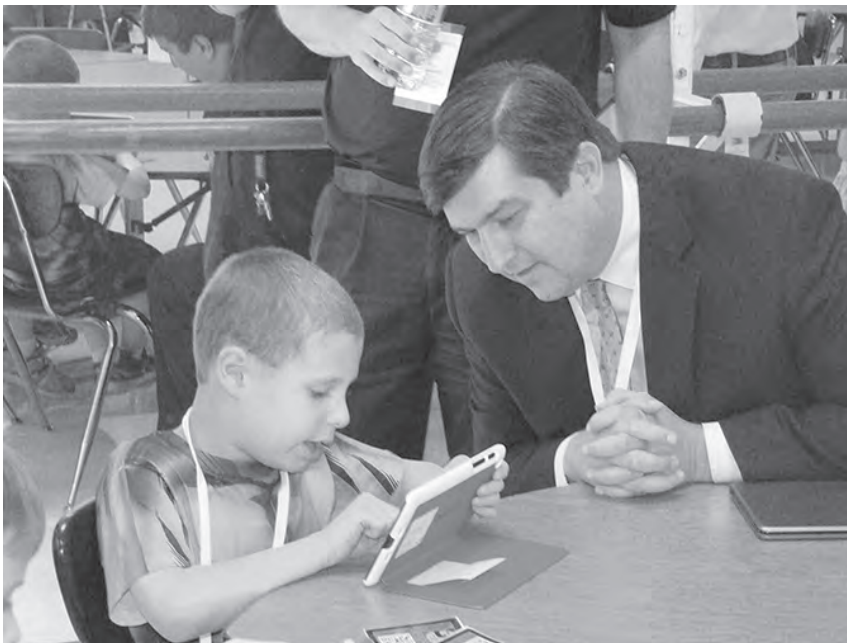
The *Student and Parent* handbook sets forth the school division rules and expectations for student conduct in our schools, as well as other helpful information necessary for students to reach the ultimate goal of high school graduation. Although we tried to cover all of our policies, regulations, and procedures in this handbook, there may be times when an administrator will be required to use his or her best professional judgment to address a situation or issue that is not clearly defined in this handbook. In addition, school board policies and regulations may be added, deleted, or amended after the printing of this handbook and the changes will not be reflected in this document. The changes will, however, be reflected in the online version of the Frederick County Public Schools Policy Manual, which may be found at: <https://sites.google.com/site/fcpspolicymanual/>.

I encourage you to review this material together and to discuss it with school personnel if you require clarification. Our staff is devoted to creating an environment of respect and acceptance where teachers and students can focus on teaching and learning.

I look forward to working with you to make this a successful school year.

Sincerely,

Dr. David T. Sovine
Superintendent



Access to Education

This statement shall serve as notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Virginia Code, Section 22.1-1, to the parents of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, then this statement also serves as notification of the student's opportunity for a free public education through the age of 21. (Virginia Code, Section 22.1-253.13:4). Students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive. (Virginia Code, Section 22.1-5)

Administration of Medications to Students (FCPS 437P)

I. Medications Prescribed for Individual Students

Employees of the School Board of Frederick County, Virginia, may administer medication prescribed for individual students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. The parent(s)/guardian(s) of a student requiring prescribed medication for less than one month shall provide such permission by completing the Parent/Guardian Request for Giving Medication at School (Over the Counter/Short Term Medication Form). The parent(s)/guardian(s) of a student requiring prescribed medication for one month or more shall provide such permission by completing the Request and Authorization/Parental Consent for Administering Long Term Prescription Medication during School Hours. All prescribed medications to be administered by employees of the Board must be in the original container and delivered to the principal, school nurse, or principal's designee by the parent or guardian of the student. No employees of Frederick County Public Schools shall administer narcotics to individual students even if a physician, physician assistant, or nurse practitioner has provided a written order for such medication.

II. Non-prescription Medications

Employees of the School Board of Frederick County, Virginia, may administer non-prescription medication to students only with the written permission of the parent or guardian. The parent or guardian shall provide such permission by completing the Parent/Guardian Request for Giving Medication at School (Over the Counter/Short Term Medication Form) and include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medications must be in the original container and delivered to the principal, school nurse, or principal's designee by the parent or guardian of the student. Any exceptions to the manufacturer's recommended dosage shall require a written order from the student's physician, physician assistant or nurse practitioner.

III. Self-Care and Self-Administration of Medication

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

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

The possession and self-administration of other medication is prohibited unless the following conditions are met:

- ◆ Written parental permission for self-administration of the medication is on file with the school.
- ◆ The medication is in the original container and appropriately labeled with the manufacturer's directions.
- ◆ The student's name is affixed to the container.
- ◆ The student possesses only the amount of medication needed for one school day/activity.

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

IV. Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

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

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

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

V. Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, a school nurse or any School Board employee who is authorized and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction on school premises during the academic day. The superintendent shall promulgate regulations concerning the administration of epinephrine to any student believed to be having an anaphylactic reaction.

Attendance, Absence, and Tardiness (FCPS 410P)

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.

Continuity in the learning process is seriously disrupted by excessive absences. In most situations the work missed cannot be made up adequately. Students who have good attendance generally achieve higher grades, enjoy school more, and are more employable after leaving high school.

The school principal shall be responsible for providing all students and their parents with information about the attendance policy and appropriate attendance regulations.

It is the principal's responsibility to insure, through appropriate discussions, that each member of the faculty and each substitute understand the procedure to maintain class attendance records and his responsibilities regarding attendance in general.

The superintendent of schools will promulgate regulations that will assure compliance with compulsory attendance laws and promote student attendance.

Attendance (Grades K–5) (FCPS 410R-A)

A. Absences

The school day is the portion of the day during which school is in session. For students in grades K–5, the school arrival and dismissal times are generally 9:00 a.m. and 3:30 p.m. Students are expected to be in school on time every day for which school is in session so that they may actively participate in their instructional programs.

An excessive number of absences accumulated in one school year may result in failure for the year. The school makes a reasonable effort to contact the home of every absent student each school day.

Whenever a pupil fails to report to school for a total of five (5) scheduled days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his/her designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued non attendance. The school principal or his/her designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's non-attendance. Such plan shall include documentation of the reasons for the pupil's non-attendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the principal or his/her designee shall schedule a conference within ten (10) school days with the pupil, his parent, and school personnel. The conference may include other community service providers, in order to resolve issues related to the pupil's non-attendance. The conference shall be held no later than fifteen (15) school days after the sixth (6) absence.

Upon the next absence by such pupil without indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or his/her designee shall notify the student support specialist or the division superintendent, as the case may be, who shall enforce the provisions of VA Code Section 22.1-258 by (a) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in Virginia Code Section 16.1-228; and/or, (b) instituting proceedings against the parent pursuant to Virginia Code Sections 18.2-371 or 22.1-262.

In filing a complaint against the student, the student support specialist shall provide written documentation of the efforts to comply with Virginia Code Section 22.1-258 and the provisions of this regulation. In the event that both parents have been awarded joint physical custody, and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents. Nothing in this regulation shall be construed to limit in any way the authority of any student support specialist or division superintendent to seek immediate compliance with the compulsory attendance law.

At the end of each school year, each school principal shall report to the division superintendent the number of pupils by grade level for whom a conference was scheduled as required by this regulation. The superintendent shall compile such grade level information for the division and provide such information to the Superintendent of Public Instruction annually.

Each school principal shall report to the division superintendent within ten days after the opening of school the name, age and grade of each student enrolled in the school, and the name and address of the student's parent or guardian. In addition, each school principal shall report to the division superintendent, based upon known information, the name of



each child subject to the provision of the compulsory school attendance law, who is not enrolled in school, and the name and address of the pupil's parent or guardian.

From these reports, the student support specialist shall make a list of all students not enrolled in any school and not exempt from school attendance within five days after receiving a report. It shall be the duty of the student support specialist, on behalf of Frederick County Public Schools, to investigate all cases of non-enrollment and, when no valid reason is found, to notify the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice.

The student support specialist shall cooperate with the school principal and director of student support services to ensure compliance with compulsory attendance laws and make appropriate referrals to the juvenile and domestic relations court.

B. Excused Absences

The parent/guardian shall notify the school of the student's absence either by telephone, electronic mail, or note. The school will maintain an accurate record of the report from the parent/guardian. The record will include the name of the person notifying the school of the absence, the date of the notice, the reported reason for the absence, and the school staff member entering the information in the log.

The school principal or designee is authorized to excuse the student's absence. Absences will usually be considered as excused when verified by the parent or guardian as necessary and unavoidable for the following reasons:

- ◆ student illness,
- ◆ death of a family member or close friend,
- ◆ medical or dental appointments,
- ◆ family emergency,
- ◆ religious obligations,
- ◆ pre-approved family trip,
- ◆ inclement weather,
- ◆ discipline or legal actions requiring the student not to be present, or
- ◆ any other reason authorized by the school principal.

When the Frederick County Public Schools' administration cancels school for some students, although school is in session, those absences will be excused. Students, who otherwise would have been eligible to receive a perfect attendance award will not be penalized for those absences. The designated school staff shall make an appropriate entry in the student's cumulative scholastic record.

When the parent/guardian judges that weather conditions are too severe for his/her student to attend school when school is in session, the absence will be authorized as excused. However, the student will not be eligible for a perfect attendance award for that year.

Students will not be excused from attendance for the purpose of work during regularly scheduled school days, with the exception of approved co-operative education programs or early school day release authorized by the principal.

C. "Skipping"

Any student "skipping" school will be referred to the principal or his/her designee. The parent/guardian will be contacted and a school-based discipline alternative will be administered.

D. Make-Up Work

Students will be allowed to make up work when absent from school.

- ◆ This work shall be completed within a reasonable period of time (one day for each day of absence unless a make-up plan has been arranged with the teacher). Long-term assignments must be turned in on time. Exceptions may be authorized by the school principal.
- ◆ Incomplete grades must be made up within fifteen school days after the quarter ends, or the grade will be changed to "F". Exceptions may be authorized by the school principal. Reconciling incomplete grades for a final grade average will occur upon availability of school staff.



- ◆ If parents anticipate that their children will be out of school for more than ten days under a doctor's order, the parents should request homebound instruction for the student through their child's school administrator.
- ◆ Parents or school activity sponsors shall notify the school prior to a student's planned absence. Students will obtain assignments and homework for each class prior to the absence. Assigned work is to be completed and submitted to the teacher on the day the student returns to class. Exceptions may be authorized by the school principal.

E. Late Arrival/Early Release (pick-up)

Students who arrive late or leave prior to the dismissal time shall be required to sign in and out of the school office. The school principal or designee is authorized to excuse the student's tardiness to school. Tardiness usually will be considered as excused for reasons of school bus delayed arrival and verified medical or court appointments. Excessive unexcused tardiness shall result in disciplinary action.

In addition, students must have permission to leave school during the day. Only the school nurse, an administrator or his/her designee may grant such permission.

Students who need to be excused from school during the school day must bring a parental note to the office before school. Early releases from school usually will be considered as excused for reasons of verified medical, dental, or court appointments. Early releases may also be approved for other necessary and unavoidable reasons by the school nurse or school principal or his/her designee. Excessive early releases from school may be denied. Unexcused early releases shall result in disciplinary action.

Parents of students who require medical and/or dental care are asked to schedule appointments, when possible, after the close of the school day. Students for whom these arrangements cannot be made will be expected to attend school before and/or after such appointments as time permits.

During each nine-week grading period, students with unexcused tardiness to school, or unexcused early releases from school, will be disciplined as follows:

First time: Warning

Second time: Warning with parent informed

Third time: Detention/School-based discipline with parent informed

Fourth time: Detention/School-based discipline

Students will be expected to make up work missed for tardiness and early releases.

Continued tardiness and early releases may result in additional consequences.

F. Maintenance of Attendance Data

At the close of each marking period, class attendance will be transferred using procedures established by technology and information services. This information will be shown on report cards. Accurate attendance shall be taken in every class each time it meets uniform system of recording attendance/absence/tardiness is to be followed. The record is to be accurate and permanent, as required by applicable state law.

G. Notification of Policy

Attendance policies and regulations shall be included in teacher and student handbooks of each school.

Attendance (Grades 6–12) (FCPS 410R-B)

A. Absences

The school day is the portion of the day during which school is in session. For students in grades 6–8, the school arrival and dismissal times are generally 7:55 a.m. and 2:45 p.m. For students in grades 9–12, the school arrival and dismissal times are generally 7:55 a.m. and 2:30 p.m. Students are expected to be in school on time every day for which school is in session so that they may actively participate in their instructional programs.

An excessive number of absences accumulated in one school year may result in failure for the year. The school will make a reasonable effort to contact the home of every absent student each school day.

Whenever a pupil fails to report to school for a total of five (5) scheduled days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has

failed, the school principal or his/her designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued non attendance. The school principal or his/her designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's non-attendance. Such plan shall include documentation of the reasons for the pupil's non-attendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the principal or his/her designee shall schedule a conference within ten (10) school days with the pupil, his parent, and school personnel. The conference may include other community service providers, in order to resolve issues related to the pupil's non-attendance. The conference shall be held no later than fifteen (15) school days after the sixth (6) absence.

Upon the next absence by such pupil without indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or his/her designee shall notify the student support specialist or the division superintendent, as the case may be, who shall enforce the provisions of VA Code Section 22.1-258 by (a) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in Virginia Code Section 16.1-228; and/or, (b) instituting proceedings against the parent pursuant to Virginia Code Sections 18.2-371 or 22.1-262.

In filing a complaint against the student, the student support specialist shall provide written documentation of the efforts to comply with Virginia Code Section 22.1-258 and the provisions of this regulation. In the event that both parents have been awarded joint physical custody, and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Nothing in this regulation shall be construed to limit in any way the authority of any student support specialist or division superintendent to seek immediate compliance with the compulsory attendance law.

At the end of each school year, each school principal shall report to the division superintendent the number of pupils by grade level for whom a conference was scheduled as required by this regulation. The superintendent shall compile such grade level information for the division and provide such information to the Superintendent of Public Instruction annually.

Each school principal shall report to the division superintendent within ten days after the opening of school the name, age and grade of each student enrolled in the school, and the name and address of the student's parent or guardian. In addition, each school principal shall report to the division superintendent, based upon known information, the name of each child subject to the provision of the compulsory school attendance law, who is not enrolled in school, and the name and address of the pupil's parent or guardian.

From these reports, the student support specialist shall make a list of all students not enrolled in any school and not exempt from school attendance within five days after receiving a report. It shall be the duty of the student support specialist, on behalf of Frederick County Public Schools, to investigate all cases of non-enrollment and, when no valid reason is found, to notify the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice.

The student support specialist shall cooperate with the school principal and director of student support services to ensure compliance with compulsory attendance laws and make appropriate referrals to the juvenile and domestic relations court.

B. Excused Absences

The parent/guardian shall notify the school of the student's absence either by telephone, electronic mail, or note. The school will maintain an accurate record of the report from the parent/guardian. The record will include the name of the person notifying the school of the absence, the date of the notice, the reported reason for the absence, and the school staff member entering the information in the log.

The school principal or designee is authorized to excuse the student's absence. Absences will usually be considered as excused when verified by the parent or guardian as necessary and unavoidable for the following reasons:

- ◆ student illness,
- ◆ death of family member or close friend,
- ◆ medical or dental appointment,
- ◆ family emergency,
- ◆ religious obligations,
- ◆ pre-approved family trip,
- ◆ inclement weather,
- ◆ discipline or legal actions requiring the student not to be present, or
- ◆ any other reason authorized by the school principal.

When the Frederick County Public Schools' administration cancels school for some students, although school is in session, those absences will be excused. Students, who otherwise would have been eligible to receive a perfect attendance award, will not be penalized for those absences. The designated school staff shall make an appropriate entry in the student's cumulative scholastic record.

When the parent/guardian judges that weather conditions are too severe for his/her student to attend school when school is in session, the absence will be authorized as excused. However, the student will not be eligible for a perfect attendance award for that year.

Students will not be excused from attendance for the purpose of work during regularly scheduled school days, with the exception of approved co-operative education programs or early school day release authorized by the principal.

Sponsors of school activities will provide for the faculty the date and time of the activity, along with the names of those students who will be participating.

C. "Skipping"

Any student "skipping" school will be referred to the principal or his/her designee. The parent/guardian will be contacted and a school-based discipline alternative will be administered.

D. Make-up Work

Students will be allowed to make up work when absent from school.

- ◆ This work shall be completed within a reasonable period of time (one day for each day of absence unless a make-up plan has been arranged with the teacher). Long term assignments, such as term papers, must be turned in on time. Exceptions may be authorized by the school principal.
- ◆ Incomplete grades must be made up within fifteen school days after the grading period ends, or the grade will be changed to "F." Exceptions may be authorized by
- ◆ The school principal. Reconciling incomplete grades for a final grade average will occur upon availability of school staff.
- ◆ If parents anticipate that their children will be out of school for more than ten days under a doctor's order, the parents should request homebound instruction for the student through their child's school administrator.
- ◆ Parents or school activity sponsors shall notify the school prior to a student's planned absence. Students will obtain assignments and homework for each class prior to the absence. Assigned work is to be completed and submitted to the teacher on the day the student returns to class. Exceptions may be authorized by the school principal.

E. Alternative Instructional Programs

Alternative instructional programs may establish requirements appropriate to the program for attendance and make-up work. Students enrolled in these programs are expected to comply with stated expectations.

F. Late Arrival/Early Release (pick-up)

Students who arrive late or leave prior to the dismissal time shall be required to sign in and out of the school office. The school principal or designee is authorized to excuse the student's tardiness to school. Tardiness usually will be considered as excused for reasons of school bus delayed arrival, and verified medical or court appointments. Excessive unexcused tardiness shall result in disciplinary action.

In addition, students must have permission to leave school during the day. Only the school nurse, an administrator or his/her designee may grant such permission.

Students who need to be excused from school during the school day must bring a parental note to the office before school. Early releases from school usually will be considered as excused for reasons of verified medical, dental, or court appointments. Early releases may also be approved for other necessary and unavoidable reasons by the school nurse or school principal or his/her designee. Excessive early releases from school may be denied. Unexcused early releases shall result in disciplinary action.

Parents of students who require medical and/or dental care are asked to schedule appointments, when possible, after the close of the school day. Students for whom these arrangements cannot be made will be expected to attend school before and/or after such appointments as time permits.

During each nine-week grading period, students with unexcused tardiness, or unexcused early releases from school, may be disciplined as follows:

First time: Warning
Additional referrals: School-based discipline

Students will be permitted to make up work missed for tardiness. Continued tardiness and early releases may result in additional consequences, including loss of parking privileges, restriction from attendance at after school events, and other school-based discipline.

Students are allowed an appropriate time for change of class. Only written permission slips will be an acceptable excuse for tardiness to class. During each nine-week grading period, students with unexcused tardiness to class or the cafeteria may be disciplined as follows:

First time: Warning
Additional referrals: School-based discipline

Students will be expected to make up work missed for tardiness. Continued tardiness to class may result in additional consequences class restriction, loss of hall pass privileges, or other school-based discipline.

G. Truancy

Truancy is an unacceptable behavior. When an absence occurs for which neither the parent nor the school had prior knowledge and consent, then the student shall be considered truant. The school authorities will notify parents of this truancy. Truant students shall be disciplined in accordance with the following:

First time: Parents are contacted and student is detained one hour after school for each hour "truant." Truancy from school all day shall result in a five-hour detention or assignment school based alternative discipline and referral to guidance for counseling and follow-up if deemed appropriate. A parent/student conference with a school administrator shall be required.
Second time: Automatic one-day in school assistance with parents informed.
Third time: Automatic three-day in school assistance with parents informed.
Fourth time: School-based alternative discipline

H. Maintenance of Attendance Data

At the close of each marking period, class attendance will be transferred using procedures established by technology and information services. This information will be shown on report cards. Accurate attendance shall be taken in every class each time it meets. A uniform system of recording class attendance/absence/tardiness is to be followed. The record is to be accurate and permanent, as required by applicable state law.

Alternative education programs and the D. J. Howard Center will report absences directly to the home school.

I. Notification of Policy

Attendance policies and regulations shall be included in teacher and student handbooks of each school.

Bus Safety Action Program (FCPS 702R-A, Section J)

J. Bus Safety Action Program

1. Parents or their designees are strongly encouraged to provide supervision for their children while at the bus stop, both morning and afternoon.
2. Two in service bus driver training programs are scheduled per year.
3. School buses may contain video monitoring systems to further ensure student safety.
4. Buses are inspected by the State Department of Education and throughout the year by mechanics with the Transportation Department.
5. All new drivers receive a criminal background check and a search of the Virginia Department of Social Services Central Registry for child abuse/neglect cases.
6. All drivers participate in a Driver Recertification Program as necessary.
7. All drivers are required to take a physical examination each year, and driving records are checked with the Division of Motor Vehicles.
8. All drivers are subject to drug and alcohol testing in accordance with federal requirements and school board policy.
9. All new drivers complete a training program that meets or exceeds Department of Education and Division of Motor Vehicles requirements.

Further information concerning school transportation may be obtained through the office of the assistant superintendent for administration or director of transportation.

Character Education

The Virginia legislature, in 1999, amended the Code of Virginia to require establishment of a character education program in all public schools for all grades in the Commonwealth. The purpose of character education programs is to instill in students civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems, and develop civic-minded students of high character.

Classroom instruction may be used to supplement a character education program; however, each program will be interwoven into the school procedures and environment and structured to instruct primarily through example, illustration, and participation, in such a way as to complement the Standards of Learning.

Nothing in the Code shall be construed as requiring or authorizing the indoctrination in any particular religious or political belief.

The Frederick County School Board adopted the following core character traits and definitions as the foundation of the character education program at its July 17, 2000 meeting.

- ◆ **Respect**—acceptance of one another's differences, appreciation of and consideration for self and others (all people of all ages), honoring the rights of others
- ◆ **Integrity**—commitment to living by the core character traits of respect, citizenship, honesty, empathy, caring, and responsibility
- ◆ **Citizenship**—loyalty to democratic ideals; community-mindedness and volunteerism; respect for authority, laws, and rules; concern for the common good
- ◆ **Honesty**—consistent trustworthiness and truthfulness
- ◆ **Empathy**—understanding the feelings of others
- ◆ **Caring**—concern for others, fairness, kindness, courtesy, generosity of spirit
- ◆ **Responsibility**—accountability, reliability, understanding and accepting that there are consequences for decisions and actions, work ethic, commitments, dependability

Child Abuse and Neglect Reporting (FCPS 508P)

All employees of the school board shall report suspected cases of child abuse or neglect as required by law.

Code of Student Conduct (FCPS 402R-A)

The Frederick County School Board expects a high standard of student conduct in an effort to ensure that education is provided in an atmosphere conducive to learning, free of disruption and threat to person or property, and supportive of individual rights. Students are responsible, with each principal, faculty, and staff member, for maintaining a school environment in which educational programs can flourish and extracurricular programs can go forward for the pleasure and benefit of all participants. Students and staff have a primary responsibility for creating a climate of mutual respect and trust in each school in order that the dignity of the individual is protected and the hopes and ambitions of each student may be realized.

The principals of the schools and those to whom they delegate the authority are responsible for the consistent and uniform application of all school board policies and regulations, and rules of the individual school, which together set forth the standards for student conduct. The principal or his designee shall determine the appropriate disciplinary measures for each case of misconduct by a student, except where consequences are predetermined by specific school board policy or by law. Determinations of disciplinary measures shall include consideration of the relative impact of a violation on the entire student body as well as the individual, school and county-wide school regulations and rules, the student's cumulative discipline record, and the student's individual needs.

Principals shall inform, consult with, and/or refer to the central office administration any discipline matters that involve situations of extreme danger, acts of violence, threats to the school, and any discipline matters that involve unusual circumstances or need special handling. The principal shall notify the parent of each suspension and may request a parent conference prior to readmission. Disciplinary measures may include, but need not be limited to, the following: warning, counseling, detention, special assignments, in-school detention, in-school assistance, removal from class, suspension from extra-curricular activities, school probation, suspension, long-term suspension, and exclusion from school. All disciplinary actions shall be taken in accordance with due-process requirements.

Pupils are under the jurisdiction of the school board and its agents while in school, while at school-sponsored events, and when going to and from school (404P).

I. Student Conduct Rules

Conduct which will constitute cause for discipline by school officials shall include, but not be limited to, any of the following:

- ◆ Gambling
- ◆ Gang-related activity
- ◆ Bullying
- ◆ Stalking
- ◆ Continued and willful disobedience
- ◆ Defiance of authority of any employee of the school system
- ◆ Conduct of such character as to constitute a threat or a continuing danger to the physical well-being of others
- ◆ Fighting or physical assault upon another student or upon any teacher, administrator, other school employee, or any other person
- ◆ Taking or attempting to take another person's personal property or money including school-owned property or money
- ◆ Vandalism (willfully causing, or attempting to cause damage to school property)
- ◆ Unauthorized occupancy of any part of the school or school grounds, or failure to leave promptly after having been directed to do so by the principal or other school employee or law enforcement officer
- ◆ Cursing or verbally abusing any person
- ◆ Willful interruption or substantial disturbance of any school
- ◆ Trespassing upon the property of any Frederick County school
- ◆ Any threat or attempt to bomb, burn or destroy in any manner a school building or any portion thereof
- ◆ Violation of law or school board policy or school regulations
- ◆ Leaving school grounds without the prior written permission of the principal or his designee

- ◆ Use or possession of any unauthorized firearm, knife, military armament, stun weapon, air rifle, bb gun, or any other object that school officials consider to be a dangerous weapon on school property or in association with any school activity or the use or possession of any explosives including fireworks
- ◆ Use or possession of laser pointers
- ◆ Possession, use or distribution of prescription or nonprescription drugs, anabolic steroids, alcohol, or drug paraphernalia
- ◆ Use or possession of tobacco products by anyone on school property and in association with a school activity
- ◆ Inappropriate behavior with regard to public display of affection
- ◆ Violating the dress code
- ◆ Cheating, plagiarizing, or assisting or encouraging others to do so
- ◆ Violation of the human relations, harassment or sexual harassment policy
- ◆ Perpetuation of any rumor, including but not limited to, threats of violence, which result in a substantial disruption to school operations.
- ◆ Using electronic means for purposes of bullying, harassment, or intimidation
- ◆ Violation of school bus safety rules
- ◆ Any other conduct which, in the judgment of the principal, interferes with the orderly operation of the school.

A. Attendance (Frederick County Public Schools 410 R-A, 410 R-B)

1. Late Arrival/Early Release (pick-up) (Grades K–5)

Students who arrive late or leave prior to the dismissal time shall be required to sign in and out of the school office. The school principal or designee is authorized to excuse the student's tardiness to school. Tardiness usually will be considered as excused for reasons of school bus delayed arrival and verified medical or court appointments. Excessive unexcused tardiness shall result in disciplinary action.

In addition, students must have permission to leave school during the day. Only the school nurse, an administrator or his/her designee may grant such permission.

Students who need to be excused from school during the school day must bring a parental note to the office before school. Early releases from school usually will be considered as excused for reasons of verified medical, dental, or court appointments. Early releases may also be approved for other necessary and unavoidable reasons by the school nurse or school principal or his/her designee. Excessive early releases from school may be denied. Unexcused early releases shall result in disciplinary action.

Parents of students who require medical and/or dental care are asked to schedule appointments, when possible, after the close of the school day. Students for whom these arrangements cannot be made will be expected to attend school before and/or after such appointments as time permits.

During each nine-week grading period, students with unexcused tardiness to school, or unexcused early releases from school, will be disciplined as follows:

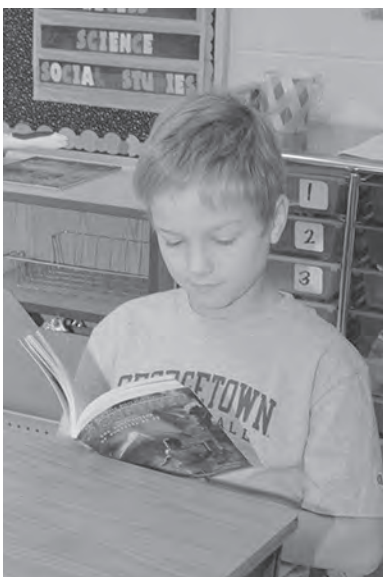
- First time: Warning
- Second time: Warning with parent informed
- Third time: Detention/School-based discipline with parent informed
- Fourth time: Detention/School-based discipline

Students will be expected to make up work missed for tardiness and early releases. Continued tardiness and early releases may result in additional consequences.

2. Late Arrival/Early Release (pick-up) (Grades 6–12)

Students who arrive late or leave prior to the dismissal time shall be required to sign in and out of the school office. The school principal or designee is authorized to excuse the student's tardiness to school. Tardiness usually will be considered as excused for reasons of school bus delayed arrival, and verified medical or court appointments. Excessive unexcused tardiness shall result in disciplinary action.

In addition, students must have permission to leave school during the day. Only the school nurse, an administrator or his/her designee may grant such permission. Students who need to be excused from school during the school day must bring a



parental note to the office before school. Early releases from school usually will be considered as excused for reasons of verified medical, dental, or court appointments. Early releases may also be approved for other necessary and unavoidable reasons by the school nurse or school principal or his/her designee. Excessive early releases from school may be denied. Unexcused early releases shall result in disciplinary action.

Parents of students who require medical and/or dental care are asked to schedule appointments, when possible, after the close of the school day. Students for whom these arrangements cannot be made will be expected to attend school before and/or after such appointments as time permits.

During each nine-week grading period, students with unexcused tardiness, or unexcused early releases from school, to school may be disciplined as follows:

First time: Warning

Additional referrals: School-based discipline

Students will be permitted to make up work missed for tardiness. Continued tardiness and early releases may result in additional consequences, including loss of parking privileges, restriction from attendance at after school events, and other school-based discipline.

Students are allowed an appropriate time for change of class. Only written permission slips will be an acceptable excuse for tardiness to class. During each nine-week grading period, students with unexcused tardiness to class or the cafeteria may be disciplined as follows:

First time: Warning

Additional referrals: School-based discipline

Students will be expected to make up work missed for tardiness. Continued tardiness to class may result in additional consequences including loss or restriction of parking privileges, class restriction, loss of hall pass privileges, or other school-based discipline.

3. Truancy (Grades 6–12)

Truancy is an unacceptable behavior. When an absence occurs for which neither the parent nor the school had prior knowledge and consent, the student shall be considered truant. School authorities will notify parents of this truancy. Truant students shall be disciplined at the discretion of the school administrator and may be required to make up all instructional time missed.

B. Bomb Threat (Code of Virginia, Section 18.2-83)

Any student who makes a threat to bomb a school building or who communicates by any means, knowing the information to be false, the existence of a bomb or burning to a school shall be suspended and referred to the superintendent's designee for review and possible further referral to the school board for expulsion.

C. Bullying

Students, either individually, or as part of a group, shall not harass or bully others either in person or by the use of any communication technology including computer systems, telephones, pagers, or instant messaging systems. "Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

Bullying, and retaliation for reports of bullying, will not be tolerated in the Frederick County Public Schools. Students who experience or witness acts of bullying should immediately report the incidents to school personnel so that the events may be investigated. Consequences will be administered to all students involved in substantiated acts of bullying.

The parent/guardian of any student involved in an alleged incident of bullying will be notified of the status of any investigation within five school days of the allegation of bullying.

D. Bus Safety (FCPS 702 R-A)

1. Student Conduct



- a. The principal of a school is in charge of discipline of the school and shall require of students good behavior during their attendance at school and on their way to and from school. This rule includes students who are in transit between schools and who are in a particular school only for a short period of time.
 - b. Students are expected to enter buses in an orderly manner, to remain so until they reach their destination, and to leave buses in an orderly manner.
2. Suspension of Bus Privileges

Whenever students are transported to school by a school bus, they must be returned home, and their period of suspension from the bus will begin the next school day. When a pupil is suspended from a bus, his/her parent or legal guardian will be notified by the principal of the school that provides the instructional program for him/her. The notification shall include the reason for suspension and the period of time.

 - a. The following procedure will be used when a student is involved in misconduct on a bus:
 - i. The first time a student is reported, he/she may be counseled and warned by letter from the principal.
 - ii. The second offense may result in a three-day suspension from riding the bus.
 - iii. The third offense may result in a five-day suspension from riding the bus.
 - iv. The fourth offense may result in suspension from riding the bus until the student and a parent appear at the administration building for a conference. An appointment cannot be made until the student has been off the bus for ten days for the fourth offense. The student will only be returned to the bus by order of the superintendent or his designee.
 - v. In instances of flagrant violation warranting more action than a warning, a student may be suspended from the bus after the first offense.
 3. Appeal Procedures Bus Suspension for Ten Days or Less
 - ◆ After appealing the suspension to the school principal, the parent or legal guardian may appeal the bus suspension decision to the hearing officer or designee.
 - ◆ The parent or legal guardian must request, in writing, a hearing before the hearing officer or designee. The written request must be received in the office of the hearing officer within seven (7) calendar days of the date of bus suspension letter or the right to appeal will be forfeited.
 - ◆ The suspension will continue, as assigned, during the appeal process. Should the appeal be granted, the suspension will be removed from the student's cumulative scholastic record.
 - ◆ After providing the written request for an appeal, the parent must establish a time for a hearing before the hearing officer or designee, which time must be agreeable to all parties.
 - ◆ The hearing must be scheduled within ten (10) days of the hearing officer's receipt of the written request or the right to appeal will be forfeited.
 - ◆ The decision of the hearing officer or designee shall be final.
 - a. Bus Suspensions for More than Ten Days

The superintendent or his/her designee may suspend students from riding the school bus in excess of ten (10) school days with the following procedures:

 - ◆ The student and his/her parent(s) or legal guardian have been provided written notice of the proposed action and reason therefore and of the right of a hearing.
 - ◆ The parent shall have the right to inspect the student's school records. The student and his/her parent(s) or legal guardian shall also be provided with a copy of the standards of student conduct.
 - ◆ In any case in which a student has been suspended by the superintendent or his/her designee(s) after a hearing, the student and his/her parent(s) or legal guardian may appeal the decision to the school board. The suspension will remain in effect during the appeal process. Such appeal must be in writing and must be filed with the superintendent within seven (7) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board will consider the appeal of the suspension hearing within thirty (30) calendar days of the appeal. The Board may accept information (in writing or in person) not available at the time of the previous hearing(s).

b. Emergency Suspension

Any student whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be summarily removed from riding the school bus immediately, and the notice, explanation of facts, and opportunity to present his or her version required above under Suspension for Ten Days or Less shall be given as soon as practicable thereafter.

4. Other Conditions—School Bus Safety

Safe Transportation Requires the Cooperation of:

- ◆ Students
- ◆ Bus Drivers
- ◆ Parents
- ◆ School Officials
- ◆ Motoring Public

The greatest care should be exercised at all times in transporting children; therefore, specific regulations, designed to ensure safety and benefit from bus service for everyone, must be enforced.

Riding a school bus is a privilege, not a right. Good behavior by students riding school buses is essential to safe and efficient school bus operation. In most instances of student misbehavior on a bus, the principal will follow the procedure stated below under Disciplinary Procedures for Misconduct. However, the driver should report immediately to the principal all cases of misconduct that need special attention and be guided by the principal's advice and direction subject to regulations of the school board. The following rules are designed to ensure that everyone receives the maximum benefit from bus service.

- a. The principal of the school is in charge of discipline and shall require good behavior of pupils during attendance at school and on their way to school and back to their homes.
- b. The driver has the responsibility and immediate authority for the operation of the bus, including student discipline, subject to rules and regulations of the school division.
- c. Principals, working with bus drivers, have authority to deny pupils the right to ride buses for a period of time for acts of misconduct when, in their judgment, such acts interfere with the safe, efficient, or orderly operation of the buses. Certain conduct will result in disciplinary action as if the incident occurred at school.
- d. Whenever pupils are transported to school by a school bus, they must be returned home on the bus even if suspended from riding the bus that day. The suspension period will begin the next school day, or as soon as parents have been notified.
- e. Students kept after school for disciplinary purposes will not be allowed to ride home on any school bus.
- f. In the event that school is closed, any student serving a bus suspension will continue the suspension when school reopens.
- g. A student suspended from riding the bus for discipline reasons is not allowed to ride any Frederick County school bus.
- h. Any student who does not complete his/her bus suspension at the end of the school year may serve the remainder of the suspension at the beginning of the following year.
- i. Parents of students will be held financially liable for any willful damage to buses or any other school property.
- j. Except in cases of extreme emergency, bus drivers are to refrain from physically touching students or otherwise inflicting corporal punishment.

5. Meeting the Bus:

Students must:

- a. Be at their assigned bus stop ten (10) minutes prior to the scheduled bus arrival time. Students are expected to be orderly while entering, riding, and leaving the bus.
- b. Not stand on the traveled portion of the roadway while waiting for the bus.
- c. Not engage in play or other activities that will endanger themselves or their companions while waiting beside the road.





- d. Not run alongside a moving bus, but wait until it has stopped, then walk to the entrance door.
- e. Not use any form of tobacco, electronic cigarettes, alcohol, or drugs.
- 6. Conduct on the Bus:

Students must recognize that the bus driver is the authority on the bus. They are to obey the bus driver and be courteous to fellow students. Any of the following acts of misconduct is a sufficient reason for denying the student the privilege to ride buses:

 - a. Use of any form of tobacco, electronic cigarettes, alcohol, or drugs. Violations will result in the student being removed from the bus consistent with policy and the student may receive a long-term suspension from school.
 - b. Use of profane or vulgar language.
 - c. Throwing of any objects in or from the bus. Any student guilty of throwing objects from the bus that strike a vehicle or a person or in any other way damage property or create a safety hazard will be removed from the bus until the student and parents appear before the division superintendent or his/her designee, who will decide whether the student may return to the bus.
 - d. Extending arms, legs, or head out of bus.
 - e. Disobedience of or disrespect for authority.
 - f. Fighting on the bus.
 - g. Persistently talking loudly or displaying rowdy behavior.
 - h. Willfully destroying of any part of the bus.
 - i. Engaging in other acts of misconduct affecting safety
 - j. Any other unacceptable behavior that poses a safety violation.
- 7. Items Not Permitted on School Buses:
 - a. Exploding devices, fireworks, and flammable materials, including lighters, matches, and aerosols. No laser pens.
 - b. Bottles or glass containers.
 - c. Live pets, animals, or wildlife.
 - d. No cleats or other types of spikes may be worn on a bus.
 - e. Musical instruments or other items that cannot be carried or held on student's lap.
 - f. Skateboards, in-line skates, or scooters.
 - g. Any other items that could create a safety problem
- 8. Other Conditions:
 - a. Students may be assigned to a specific seat by the driver or school administrator and shall not be permitted to move from the assigned seat except with permission.
 - b. No student is permitted to interfere with another student or with the property of another student.
 - c. Students must ride the bus to which assigned. They are not allowed to ride another bus or get off at another stop other than their own, unless they have a note from their parent approved by the school office. Once students are on the bus they are expected to remain there.
 - d. Students will be allowed to exit the bus only in instances when it has been determined to be an emergency. It is expected that the student will be under the supervision of a responsible adult.
 - e. No student is permitted to eat, chew gum, or drink while on the bus. Unauthorized personnel are not allowed on a school bus and are in violation of school board policy. Drivers are instructed to contact the director of transportation or his designee for further action.
- 9. Disciplinary Procedures for Misconduct
 - a. The following procedures may be used whenever a student is involved in misconduct on a bus:
 - i. First Offense: The student may be warned by a letter from the principal.
 - ii. Second Offense: May result in a three-day suspension from riding the bus.
 - iii. Third Offense: May result in a five-day suspension from riding the bus.

- iv. Fourth Offense: May result in a ten-day suspension from riding the bus. The student may only be returned to the bus by order of the superintendent or his/her designee.
 - b. In instances of flagrant violations warranting more action than a warning, a student may be suspended from the bus or from school after the first offense.
 - c. The parent or legal guardian is to be notified by the principal whenever a pupil is suspended from a bus. The notification should include the reason for suspension and the length of suspension.
 - d. Middle and high school students who misbehave on inter-campus bus routes (e.g., Dowell J. Howard Center) may be disciplined as follows:
 - i. First Offense: The student shall be warned about the consequences of continued misbehavior, and his/her parent or legal guardian shall be notified.
 - ii. Second Offense: May result in suspension from school for one day.
 - iii. Third Offense: May result in a referral to the superintendent's designee for consideration of further disciplinary action.
 - e. Students who are waiting at a school for a bus to another school are under the authority of the school while waiting, and the principal may suspend them from riding the bus if they do not conduct themselves properly while there. Incidents that occur before or after school at a bus stop or prior to arrival home may be judged as if they were incidents at the school site.
10. The Following Safety Rules are Posted on Every School Bus.
- a. Observe same conduct as in the classroom.
 - b. Be courteous, use no profane language.
 - c. Do not eat or drink on the bus.
 - d. Keep the bus clean.
 - e. Cooperate with the driver.
 - f. Do not smoke.
 - g. Do not be destructive.
 - h. Stay in your seat.
 - i. Keep head, hands, and feet inside the bus.
 - j. Bus driver is authorized to assign seats.
 - k. No animals or insects are allowed on the bus.

E. Cheating/Plagiarism (FCPS 322P)

Students, who cheat, participate in any form of plagiarism, assist or encourage others to do so, or who otherwise willfully disregard the Board Copyright Policy will be counseled, will lose credit for the assignment, and will be referred to the school administrator for disciplinary action. The school administrator will notify the parent/legal guardian of the action and the reason for the action.

F. Computer Network Use Violations (FCPS 323R)

- ◆ The first offense shall result in a conference with the school administrator. Additional discipline may be assigned.
- ◆ The second offense may result in a suspension. A referral may also be made to the superintendent or designee for further action.
- ◆ Additional offenses may result in a referral to the superintendent or designee for further action.

G. Dress

1. General

Habits of cleanliness and proper dress are of major importance in establishing patterns of school and social behavior. A close relationship between the attitudes and conduct of students and their personal habits of cleanliness and dress is observable. Proper dress is also necessary for reasons of health and safety. The regulations that relate to this policy are designed to encourage young people to dress in a manner that displays reasonableness of fashion, decency, and *refrains from extremes*. If there are any doubts about what should be worn, students shall check with their school principal or designee, who is responsible for determining appropriateness of dress. Any clothing or accessories judged to be disruptive to the learning environment will be prohibited.



Students who use poor judgment or fail to cooperate will be sent home to change into appropriate dress.

2. Standards of Dress

The standards of dress in the schools are as follows:

- a. The following are examples of inappropriate dress: swimwear; skirts, shorts, and exercise shorts that are shorter than mid-thigh in length; muscle shirts; tank-tops or shirts with straps that are less than 2 inches in width; and see-through blouses or cutaway blouses.
- b. Students are not allowed to wear clothing that does not cover midriffs or backs.
- c. Clothing and accessories bearing obscene, suggestive, alcohol, tobacco, or drug-related slogans or symbols are prohibited.
- d. Students shall not wear hats, hoods, bandanna-type headbands, caps, hair curlers, picks, gauge earrings with spikes, spike collars, spike armbands, or sunglasses.
- e. Students are required to wear shoes at all times. Any footwear the administration considers to be unsafe will not be permitted.
- f. In the interest of safety and health, the schools may require specific dress or grooming procedures for certain instructional activities (such as shop, work and family studies, driver training, science laboratories, physical education).
- g. Students acting as official representatives of the school in the band, chorus, state meetings, class activities, athletic teams or any other organization may be required to subscribe to a more rigorous dress code as determined by the school administration and staff.
- h. Students may not be allowed to wear jackets or coats that are considered to be weather-protective gear while in school. Examples of such outerwear garments include, but are not limited to, trench coats, overcoats, large ski parkas, or other outerwear which, in the judgment of the principal, present concern for safety.
- i. Pants or slacks must be worn to prevent slipping to hip level and must be worn so that the entire waistband is above the top of the hipbone. No cutouts are permitted.
- j. The school principal may allow exceptions to the dress code for purposes of promoting "school spirit day", other like celebrations, or for special circumstances as deemed appropriate.
- k. The school principal may ban any item of dress considered to be linked to gang activity, disruptive to the educational environment, unsafe for the student or others, or in violation of school policy.

3. Standards of Dress for Secondary Physical Education Courses

Regular school-day clothes are not acceptable for participation in physical education activities. Students shall dress out for physical education. Students may purchase a uniform from the school or wear attire meeting the following criteria.

- a. Students are required to wear a crew neck t-shirt with sleeves.
- b. Students are required to wear shorts without buttons or zippers that are at least mid-thigh length.
- c. Students are required to wear athletic shoes.

H. Abuse of Drugs, Medication, Alcohol, Tobacco, or Electronic Cigarettes

1. Introduction

Substance abuse continues to be a serious problem among youths and young adults. Because misuse of chemicals and drugs can cause serious harm to the individual and society, the schools have recognized the problem and have addressed it. Instructions provided K-12 in an effort to prevent drug misuse and abuse. A student-assistance program has been established to help those students identified to be in need of assistance with a drug- or alcohol-related problem. Disciplinary measures have been designed in an effort to eliminate the sale or use of drugs during school hours and school activities.

Any student with a question concerning the possession of or identity of drugs should report to the school administration.

Appropriate law enforcement officials will be informed when a law has been violated.



2. Use or Possession and Sale or Distribution of Unauthorized Legal Drugs (Grades K–12)

The use or possession and sale or distribution of unauthorized legal drugs on school property, school bus stops during the times school children are waiting to be picked up and transported to or are being dropped off from school or a school-sponsored activity, or at school functions may be grounds for suspension or expulsion.

- a. As a result of a first offense, the student may be suspended. The number of days will be left to the discretion of the administrator. The student may be referred to the superintendent or designee for a conference with parents and student.
- b. The second offense shall result in an immediate suspension and referral to the superintendent or designee. The superintendent may recommend long term suspension or expulsion to the school board.

3. Use or Possession and Sale or Distribution of Controlled or Imitation Controlled Drugs, including anabolic steroids (Grades K–12)

No student shall possess, use, sell or distribute, transmit, or be under the influence of any drug, alcoholic beverage, anabolic steroid, other intoxicant, or substance in any form whatsoever prior to arriving at school or while on school property, at school-sponsored functions, or under the legal jurisdiction of the school system. For reasonable cause, a student may be required to take an alcohol or drug screening at the request of school authorities.

The possession, sale, distribution, or use of a controlled substance, imitation controlled substance, marijuana, including imitation marijuana, or any mood-altering chemicals, including inhalants on school property or at school-sponsored activities is prohibited. A violation shall result in immediate suspension and referral to the superintendent. A conference with the superintendent or designee involving students, parents, and school authorities shall be held. A student who is determined in accordance with the procedures set forth in the Code of Virginia, Section 22.1–277 to have had in his possession, sold, distributed, or used a controlled substance, imitation controlled substance, marijuana, including imitation marijuana, or any mood-altering chemicals, including inhalants, on school property or at school-sponsored activities shall be expelled from school attendance for a period of not less than one year (365 calendar days). The school board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. Enrollment in a drug treatment program may be required.

4. Drug Paraphernalia (Grades K–12)

The sale, use, or possession of drug paraphernalia will result in the following action:

- a. The paraphernalia shall be confiscated, and parents shall be notified. The student shall be suspended, with the number of days left to the discretion of the administrator.
- b. If a second violation occurs, the student shall be suspended and referred to the superintendent or designee for further action.

Clothing and accessories bearing drug-related or alcohol-related slogans and symbols are prohibited.

5. Alcohol (Grades K–12)

A student shall not possess, use, transmit, or be under the influence of any alcoholic beverage or intoxicant of any kind in the building, on the school grounds, prior to arriving at school, or at any school-sponsored activity, including a field trip. Any student guilty may be suspended. Enrollment in an alcohol-treatment program may be required. A second offense will result in a recommendation to the hearing officer for a long term suspension or a recommendation to the school board for expulsion from school.

6. Tobacco (Grades K–5)

Students shall not possess or use any form of tobacco while they are on school property or are engaged in school-sponsored functions. The consequences for violations of this policy are as follows:

- a. The first offense shall result in the parent being notified and the student being counseled by school personnel.
 - b. The penalty for the second offense shall be a one-day suspension.
 - c. Students who violate the regulation for a third time shall be suspended for three days.
 - d. Subsequent violations may result in referral to the superintendent or designee for disciplinary action that may include long term suspension or expulsion.
 - e. Tobacco products, when found, will be confiscated and parents will be notified.
7. Tobacco (Grades 6–12)
- Students shall not possess or use any form of tobacco while they are on school property or are engaged in school-sponsored functions. The consequences for violations of this policy are as follows:
- a. The first offense shall result in a one-day suspension or in-school exclusion.
 - b. The penalty for the second offense shall be a two-day in-school exclusion.
 - c. The third offense shall result in a three-day suspension.
 - d. Subsequent violations may result in a referral to the hearing officer or designee for action that may be long term suspension or expulsion.
 - e. Tobacco products, when found, will be confiscated and parents will be notified.

I. Fighting

1. Fighting (Grades K–5)

Following a student's first fight, a letter of warning or suspension shall be sent to his parents or legal guardian. If the student is involved in another fight, he may be placed in in-school exclusion or suspended. The disciplining administrator shall have discretion in deciding whether a fight occurred and in determining the length of the suspension. If it is needed, a teacher or school official may use force to stop fighting or to prevent injury or damage to other people or property. When this occurs, any student who interferes shall be disciplined by school officials.

2. Fighting (Grades 6–12)

Students who fight will be suspended. The principal shall be responsible for deciding what actions constitute a fight and shall determine the length of suspension when a fight occurs. A teacher or school official may use physical force if it is needed to stop a fight or prevent injury or damage. Students who interfere or attempt to keep a teacher or administrator from fulfilling this responsibility shall be suspended. A student deemed to be an aggressor will be suspended for at least three days. When a second offense occurs during the same school year, the student may be referred to the superintendent or designee, for a possible long-term suspension. A recommendation may be made to the school board for expulsion for students with multiple fights during the same school year or for those whose fights involved gangs, weapons or severe injuries.

J. Firearms (FCPS 430P)

Any student who has brought a firearm on school property or to a school-sponsored activity may be expelled from school attendance for a period of not less than one year (365 calendar days). School staff members, students, parents, and others with knowledge shall report to the principal of the school or his designee all information related to suspected violations of the policy related to weapons in school. The principal shall report any violation of this policy to the superintendent or his designee and to local law enforcement. Another disciplinary action or term of exclusion may be taken by the school board following an examination of the particular facts of a violation of this policy.

K. Gambling (Code of Virginia § 18.2-325)

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

L. Gang-related Activity (Code of Virginia § 18.2-46.1-3)

Students shall not engage in gang activity on school grounds, on school buses or at any school sponsored activity. In addition, students shall not engage in gang activity using the school division's computer system at any time. Gang activity is defined as:

- ◆ wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
 - ◆ committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
 - ◆ using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
 - ◆ inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.
- M. Harassment/Sexual Harassment (FCPS 429P)
Repeatedly annoying or attacking a student (including the use of electronic means), group of students, or personnel which creates an intimidating or hostile educational or work environment will not be tolerated. Any complaint of harassment or sexual harassment should be reported immediately to a school counselor or to a school administrator. Violation will result in an out-of-school suspension and may result in a referral to the superintendent's designee for further consideration.
- N. Hazing
Students shall not recklessly or intentionally endanger the health or safety of a student or students or 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 (building administrator) of any school at which hazing occurs that causes bodily injury shall report the hazing to the Commonwealth Attorney. The Code of Virginia, Section 18.2-56, imposes a Class 1 misdemeanor penalty for violations; i.e., confinement in jail for not more than 12 months and a fine of not more than \$2500.00, either or both.
- O. Motor Vehicle Use and Parking (FCPS 404 R)
Vehicles must be registered in the main office and must be parked in the designated parking area. Students shall not go to the parking lots during the school day unless they have specific permission from the administration. When they go, it shall be for the purpose of leaving for the day. Anyone apprehended in the parking lot during school hours without permission shall be subject to disciplinary action.
- P. Stalking (Code of Virginia § 18.2-60.3)
Students shall not engage in a pattern of behavior that places another person in reasonable fear of serious harm.
- Q. Threats Against Staff and Students
Threats against staff and students will not be tolerated. In addition, the perpetuation of any rumor, including, but not limited to, threats of violence, which results in a substantial disruption to school operations will not be tolerated. Consequences for making a threat or perpetuating any rumor that results in a substantial disruption to school operations may include suspension from school and referral to the hearing officer's or designee for consideration of further disciplinary action.
- R. Vandalism (Code of Virginia § 18.2-138, 22.1-253.13:7.C.3)
Students shall not willfully or maliciously damage school buildings or property. 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. A student or student's parent may be held responsible for repair or replacement of vandalized property.
- S. Weapons (Code of Virginia § 18.2-308.1, 22.1-277.07 (E))
Students shall not possess, use, manufacture, sell, or purchase any weapon, dangerous instrument, or look-alike that could be used as a weapon while on school property, on school vehicles, or during school-sponsored activities on or off school property. Violation

may result in out-of-school suspension, referral to the superintendent's designee, or referral to the school board with a recommendation for expulsion.

Such weapons include, but are not limited to:

- ◆ any pistol, shotgun, stun gun, revolver, or other firearm listed in section 22.1-277.07 (E) of the Code of Virginia, designed or intended to propel a projectile of any kind, including a rifle
- ◆ unloaded firearms in closed containers
- ◆ any air rifle or BB gun
- ◆ toy guns and look-alike guns
- ◆ any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor
- ◆ slingshots
- ◆ spring sticks
- ◆ brass or metal knuckles, blackjacks
- ◆ any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain
- ◆ any disc, or whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart
- ◆ explosives, and
- ◆ destructive devices as defined in section 22.1-277.07 (E), of the Code of Virginia, or other dangerous articles.

Students shall not possess, sell, or purchase any ammunition or other explosive device while on school property, in school vehicles, or during school-sponsored activities on or off school property. Violation may result in out-of-school suspension, referral to the superintendent's designee, or referral to the school board with a recommendation for expulsion.

II. Disciplinary Penalties

- A. A principal may use any of the following penalties to maintain order and discipline within the school environment.
 1. Warning and Counseling—Warning and counseling should be used where appropriate to assist a student to understand that his conduct interferes with his educational process, threatens the rights of others, or is contrary to school policy or regulations and needs to be corrected.
 2. After-school Detention—A student may be detained for a reasonable period of time before or after scheduled classes and may be required during this time to engage in such activities as may reasonably contribute to better behavior. The parent of the student to be detained shall be notified by the school. The student who has been assigned detention time shall promptly inform his/her parents. The parent will be responsible for transporting the student. Except in certain circumstances, a student shall be given at least one day's notice if he/she has been assigned detention time.
 3. Special Assignments—A student may be given special assignments as a corrective measure. This may include, but not be limited to, reasonable assignments for general assistance at the school facility.
 4. In-school Detention—A student may be removed from his/her regular schedule of classes and assigned to another location.
 5. Suspension from Extracurricular Activities—A student's privilege to participate in all or certain extracurricular activities may be suspended for a fixed period of time or until certain specified conditions have been fulfilled. Suspension from extracurricular activities may be imposed in conjunction with other penalties. Students who have been charged with a criminal offense may be suspended from participation for a period of time or until certain conditions have been fulfilled. Any and all sanctions are at the discretion of the school principal.
 6. School Probation—Being placed on probation is notification that a student's behavior has been unacceptable and must be improved. A student may be placed

- on probation for a period not to exceed 45 school days by the principal and for up to one school year by the superintendent or his/her designee following a conference with his parent in which the terms and conditions of the probation are explained. The principal or the superintendent or his/her designee shall also notify the parent in writing when a probation is imposed, including the reasons for the probation and its date of termination.
7. In School Assistance—In-school assistance is a disciplinary measure that assigns students to a restrictive and highly controlled school based setting other than the regular classroom where students are isolated and must complete all assigned work.
 8. Suspension from School—(Ten [10] days or less) A student may be suspended from school for violations of this regulation. Suspension is the temporary exclusion of a student from regular school attendance and activities by the principal, or designee for a period of time not to exceed ten (10) days. While the suspension is in effect the student is denied attendance at any and all programs of the Frederick County Public Schools.
 9. Referral to Law-Enforcement Officials—Violations of law will be handled by referring the case to law-enforcement officers in addition to the use of other disciplinary measures.
 10. Removal from Class—A disruptive student may be removed from class according to the requirements of the Section 22.1-276.2 of the Code of Virginia, Frederick County School Board Policy 431P, and Frederick County School Board Policy 431R.
- B. A school principal may also refer a student to the superintendent's designee or to the school board for consideration of these penalties.
1. Long Term Suspension—(More than ten [10] days) Long-term suspension is the exclusion of a student from regular school attendance and activities by the superintendent or his/her designee for a period of time in excess of ten (10) school days. While the suspension is in effect the student is denied attendance at any and all programs of the Frederick County Public Schools. A student on long-term suspension may be readmitted to school on a conditional entry basis (as per regulations) following the completion of the suspension.
 2. Assignment To An Alternative Education Program—"A school board may require any student who 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 an offense relating to the Commonwealth's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or for which the disposition ordered by a court is required to be disclosed to the superintendent of the school division pursuant to the Code of Virginia, Section 16.1-305.1; (iii) found to have committed a serious offense or repeated offenses in violation of school board policies; (iv) suspended due to Virginia Code, Section 22.1-277.05; or (v) expelled pursuant to Virginia Code, Sections 22.1-277.06, 22.1-277.07, or Section 22.1-277.08, or subsection B of Section 22.1-277, to attend an alternative education program. A school board may require such student to attend such programs regardless of where the crime occurred..." (Virginia Code, Section 22.1-277.2:1). Pursuant to disciplinary authority of the School Board, the Superintendent, or designee, may require students to attend an alternative education program consistent with the provisions of 22.1-277.2:1 and such decision shall be final unless altered by the School Board upon timely written petition.
 3. Expulsion—A student's privilege to attend school may be terminated by the school board in accordance with due process procedures. Expulsion is an action by the school board which terminates the student from regular school attendance 365 calendar days or longer. Expulsion denies attendance at any and all programs of the Frederick County Public Schools.

III. Procedures for Suspension and Expulsion

The principal is responsible for:

- ◆ effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources
- ◆ ensuring that the school division's student code of conduct is enforced
- ◆ seeking to maintain a safe and secure school environment

A. Suspension for Ten (10) Days or Less (Code of Virginia, 22.1-277.04)

The principal may suspend a pupil for ten school days or less with the following procedures:

- ◆ The student shall be apprised of the nature and facts of the alleged misconduct.
- ◆ The student shall be given an opportunity to explain the circumstances of the alleged misconduct from his/her perspective and to present witnesses on his/her behalf.
- ◆ The student shall be informed of the conditions of the suspension, such as required parental conference prior to return, prohibition from coming on school property or to scheduled school activities, etc.
- ◆ The principal shall execute a letter of suspension stating the condition of the suspension and the date that the student may return to school. Copies of the letter of suspension shall be given to the student, if possible, and mailed to the student's parent or legal guardian and to the superintendent or his/her designee.
- ◆ The parent or legal guardian shall be notified of the right to an appeal and the procedures as set forth.

B. Appeal Procedures

- ◆ The parent or legal guardian may appeal a detention or in-school assistance to the school principal. The decision of the school principal shall be final. An out-of-school suspension resulting from failure to serve a detention or in-school exclusion may not be appealed beyond the school principal.
- ◆ After appealing the suspension to the school principal, the parent or legal guardian of a suspended student may appeal the suspension decision to the assistant superintendent for administration.
- ◆ The parent or legal guardian must request, in writing, a hearing before the assistant superintendent for administration or designee. The written request must be received in the assistant superintendent's office within seven (7) calendar days of the date of suspension letter or the right to appeal will be forfeited.
- ◆ The suspension will continue, as assigned, during the appeal process. Should the appeal be granted, the suspension and absence from school will be removed from the student's cumulative scholastic record.
- ◆ After providing the written request for an appeal, the parent must establish a time for a hearing before the assistant superintendent or designee, which time must be agreeable to all parties.
- ◆ The hearing must be scheduled within ten (10) days of the assistant superintendent's receipt of the written request or the right to appeal will be forfeited.
- ◆ The decision of the assistant superintendent or designee shall be final.

C. Suspensions for Ten (10) Days or More (Long-Term Suspension)

The superintendent or his/her designee may suspend students from school in excess of ten (10) school days with the following procedures:

- ◆ The student and his/her parent(s) or legal guardian(s) have been provided written notice of the proposed action and reason therefore and of the right of a hearing.
- ◆ The parent or legal guardian shall have the right to inspect the student's school records. The student and his parent(s) or legal guardian shall also be provided with a copy of the standards of student conduct.
- ◆ In any case in which a student has been suspended by the superintendent or his/her designee(s) after a hearing, the student and his/her parent(s) or legal guardian(s) may appeal the decision to the school board. The suspension will remain in effect during the appeal process. Such appeal must be in writing and must be filed with the

superintendent within seven (7) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board will consider the appeal of the suspension hearing within thirty (30) calendar days of the appeal. The Board may accept information (in writing or in person) not available at the time of the previous hearing(s).

D. Emergency Suspension

Any student whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be summarily removed from school immediately, and the notice, explanation of facts, and opportunity to present his or her version required above under *Suspension for Ten Days or Less* shall be given as soon as practicable thereafter.

E. Expulsion

The principal, with the concurrence of the assistant superintendent, may recommend that a student be expelled. The principal shall notify the student and his/her parent(s) or legal guardian(s) in writing of the following: the proposed action and the reasons therefore; the right of the student and his/her parent(s) or legal guardian(s) to a hearing before the superintendent or his/her designee(s) under the procedure promulgated by the superintendent; and the right to inspect the student's school records. The student and his/her parent(s) shall also be provided with a copy of the Code of Student Conduct.

The superintendent or his/her designee(s) may impose a lesser sanction. If the superintendent or his/her designee(s) upholds the recommendation of expulsion, the student shall be suspended until the matter is decided by the school board.

If the superintendent decides to recommend the expulsion of a student, he shall promptly notify the student's parent or legal guardian in writing. This notice shall include the following: a statement of the circumstances that impel the recommendation, the time and place of the meeting at which the school board will act on the recommendation, and a copy of this policy. The procedure for the school board hearing shall be as follows:

- ◆ The school board shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the school board.
- ◆ The school board may ask for opening statements from the principal or his/her representative and the student or his/her parent(s) or legal guardian(s) (or their representative) and, at the discretion of the school board, may allow closing statements.
- ◆ The parties shall then present their evidence. Because the principal has the ultimate burden of proof, he/she shall present his/her evidence first. Witnesses may be questioned by the school board members and by the parties (or their representative). The school board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination; take the testimony of student witnesses outside the presence of the student, his/her parent(s) or legal guardian(s), and their representative if the school board determines, in its discretion, that such action is necessary to protect the student witnesses.
- ◆ The parties shall produce such additional evidence as the school board may deem necessary. The school board shall be the judge of the relevancy and materiality of the evidence.
- ◆ Exhibits offered by the parties may be received in evidence by the school board and, when so received, shall be marked and made part of the record.
- ◆ The school board may, by majority vote, uphold, reject, or alter the recommendation.
- ◆ The school board shall transmit its decision, including the reasons therefore, to the student, his/her parent(s) or legal guardian(s), the principal, and superintendent.

The chairman of the school board may elect, in his/her discretion, to appoint a committee of the board to hear the long-term suspension or expulsion case. In the event a committee conducts the hearing, the student or his/her parent(s) or legal guardian(s) may appeal the committee's decision to the full school board. The appeal must be in writing and must be filed with the superintendent within seven (7) calendar days of the committee's decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The school board will decide the appeal of the case within thirty (30)

calendar days of the request for an appeal. No statements, witnesses, or evidence may be presented at this appeal unless specifically requested by the chairman of the board.

IV. Judicial review (Code of Virginia § 22.1-87)

Any parent, custodian, or legal guardian of a student attending Frederick County Public Schools who is aggrieved by an action of the school board may, within thirty days after such action, petition the local circuit court to review the action of the school board.

Such review shall proceed upon the petition, the minutes of the meeting at which the school board's action was taken, the orders, if any, of the school board, an attested copy of the transcript, if any, of any hearing before the school board, and any other evidence found relevant to the issues on appeal by the court.

The action of the school board shall be sustained unless the school board exceeded its authority, acted arbitrarily or capriciously, or abused its discretion.

V. Search and Seizure

Frederick County Public Schools may conduct reasonable searches and seizures pursuant to Policy 439P, Students—*Student Search and Seizure*

Community Communications (FCPS 602R)

Effective communications with parents are essential. Broad dissemination of a parent-student information book and use of other ongoing formal and informal channels and forms of communication with parents shall be part of every school's communications efforts.

As a service, the Frederick County Public Schools operates a local cable access channel to inform the community about school events. Also, on occasion, photographs or other images or work of students are produced through a wide range of school-related activities, and such individual or group images or work may be used on the local cable access channel, by the Frederick County Educational Foundation or in connection with school promotions, publications, videotapes or digital media, exhibitions, features or on a school or division sponsored web site.

Frederick County Public Schools is frequently the subject of coverage by print, broadcast, and electronic media. Frederick County Public Schools shall establish and foster mutually beneficial relationships with media representatives as part of an ongoing program that recognizes the importance of print, broadcast, and electronic media coverage in communicating to the larger school community and beyond.

In the interest of protecting student safety and respecting a parent/guardian's role in authorizing the storage or use of any image or voice recordings or other similar identifying information on a student during school-day operations, media representatives and the Frederick County Educational Foundation shall work to ensure parental permission has been granted prior to obtaining any image or voice recordings or other similar identifying information on a student. Such information is designated as part of the directory information on students. The principal or designee or staff of the FCPS Policy, Records Management and Communications Office will endeavor to assist a media representative or the Frederick County Educational Foundation in determining if parental permission has been secured.

Parents and eligible students must annually notify the office of the student's school in writing if they do not want the school division, the media or the Frederick County Educational Foundation to have access to their image, voice recordings or other similar identifying information during school-day operations; otherwise, they will be deemed to have given their permission for publication and/or broadcast of their image, voice recordings, other similar identifying information, and work by the school division, the media and the Frederick County Educational Foundation. Such notification will remain in effect through the end of the current school year and must be renewed annually.

For purposes of this regulation "school-day operations" include school-based activities or events (curricular, extra-curricular, co-curricular, and athletic) which are not specifically designated or regarded by school officials as open to the general public.

Computer Network and Internet Use (FCPS 323R)

The goal of Frederick County Public Schools (FCPS) in providing computer network access is to support instructional programs and administrative operations.

In support of this goal, connections to local, regional, and worldwide resources are provided.

The FCPS wide area network is established solely to support the mission of the school division. This regulation provides general guidelines and an example of prohibited uses for illustrative purposes, but does not attempt to state all required or prohibited activities by users.

A. Access to School Computers, Networks and Internet Services

1. Access to the FCPS network is permitted to the extent that available resources allow.
2. The level of access that employees have to school computers, networks and Internet services is based upon specific employee job requirements and needs.
3. Students have access to network and online instructional resources and services through an individual or classroom account managed by school personnel. As appropriate, Frederick County Public Schools will make decisions on whether specific uses of its network and online instructional resources and services are consistent with this regulation. Frederick County Public Schools is the final authority for the issuance and cancellation of user accounts for network and online instructional resources and services.

B. Acceptable Use

1. Any user's traffic that traverses another network may be subject to that network's acceptable use policy.
2. Parents and eligible students must annually notify the office of the student's school in writing if they do not want the school division or the media to have access to their image, voice recordings or other similar identifying information during school-day operations; otherwise, they will be deemed to have given their permission for publication and/or broadcast of their image, voice recordings, other similar identifying information, and work by the school division and the media.
Such notification will remain in effect through the end of the current school year and must be renewed annually.
3. Employees are to utilize the school division's computers, networks, and Internet services for school-related purposes and performance of job duties. Incidental personal use of school computers is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations or other system users. "Incidental personal use" is defined as use by an individual employee for occasional personal communications. Employees are reminded that such personal use must comply with this regulation and all other applicable policies, procedures and rules of Frederick County Public Schools. All such communication is subject to the requirements of the Freedom of Information Act.
4. FCPS network resources will not be used as the sole instructional research source, but rather will be considered with all research tools available in the library and/or classroom.
5. Given the fluid nature of many network resources, students and staff must evaluate the validity and appropriateness of a particular resource for a given assignment or application.

C. Prohibited Use

All users are prohibited from knowingly using Frederick County Public School computing resources in such a way that does not promote the educational or instructional program or administrative operations of FCPS. General examples of prohibited uses which are expressly prohibited include, but are not limited to, the following:

1. Users are responsible for all activities in or from their account. To safeguard accounts, passwords may not be shared, logged-in workstations are not to be left unattended, and access may not be provided to another person by the account owner.



2. Any use of the FCPS network for personal gain such as operating a business, soliciting money, or product advertising is prohibited. Political lobbying also is prohibited.
3. Any use that is illegal or in violation of school board policies and regulations, including harassing, discriminatory or threatening communications and behavior; violations of copyright laws, etc. is prohibited.
4. Any student access or attempt to access the following is prohibited during the instructional day unless it is school approved or teacher-supervised filtered Internet communication: instant messages, chat rooms, forums, e mail, message boards, or hosted web pages.
5. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive are prohibited.
6. Any inappropriate communications among/between students, or adults, is prohibited.
7. Use of the FCPS network to impersonate other individuals in electronic communication, such as forging electronic mail, is prohibited.
8. Any attempt to circumvent security safeguards, guess passwords, or in any way gain unauthorized access to any system or files is prohibited.
9. FCPS wiring, computer hardware, and software may not be tampered with or modified.
10. Knowingly opening or forwarding any e-mail attachments from unknown sources and/or that may contain viruses is prohibited.
11. Downloading or loading software or applications without permission from the system administrator is prohibited.
12. Students are to report unacceptable use to a supervising adult at the school. Employees have the responsibility to report unacceptable use of FCPS computer resources to their immediate supervisor or a representative of the information technology department.
13. Any malicious use or disruption of the school division's computers, networks and Internet services or breach of security features is strictly prohibited.
14. Any misuse or damage to the school division's computer equipment is prohibited.
15. Any communication that is in violation of generally accepted rules of network etiquette and/or professional conduct is prohibited.
16. Any intentional attempt to access unauthorized sites is prohibited.
17. Using school computers, networks and Internet services after such access has been denied or revoked is prohibited.
18. Any attempt to delete, erase or otherwise conceal any information stored on a school computer that is intended to violate these rules is prohibited

D. No Expectation of Privacy

The school division retains control, custody and supervision of all computers, networks and Internet services owned or leased by the school division. The school division reserves the right to monitor all computer and Internet activity by employees and other system users. Network users have no expectation of privacy in their use of school computers, including e-mail messages and stored files.

E. Internet Access-Proxy Server

Internet access is provided via the FCPS network. Standard use of the www utilizes a proxy server based filter that screens for non-curriculum related pages as required by the Children's Internet Protection Act (CIPA). Due to the nature of such filtering technology, the filter may at times filter pages that are appropriate for staff and student research. If appropriate, modifications may be made to provide access to these pages. Modified accounts may be requested in writing through the school principal or administrative department head. Students and staff should be aware that all web access is logged by the server and that these logs may be reviewed by the system administrators periodically.





F. Confidentiality of Information

Employees are expected to use appropriate judgment and caution in communications, concerning students and staff to ensure that personally identifiable information remains confidential.

G. Staff Responsibilities to Students

Teachers, staff members, substitutes, and volunteers who utilize school computers for instructional purposes with students have a duty of care to supervise such use. Teachers, staff members, substitutes, and volunteers are expected to be familiar with the school division's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees/volunteers become aware of student violations, they are expected to stop the activity and inform the building principal.

Internet safety instruction is the responsibility of all instructional personnel. Internet safety will be integrated into the instructional curriculum for kindergarten through grade 12. Appropriate resources that comply with School Board policy and are aligned to the FCPS Internet Safety Program will be used as it applies to the content area.

H. Compensation for Unauthorized Losses, Costs and/or Damages

Students shall be responsible for any losses, costs or damages incurred by the school division related to violations of Regulation 323R, Instruction—(Computer Network and Internet Use) and/or these rules. The school division assumes no responsibility for any unauthorized charges made by students, including but not limited to credit card charges, subscriptions, long distance telephone charges, equipment and line costs, or for any illegal use of its computers such as copyright violations.

I. Limitations

Frederick County Public Schools endeavors to provide safe and appropriate network computing resources for use by students and staff. However, it cannot provide a guarantee that students or staff may not be impacted by intentional or unintentional misuse of these resources.

J. Consequences for Violations

Misuse of FCPS computing resources or a violation of these regulations may result in the account or the user's access privilege being denied, revoked, or suspended. Misuse may also subject the user to disciplinary action in accordance with Regulation 402R, Students—Code of Student Conduct, as well as potential civil or criminal liability and prosecution.

Copies of Education Records/Directory Information (FCPS 416R)

F. Fees for Copies of Records

Parents, guardians, and eligible students will not be charged a fee for a copy of educational records. Frederick County Public Schools shall not charge a fee for copying an Individualized Education Plan (I.E.P.) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education’s Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

G. Types, Locations, and Custodians of Educational Records

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

The following is a list of the types of records that Frederick County Public Schools maintain, their locations, and their custodians.

Type	Location	Custodian
Directory information	Elementary school administrative offices Middle and high school guidance offices Electronic database	School principal Director of Information Technology
Cumulative health information	School clinics	School nurse
Individual student discipline information	School administrative offices Electronic database	School principal Director of Information Technology
Academic history/ test scores	Elementary school administrative offices Middle and high school guidance offices Electronic database	School principal Director of Information Technology

H. Disclosure of Educational Records

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

1. To school officials who have a legitimate educational interest in the records.
A school official is:
 - a. A person employed by the Frederick County School Board.
 - b. A person appointed or elected to the School Board and serving in an official capacity.
 - c. A person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
 - d. A contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records.

A school official has a legitimate educational interest if the official is:

- ◆ Performing a task that is specified in his or her position description or by a contract agreement.
- ◆ Performing a task related to a student’s education.
- ◆ Performing a task related to the discipline of a student.



- ◆ Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
- 2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. If records or information are released under this provision, the student's parents or the student (if the student is eighteen years of age or older) will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.
- 3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
- 4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- 5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
- 6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
 - ◆ specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - ◆ requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - ◆ requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - ◆ requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
- 7. To accrediting organizations to carry out their functions.
- 8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
- 9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.

10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
- ◆ the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 - ◆ the parties to whom the division disclosed the information
11. Directory information so designated by the school division.
12. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. §14071, and the information was provided to the division under 42 U.S.C. §14071 and applicable federal guidelines.

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

Audit or Evaluation of Education Programs

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

Any authorized representative other than an employee must be designated by a written agreement which

- ◆ designates the individual or entity as an authorized representative;
- ◆ specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;
- ◆ requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- ◆ specifies the time period in which the information must be destroyed; and
- ◆ establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

Frederick County Public Schools will provide, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may annually request that the student's name, address, and telephone listing not be released without prior written parental consent. The school division will notify parents of the option to make a request and will comply with any request. The request must be made in writing within 15 days of publication of the annual notice.

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



I. Records of Disclosure

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

Each school shall maintain a list of school officials who have a legitimate interest in student scholastic records. Individuals whose name appears on the list are not required to sign the record of access. The list shall be posted with the student scholastic records or kept by the principal or designee.

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

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

J. Directory Information

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

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

Correction of Education Records

The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows:

1. Parents or the eligible student must request in writing that Frederick County Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights. Such requests shall be directed to the Director of Student Support Services.
2. The Director of Student Support Services shall consider the request and decide whether to amend the record in accordance with the request within a reasonable period of time. If the record is not amended, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights. Requests challenging a decision shall be directed to the division superintendent or designee.
3. The Superintendent or designee shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
4. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
6. The hearing officer shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
7. If the hearing officer decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, the student's record shall be amended (including expungement) and the parents or eligible student will be notified, in writing, that the record has been amended. A copy of the amended record shall be provided to the parent or eligible student.
8. If the hearing officer decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the officer will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.
9. The decision of the hearing officer shall be final.

Confidentiality of HIV and Drug and Alcohol Treatment Records

The Frederick County Public Schools shall comply with the confidentiality requirements of Section 32.1-36.1 of the Code of Virginia, 1950, as amended, providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division shall maintain confidentiality of drug and alcohol treatment records as required by federal and state law.

K. Rights Under the Protection of Pupil Rights Amendment (PPRA)

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

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—
 - ◆ Political affiliations or beliefs of the student or student's parent;
 - ◆ Mental or psychological problems of the student or student's family;
 - ◆ Sex behavior or attitudes;
 - ◆ Illegal, anti-social, self-incriminating, or demeaning behavior;
 - ◆ Critical appraisals of others with whom respondents have close family relationships;
 - ◆ Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - ◆ Religious practices, affiliations, or beliefs of the student or parents; or
 - ◆ Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of—
 - ◆ Any other protected information survey, regardless of funding;
 - ◆ Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - ◆ Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use—
 - ◆ Protected information surveys of students;
 - ◆ Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - ◆ Instructional material used as part of the educational curriculum.



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

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

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

Parents who believe their rights have been violated may file a complaint with:
 Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, S.W.
 Washington, D.C. 20202-5901

Discipline for Actions Occurring Outside of School

Based on state law (22.1-78), opinion of the Virginia attorney general, and decision of the Virginia State Supreme Court, students can be disciplined for conduct going to and returning from school and for acts committed away from school property and outside of school hours which are detrimental to the interests of the school and adversely affect school discipline or the school environment.

Disciplining Students with Disabilities

Students with disabilities, who violate the code of student conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

I. **Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long-Term Removals and Considered a Disciplinary Change in Placement**

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) Pattern analysis: there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
 - (a) the length of each removal,
 - (b) the proximity of the removals to each other,
 - (c) the total time the student is removed, and
 - (d) the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year.
 - (e) the pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long-term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review (MDR) must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

II. **Short-Term Suspensions**

A short-term suspension is a suspension of 10 consecutive days or less at a time.

School authorities may remove a student with a disability from his or her current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short-term suspensions which constitute a pattern will be handled through long term removal procedures.

No MDR or IEP meeting is required for a short-term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

III. **Functional Behavior Assessments and Behavior Intervention Plans**

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and a BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals.

If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

IV. **Educational Services While Disciplined**

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

- 1) continue to progress in the general curriculum, although in another setting, and
- 2) make progress toward meeting the goals set out in the student's IEP.

The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

V. **Manifestation Determination Review**

When a disciplinary action is proposed that will result in a disciplinary change of placement, an MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

- 1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and

- 2) determines that:
 - (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
 - (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

VI. Disciplinary Action Following an MDR Determination that there is No Manifestation

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to students without disabilities. The student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the imposition of discipline.

A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. During any appeal, the student will remain in the interim alternative education setting unless reversed by decision of the hearing officer; provided, however, the student may still serve the balance of any applicable forty-five school day removal. The placement may also be changed through the IEP process with the consent of the parent.

VII. Disciplinary Action Following MDR Determination that there is a Manifestation

A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may be removed to a more restrictive placement by following change in placement procedures through the IEP process. The IEP team must conduct or review an FBA and/or BIP as provided in Section III.

VIII. Interim Alternative Educational Settings for Weapons, Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

In addition to the other options for removal, a hearing officer through an expedited due process hearing requested by the school division, may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45) school day removals may be authorized by the hearing officer as appropriate.

X. Placement During Appeals

During the course of any appeals, the student's placement shall be in accordance with the provisions of state and federal law unless the parent and the school division agree otherwise. Students with disabilities are also entitled to the due process rights available to a non-disabled student who is subject to discipline. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended, and any state procedures.

XI. Students Not Yet Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if, before the behavior that precipitated the disciplinary action occurred, one of the following occurred:

- (1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or
- (2) the parent requested an evaluation of the student for special education eligibility; or
- (3) the student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division that suggests the presence of a disability.

A school division would not be found to have knowledge of a student's disability if:

- (1) the parents refused to allow an evaluation of the student or refused special education services; or
- (2) the student was evaluated and found not eligible for special education services.

If a request for an initial evaluation is made during the period a student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities which placement can include suspension or expulsion without services.

XII. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act, and who are currently engaging in the illegal use of drugs or alcohol, may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

XIII. Reporting of Crimes

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

Disciplining Students with Disabilities for Infliction of Serious Bodily Injury

A student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent that a student without disabilities would be disciplined.

In addition, the applicable procedures of Regulation 402R-A, Students—Code of Student Conduct and Regulation 402R-B, Students—Disciplining Students with Disabilities will be followed.

The term serious bodily injury has the same meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18 of the United States Code.

Disposition of Records

Records are maintained and retained following guidelines issued by the Library of Virginia. As prescribed in those guidelines, records are destroyed when no longer educationally useful or five years after the student graduates or leaves school. However, some records will be retained for 75 years—according to the guidelines.

Individualized Education Plans and certain other records related to the education of students with disabilities must be maintained for five years following graduation, completion of a program, or withdrawal from Frederick County Public Schools. Such scholastic records may be needed by the parent or eligible student for social security benefits or other purposes. Requests for copies of such records must be made during the five-year period outlined above. Requests should be directed to the Office of the Director of Special Instructional Services.

Eating Disorders

Eating disorders are serious health problems that usually start in childhood or adolescence and affect both girls and boys. With early diagnosis, eating disorders are treatable with a combination of nutritional, medical, and therapeutic supports. Recognizing the importance of early identification of at-risk students, the 2013 Virginia General Assembly passed a law requiring each school board to provide parent educational information regarding eating disorders on an annual basis to students in the fifth through twelfth grades.

It is important to note that eating disorders are not diagnosed based on weight changes as much as behaviors, attitudes, and mindset. Symptoms may vary between males and females and in different age groups. Often, a young person with an eating disorder may not be aware that he/she has a problem or keeps the issues secret. Parents/guardians and family members are in a unique position to notice symptoms or behaviors that cause concern. Noting behaviors common to people with eating disorders may lead to early referral to the primary care provider. It is important for eating disorders to be treated by someone who specializes in this type of care.

Additional information can be found on the Frederick County Public Schools website under the Health Services link.

Electronic Mail, Social Media and Networking (FCPS 567R-B)

Frederick County Public Schools requires that all communications between and among employees, school volunteers and students be appropriate and in accordance with state law and/or school board policy. All electronic or any other communications by employees with students at any time shall be professional, consistent with the standards and curriculum of the school division, and limited to information that is school-related and necessary for both student and parent.

The school division is aware that unacceptable published content and/or inappropriate communication between parties may adversely affect the reputations and careers of students and educators. Frederick County Public School employees are expected to be role models and must recognize that once electronic communications and information are posted or published online, a digital imprint is created and is nearly impossible to retract. Therefore, it is the intent of Frederick County Public Schools to make all employees and students aware of the expectations and procedures of the school system in regard to the proper use of all telecommunication devices and computers when communicating with others.

It is strongly recommended that Frederick County Public Schools employees not use Frederick County Public Schools' accounts when establishing email and/or social networking accounts for personal use. In all use of personal social networking sites, employees should:

- ◆ Maintain appropriate professional boundaries and authority as a classroom teacher, administrator, or supervisor;
- ◆ Practice online reputation management by considering the personal, professional and social impact of what you post;
- ◆ Establish appropriate privacy settings to limit access to personal information contained on your social networking site;
- ◆ Establish social networking relationships with caution and consider limiting access to personal social networking sites to those who post inappropriate content;
- ◆ Refrain from inappropriate electronic communications with students;
- ◆ Recognize that students may not exercise good judgment and may use social media inappropriately;
- ◆ Avoid the appearance of impropriety;
- ◆ Refrain from posting negative information about students, fellow employees or the school division;
- ◆ Refrain from uploading inappropriate content;
- ◆ Exercise caution when posting links to other Internet or social networking sites and consider ad-free sites for hosting videos to eliminate inadvertent access to inappropriate advertisements and content.

This regulation is not intended to limit the proper use of technology as an effective teaching tool. Employees are expected to use technology and web-based resources to support learning and enhance instruction. The use of technology resources for instructional purposes may require online collaboration between students and/or the teacher. All web-based resources and communication tools must be used in a safe and responsible manner.

Employees are required to comply with state code and all policies and regulations, directives and guidance, procedures, and practices of the school division regarding any communications with students, parents, and staff.

Any Frederick County Public School employee who has a reason to suspect that inappropriate communication is occurring between an employee and student, school volunteer and student, or among employees and/or volunteers shall report the matter immediately to their principal/immediate supervisor or the Assistant Superintendent for Administration.

Evaluation and Grade Assignment (FCPS 316P)

I. Grade Level Placement

The principal shall provide direction to teachers in their evaluations of students and review grade placement to ensure uniformity of evaluation standards.

Early communication with parents is required when a child is experiencing academic or developmental difficulty which may necessitate assignment to the same grade level for the following year. Parents' opinions will be included for consideration of grade level placement; however, decisions regarding grade level placement shall be made by the principal after consultation with appropriate instructional staff including, but not limited to, teachers, the assistant superintendent for instruction, instructional directors, instructional supervisors, and/or coordinators of special instructional services.

At the elementary school level, student attainment of the skills and knowledge expected for the assigned grade level, readiness for work at the next grade level, and performance on local and/or state assessments shall be considered before assignment to the next grade level. No student may be retained solely on the basis of achievement on state assessments.

At the middle and high school level, student may advance to the next grade level after earning satisfactory grades for courses taken at the present grade level, following procedures outlined in regulation 316R-B. However, students in grades 6-8 may be retained as described in paragraph two (2) above.

II. Prevention, Intervention and Remediation

Programs of prevention, intervention, or remediation shall be made available for students who are educationally at risk. Such students include, but are not limited to, those whose academic achievement does not meet expectations, that fail to achieve a passing grade on locally developed formative and summative assessments, or who fail to achieve a passing school on any Standards of Learning assessment. Such programs may include summer school for elementary, middle and high school students, and school year programs such as tutorial sessions, specialized reading programs, academic review classes, and other special prevention, intervention or remediation options. Student schedules may be affected by the requirement to participate in a prevention, intervention or remediation program. Program availability may be limited to those which may be adequately funded by the school board.

III. Evaluation of Student Progress—Uniform Grading Scale

- A. Beginning with the 2012–13 academic school year, schools shall implement a uniform ten (10) point numeric grading scale, grades 1–12, Student summative grades calculated in prior years shall not be retroactively converted to a ten (10) point scale grading scale.

A+	97–100
A	94–96
A–	90–93
B+	87–89
B	84–86
B–	80–83
C+	77–79
C	74–76
C–	70–73
D+	67–69
D	64–66
D–	60–63
F	59 and below

- B. The superintendent shall promulgate regulations rewarding student scholastic achievement in advance coursework. Such coursework may include nationally- or internationally-recognized courses, certain college-level courses, and honors-level high school courses.
- C. Students in kindergarten shall be assessed following regulations promulgated by the superintendent.

Evaluation and Grade Assignment (FCPS 316R-A)

A. General

Students shall be challenged to pursue a high level of performance.

Each teacher shall make use of all available information including results of teacher-made tests and other measures of skill and content mastery including SOL tests, writing assignments, and teacher observation of student performance to evaluate student achievement.

All achievement grades will be based on achievement or performance.

Achievement grades shall not be used as a punishment or reward for behavior.

Grade level placement for children older than their classmates and who have repeated the grade or several grades shall include consideration of size, age, and number of times previously retained in addition to the established criteria for determining grade level placement.

All teachers or designated personnel are responsible for maintaining cumulative files in accordance with Policy 416P, Instruction-Student Scholastic Records and cumulative record guidelines.

B. Elementary Students

1. The grade level will be indicated for reading and mathematics on the report card, and achievement grades will reflect student mastery at the level indicated.

2. Those students who receive instruction using an adjusted curriculum (instructional content that is modified or below-grade level) shall have a notation on their report cards that identifies that their achievement is derived from an adjusted curriculum.
 3. Early intervention, prevention and remediation strategies will be employed to assist struggling learners before retention.
 4. Students who fail reading or mathematics may be assigned to the same grade level for the following year as determined by the principal after consultation with parents, teachers and other instructional staff, as appropriate.
 5. Students with disabilities should progress with their peers to the next grade level, unless the principal, in consultation with the Individualized Education Plan team, determines that promotion to the next grade-level is not in the best interest of the child.
- C. Middle School Students
1. To be promoted to the next grade level, middle school students must pass, at minimum, four subjects; two of which must be from among English/language arts, mathematics, science and history. Promotion to the next grade level may be contingent upon a variety indicators including, but not limited to, reading assessments, math assessments, or other valid measures of student progress toward mastery of instructional content.
 2. Students experiencing academic or developmental difficulty, but who otherwise meet the criteria in (1) above, may be retained at their present grade level for the following year as determined by the principal after consultation with parents, teachers and other instructional staff, as appropriate.
 3. Students who do not make expected academic progress may be retained at their present grade level for the following year as determined by the principal.
 4. Students admitted to Frederick County Public Schools alternative programs will be considered for grade assignment based upon successful completion of program requirements.
 5. Students may be promoted to grade 9 by a) successfully earning passing course grades in English/language arts, mathematics, science and social studies in grade 8; b) or by meeting Standards of Learning test achievement expectations in English, writing and mathematics at grade 8; c) or a combination of passing grades and Standards of Learning test achievement at grade 8; d) or other measures of student mastery of instructional content as described in (1) above.
 6. Students with disabilities should progress with their peers to the next grade level, unless the principal, in consultation with the Individualized Education Plan team, determines that promotion to the next grade-level is not in the best interest of the child.
- D. High School Students
1. Assignment of students to grades 9 through 12 is based on the following schedule of accumulated credits for successfully completed coursework. Exceptions may be approved by the principal.

Nine	0 credits
Ten	5 credits
Eleven	10 credits
Twelve	15 credits
 2. Students with disabilities shall make appropriate progress toward meeting achievement goals as defined in their Individualized Education Plans including credits toward their desired high school diploma option, as prescribed by the Board of Education of the Commonwealth of Virginia.
- E. Communication
1. All teachers shall communicate with parents the achievement level represented by the grade. The teacher shall also ensure that grades are interpreted accurately by parents. Parents and/or guardians should be properly informed by the building principal regarding the possibility of a child's need to be retained at an elementary or middle school grade level. Earned credit requirements for high school student promotion should be communicated to parents.
 2. A record indicating the type of communication and dates should be maintained.

FCPS Rapid Communication System

Frederick County Public Schools' Rapid Communication System will be used to contact parents/guardians and school division employees in a variety of situations ranging from severe weather and power outages to other emergencies that may cause a school to evacuate, relocate, or lockdown. The system also will be used to inform parents/guardians and staff when schools are closed or opening late due to inclement weather. Individual schools may use the system to communicate information to their school community.

In order for the FCPS Rapid Communication System to be effective, Frederick County Public Schools must have accurate contact information for all parents/guardians. Without current contact information, the system will not be able to make the necessary contacts in the event of an emergency. Whenever a parent or guardian's home phone number, cell phone number or e-mail address changes, they should notify their child's school so the information can be updated.

Every parent/guardian who has a child attending Frederick County Public Schools will automatically receive messages through the FCPS Rapid Communication System. Parents/guardians and eligible students must annually notify the office of the student's school in writing if they do not want to receive messages via the FCPS Rapid Communication System. Such notification will remain in effect through the end of the current school year and must be renewed annually.

Health Screenings

New students, or students returning to the school division after being away for one school year or longer, will receive speech, voice, language, fine and gross motor, hearing, and vision screenings, as required by grade level, within sixty (60) school days of the student's enrollment in Frederick County Public Schools.

To comply with mandated screening requirements, students will be screened annually in the following areas:

Height and weight—grades K, 3, 7, 10

Vision—grades K, 3, 7, 10

Hearing—grades K, 3, 7, 10

Frederick County Public Schools will provide educational information on scoliosis to parents of students in grades 5–10 within sixty (60) school days after the opening of school.

Students may be screened at other times at a staff member's or parent's request when concerns arise in the classroom. Parents who do not wish to have their child screened must indicate their preference in writing to the school nurse assigned to the building at the beginning of each school year. (Virginia Code §22.1-273)

High School Graduation Requirements (FCPS 305R)

A. General Information

Beginning with the ninth grade class of 2012, the following certificates and diplomas may be earned by Frederick County Public Schools students: Standard Diploma, Advanced Studies Diploma, Special Diploma, Certificate of High School Program Completion, Certificate of Alternative Program Completion, and General Education Development (GED) credential. The Modified Standard Diploma shall be available to those eligible students who enrolled in ninth grade prior to fall 2013. Each credential has specific requirements. Students must meet requirements established by the Virginia Board of Education or the American Council on Education in order to be awarded credentials approved by those entities.

Except for fifth-year seniors, all students in grades nine through 12 shall be required to enroll in a minimum of seven credits each year. Students at The Learning Center must take a minimum of six (6) credits each year. Reduced schedules or exceptions for extenuating circumstances must be approved by the principal, in consultation with the assistant superintendent for instruction.

The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction and successful completion of the requirements for the course. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction.

High school students may repeat a course taken in grades nine through 12 only with the authorization of the school principal. Repeating a course will be permitted when additional skill



development is needed to proceed in a specific course within the content area. Reenrollment in a class is reserved for those cases in which inadequate preparation is evident. Requests to repeat a course will not be honored after the end of the first semester following completion of that course. The student’s transcript will reflect that the course was repeated; however, only the higher grade will be used for computing the cumulative grade point average. Requests to repeat a course may be denied if there are insufficient student seats available.

Graduation requirements in effect when a student enters the ninth grade are the ones the student will meet in order to earn a Standard or Advanced Studies diploma.

B. Standard Diplomas

1. Students entering the ninth grade prior to fall 2011, must successfully complete the following course of study to earn a Standard Diploma:

THE STANDARD DIPLOMA

	Number of Required Units	Number of Verified Units
English	4	2
Mathematics (Must be at or above the level of Algebra and shall include at least two different course selections from among Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra and Geometry)	3	1
Science (Must include at least two different science disciplines from among Earth Science, Biology, Chemistry, or Physics)	3	1
Social Studies (Must include U.S. and Virginia History, U.S. and Virginia Government, and two World History/Geography courses)	4	1
Student selected SOL tests from the following areas: Math, Science, Social Studies, or approved substitute tests* and/or Career and Technical Education Tests		1
Health and Physical Education (Must include both Health I and PE I and Health II and PE II)	2	
Elective Sequence ((This may be a career and technical sequence or fine/performing/practical arts, or academic sequence)	2	
Fine/Performing or Career and Technical Education <i>Fine/Performing Arts:</i> Art, Music, Drama, Creative Writing, Speech Communications, Debate/Public Speaking, Journalism <i>Career and Technical Education:</i> Agriculture, Business, Family and Consumer Sciences, Marketing, Technology, Trade and Industrial Training, Health Occupations, Education for Employment, Publications	1	
Open Electives (Academic/Career and Technical Education/Fine Arts/Performing Arts/Physical Education)	3	
TOTAL UNITS	22	6

2. Students entering the ninth grade in the fall of 2011 and thereafter, must successfully complete the following course of study to earn a Standard Diploma:

THE STANDARD DIPLOMA

	Number of Required Units	Number of Verified Units
English	4	2
Mathematics (Must be at or above the level of Algebra and shall include at least two different course selections from among Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra and Geometry)	3	1
Laboratory Science (Must include at least two different science disciplines from among Earth Science, Biology, Chemistry, or Physics)	3	1
History and Social Studies (Must include U.S. and Virginia History, U.S. and Virginia Government, and two World History/ Geography courses)	4	1
Health and Physical Education (Must include both Health I and PE I and Health II and PE II)	2	
World Language, Fine Arts, or CTE	2	
Economics and Personal Finance	1	
Electives (Must include two sequence electives)	3	
Student Selected SOL tests from the following areas: Math, Science, Social Studies, or approved substitute tests* or Career and Technical Education Tests		1
TOTAL UNITS	22	6

3. Career and Technical Education Requirement
Students entering grade nine for the first time in the fall of 2013 or later shall earn a career and technical education credential that may include, but not be limited to, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment.
4. Virtual Course Completion
Students in grade nine for the first time in fall 2013 or later shall successfully complete one approved virtual course before earning a standard diploma. The virtual course may be a non-credit-bearing course.
5. Verified Units of Credit
 - a. High School students in grade nine must earn verified units of credit by passing Standards of Learning (SOL) tests or Board of Education-approved substitute tests. Students must pass six Standards of Learning tests (2 in English, 1 in math, 1 in science, 1 in social studies and 1 of their own choosing) to earn a Standard Diploma.
 - b. Virginia Board of Education approved nationally standardized tests may be used as substitute tests for the SOL tests in order to earn verified credit. If a student elects to not take an SOL test in order to take an approved substitute test at a later date and fails to receive and submit a passing score on the approved substitute test by

his/her graduation date, his/her graduation may be delayed pending submission of a passing score on the substitute test. A list of Board of Education-approved substitute tests and additional information is available from school counselors.

6. Locally Awarded Verified Credits

a. Student Eligibility Applicable for a Standard Diploma

To be eligible to earn locally awarded verified credits in science or history/social studies under the State Board of Education guidelines, a student must have:

- ◆ Passed the high school course.
- ◆ Scored at least 375–399 on the related Standard of Learning or approved substitute test, and taken the test two or more times.
- ◆ Not met science, history, or student selected verified credit requirements for the Standard Diploma.

b. Student Eligibility Applicable for a Standard Diploma with IEP Credit Accommodation

To be eligible to earn locally awarded verified credits in English, math, science or history/social studies under the State Board of Education guidelines, a student must have:

- ◆ Passed the high school course.
- ◆ Scored at least 375–399 on the related Standard of Learning and taken the test two or more times
- ◆ Not met English, math, science, history, or student selected verified credit requirements for the Standard Diploma
- ◆ Informed written consent of the parent/guardian and the student, as appropriate, to choose credit accommodations for a Standard Diploma.

c. Local Review Panel

To determine student mastery of the SOL content in a course when students meet the eligibility requirements listed above, Frederick County Public Schools will convene review panels as needed. Each review panel will be chaired by the division director of reporting and program evaluation or designee. Each review panel will also include the division-level content supervisor, the school department chair or designee, a school counselor or case manager familiar with the student, and the school principal or designee.

d. Local Review Process

When a student has passed the course, but twice failed the end of course SOL test, the counselor will submit an application to the office of the director of reporting and program evaluation and coordinate with review panel members to assemble evidence of mastery.

The appeal process consists of three possible steps.

Step One: The student's application form with evidence of mastery is forwarded to the panel for review. After this review, the panel has three options including awarding verified credit, denying verified credit, or requesting additional evidence of mastery.

Step Two: After review of the additional evidence, the panel will have the option of either awarding verified credit or denying verified credit. A majority of the panel members must certify their agreement to award the verified credit.



C. Advanced Studies Diplomas

1. Students entering the ninth grade prior to fall 2011 must successfully complete the following course of study to earn an Advanced Studies Diploma:

THE ADVANCED STUDIES DIPLOMA

	Number of Required Units	Number of Verified Units
English	4	2
Mathematics (Must be at or above the level of Algebra and shall include at least three different course selections from among Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II and Geometry)	4	2
Science (Must include at least three different science disciplines from among Earth Science, Biology, Chemistry, or Physics)	4	2
Social Studies (Must include U.S. and Virginia History, U.S. and Virginia Government, and two World History/Geography courses)	4	2
Student selected SOL tests from the following areas: Math, Science, Social Studies, or approved substitute tests* or Career and Technical Education Tests		1
World Language (three years of one language or two years of two languages)	3	
Health and Physical Education (Must include both Health I and PE I and Health II and PE II)	2	
Fine/Performing or Career and Technical Education <i>Fine/Performing Arts:</i> Art, Music, Drama, Creative Writing, Speech Communications, Debate/Public Speaking, Journalism <i>Career and Technical Education:</i> Agriculture, Business, Family and Consumer Sciences, Marketing, Technology, Trade and Industrial Training, Health Occupations, Education for Employment, Publications	1	
Open Electives (Academic/Career and Technical Education/ Fine Arts/Performing Arts/Physical Education)	2	
TOTAL UNITS	24	9

2. Students entering the ninth grade in the fall of 2011 and thereafter must successfully complete the following course of study to earn an Advanced Studies Diploma:

THE ADVANCED STUDIES DIPLOMA

	Number of Required Units	Number of Verified Units
English	4	2
Mathematics (Must be at or above the level of Algebra and shall include at least three different course selections from among Algebra I, Geometry, Algebra II, or other mathematics courses above the level of Algebra II and Geometry)	4	2
Laboratory Science (Must include at least three different science disciplines from among Earth Science, Biology, Chemistry, or Physics)	4	2
History and Social Studies (Must include U.S. and Virginia History, U.S. and Virginia Government, and two World History/ Geography courses)	4	2
Health and Physical Education (Must include both Health I and PE I and Health II and PE II)	2	
World Language (Three years of one language or two years of two languages)	3	
Fine/Performing or Career and Technical Education <i>Fine/Performing Arts:</i> Art, Music, Drama, Creative Writing, Speech Communications, Debate/Public Speaking, Journalism <i>Career and Technical Education:</i> Agriculture, Business, Family and Consumer Sciences, Marketing, Technology, Trade and Industrial Training, Health Occupations, Education for Employment, Publications	1	
Economics and Personal Finance	1	
Electives (Academic/Career and Technical Education/Fine Arts/ Performing Arts/Physical Education)	3	
Student Selected SOL tests from the following areas: Math, Science, Social Studies, or approved substitute tests* or Career and Technical Education Tests		1
TOTAL UNITS	26	9

3. Virtual Course Completion
 - a. Students in grade 9 for the first time in the fall of 2013 or later shall successfully complete one approved virtual course before earning an advanced studies diploma. The virtual course may be a non-credit-bearing course.
4. Verified Units of Credit
 - a. To earn an Advanced Studies Diploma, students must pass nine Standards of Learning tests (2 in English, 2 in math, 2 in science, 2 in social studies and 1 of their own choosing).
 - b. Virginia Board of Education approved nationally standardized tests may be used as substitute tests for the SOL tests in order to earn verified credit. If a student elects

to not take an SOL test in order to take an approved substitute tests at a later date and fails to receive and submit a passing score on the approved substitute test by his/her graduation date, his/her graduation may be delayed pending submission of a passing score on the substitute test. A list of Board of Education approved substitute tests and additional information is available from school counselors.

- D. Modified Standard Diploma (Available only to those eligible students who are enrolled in ninth grade prior to fall 2013)
 - 1. The Modified Standard Diploma program is intended for certain students who have a disability and are unlikely to meet the credit requirements for a Standard or Advanced Studies Diploma. Eligibility and participation in the Modified Standard Diploma program shall be determined by the student’s Individual Education Program (IEP) team and the student, as appropriate, at any point after the student’s eighth grade year.
 - 2. The school must secure the informed written consent of the parent/guardian and the student to choose this diploma program after review of the student’s academic history and the full disclosure of the student’s options.
 - 3. The student who has chosen to pursue a Modified Standard Diploma shall also be allowed to pursue the Standard or Advanced Studies Diploma at any time throughout that student’s high school career. The student must not be excluded from courses and tests required to earn a Standard or Advanced Studies Diploma.
 - 4. Students pursuing the Modified Standard Diploma shall pass literacy and numeracy competency assessments prescribed by the Board.
 - 5. Credits required for graduation with a Modified Standard Diploma are listed below:

MODIFIED STANDARD DIPLOMA

	Number of Required Units	Number of Verified Units
English	4	N/A
Mathematics (Courses completed to satisfy this requirement shall include content from among applications of algebra, geometry, personal finance, and statistics in courses that have been approved by the Board.)	3	N/A
Science (Courses completed shall include content from at least two to the following: applications of earth science, biology, chemistry, or physics in courses approved by the Board.)	2	N/A
History/Social Science (Courses completed to satisfy this requirement shall include one unit of credit in U.S. and Virginia History and one unit of credit in U.S. and Virginia Government in courses approved by the Board.)	2	N/A
Health and Physical Education	2	N/A
Fine Arts or Career and Technical Education	1	N/A
Electives (Courses to satisfy this requirement shall include at least two sequential electives in the same manner required for the Standard Diploma.)	6	N/A
TOTAL UNITS	20	N/A

E. Special Diploma

Students with disabilities who complete the requirements of their Individualized Education Program (IEP) and do not meet the requirements for other diplomas shall be awarded Special Diplomas.

F. General Achievement Adult High School Diploma

1. The General Achievement Adult High School Diploma is intended to provide a diploma option for individuals who exit high school without a diploma. It should not be a first option for high school students.
2. Individuals who are at least 18 years of age and not enrolled in public school or not required to meet the compulsory school attendance requirements, as set forth in the Code of Virginia §22.1-254, are eligible to earn the General Achievement Adult High School Diploma. (A person of school age is one who has not reached twenty years of age on or before August 1 of the school year [§ 22.1-1.] or any individual through twenty-one years of age who is eligible for mandated services in a program of special education designed to educate and train children with disabilities [§ 22.1-213]).
3. The required number of standard units of credit may be earned by enrolling in:
 - a. a public school if the individual meets the age requirements,
 - b. a community college or other institution of higher education,
 - c. an adult high school program, or
 - d. correspondence, distance learning, and online courses.
4. Eligible candidates must have earned 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.
5. Diploma candidates shall have achieved a passing score on the GED® examination.
6. Credit and assessment requirements for graduation with a General Achievement Adult High School Diploma:

	Number of Required Units	Assessment Required
English	4	
Mathematics (Courses completed to satisfy this requirement shall include content in mathematics courses that incorporate or exceed the content of courses approved by the Board to satisfy any other Board-recognized diploma.)	3	
Science (Courses completed to satisfy this requirement shall include content in science courses that incorporate or exceed the content of courses approved by the Board to satisfy any other Board-recognized diploma.)	2	
History and Social Sciences (Courses completed to satisfy this requirement shall include one unit of credit in Virginia and U.S. History and one unit of credit in Virginia and U.S. Government in courses that incorporate or exceed the content of courses approved by the Board to satisfy any other Board-recognized diploma.)	2	
Electives (Courses shall include at least two sequential electives in an area of concentration or specialization, which may include career and technical education and training.)	9	Achieve a passing score on the GED® examination
TOTAL	20	

G. General Educational Development Credential (GED®)

Students who are at least sixteen years of age may request a waiver from compliance with compulsory attendance requirements in order to enroll in a General Educational Development (GED®) program approved by Frederick County Public Schools. After required counseling by the student support specialist, the student, the parent, and a school division representative will develop an Individual Student Alternative Education Plan (ISAEP), which shall include the 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; and successful completion of a course in economics and personal finance required to earn a Board of Education-approved high school diploma.

H. Certificate of Program Completion

1. Students who complete credits required for a high school diploma but who do not attain the required verified units of credit will be eligible for a Certificate of High School Program Completion. Students who receive a Certificate of High School Program Completion may apply to participate in subsequent SOL test administrations in order to attain the required verified units of credit and become eligible for the award of a Standard Diploma.
2. Students who complete at least twenty (20) credits required for an alternative program of study will be awarded a Certificate of Alternative Education Program Completion. The subjects and units of credit are as follows.

Discipline Area	Units of Credit
English	4
History and Social Studies	3
Mathematics	3
Science	2
Health and Driver Education	1
Career and Technical Education (Including a sequence)	3
Electives	4
Total	20

I. Awards for Exemplary Student Performance

Students who demonstrate academic excellence and/or outstanding achievements may be eligible for one or more of the following awards:

1. The Governor’s Seal will be awarded to students who complete the requirements for an Advanced Studies Diploma or an Advanced Technical Diploma with an average grade of B or better (3.0), and successfully complete college level course work that will earn at least nine (9) transferable college credits in Advanced Placement or Dual Enrollment courses.
2. The Board of Education Seal will be awarded to students who complete the requirements for a Standard or Advanced Studies Diploma with an average grade of A (3.6).
3. The Board of Education’s Career and Technical Education Seal will be awarded to students who earn a Standard or Advanced Studies Diploma and complete a prescribed sequence of courses in a career and technical education concentration or specialization that they choose and accomplish one of the following three options:
 - ◆ maintain B (3.0) or better average in those courses;
 - or
 - ◆ pass an examination or an occupational competency assessment in a career and technical education concentration or specialization that confers certification or occupational competency credentials from a recognized industry, trade, or professional association;

- or
- ◆ acquire a professional license in that career and technical education field from the Commonwealth of Virginia.
4. The Board of Education's Seal of Advanced Mathematics and Technology will be awarded to students who earn either a Standard or Advanced Studies Diploma and satisfy all of the mathematics requirements for the Advanced Studies Diploma (4 units of credit including Algebra II; two verified units of credit) with a B (3.0) average or better; and accomplish one of the following three options:
- ◆ certification from a recognized industry or trade or professional association;
- or
- ◆ acquire a professional license in that career and technical education field from the Commonwealth of Virginia
- or
- ◆ pass an examination approved by the Board that confers college-level credit in a technology or computer science area.
5. The Board of Education Seal for Excellence in Civics Education will be awarded to students who meet the following criteria:
- ◆ Satisfy the requirement to earn a Standard Diploma or an Advanced Studies Diploma; and
 - ◇ Complete Virginia and United States History and Virginia and United States Government course with a grade of "B" or higher; and
 - ◇ Complete 50 verified hours of voluntary participation community service or extracurricular activities. Acceptable activities include:
 - a. volunteering for a charitable or religious organization that provides services to the poor, sick, or less fortunate;
 - b. participating in Boy Scouts, Girl Scouts, or similar youth organizations;
 - c. participating in JROTC;
 - d. participating in political campaigns or government internships, or Boys State, Girls State, or Model General Assembly;
 - e. participating in school-sponsored extracurricular activities that have a civic focus.

Any student who enlists in the United States military prior to graduation will be deemed to have met this community service requirement.
 - ◆ Have good attendance and no disciplinary infractions as determined by local school board policies. Good attendance is defined as having missed no more than 20 school days since initial entry into the ninth grade and no unexcused absences since initial entry into the ninth grade. Appeals regarding attendance or discipline criteria will be heard by a committee that includes the school principal, the director of student support services, and the assistant superintendent for instruction.
6. Governor's Early College Scholars Certificate will be awarded to graduating seniors who fulfill the Governor's Early College Scholars Agreement signed by the student, parent/guardian, high school counselor, and high school principal. Criteria to earn this certificate include the following:
- a. Earn an Advanced Studies Diploma with a Governor's Seal;
 - b. Earn at least 15 transferable college credits while enrolled in high school. College credits toward completion of this Agreement will be considered earned by:
 - ◆ Completing dual enrollment/dual credit courses and earning a "C" or better in the courses;
 - ◆ Completing advanced placement courses; i.e., AP[®], IB[®], or Cambridge[®]; and
 - ◇ Scoring a "3" or higher on the AP[®] examinations; or
 - ◇ Scoring a "4" or higher on any form of the IB[®] examinations; or
 - ◇ Scoring a "D" or better on the Cambridge[®] examinations;
 - ◆ Earning college credits by passing College Level Examination Program (CLEP) examinations;

- ◆ Completing college-level courses and documenting credit awarded;
- c. Apply and be accepted to a college or university.

J. Dual Enrollment

Students who take college dual enrolled classes for credit will be awarded high school credit based upon completion of 140 clock hours of instruction. Students wishing to use college credit to meet high school credit must be enrolled in a sequence of college courses meeting the 140 clock hour requirement. Generally, the ratio of awarding high school credit for college level work is one high school credit for every six semester hours of college work or for a full year of college credit in the same course sequence.

K. Post Secondary Degree Attainment

- a. Students may seek an Associate's Degree from a community college by completing a requisite number of properly articulated dual-enrolled and college level courses consistent with the degree requirements of the community college.
- b. Students may seek a one-year Uniform Certificate of General Studies from a community college by completing a requisite number of dual enrolled, and/or Advanced Placement[®] courses accompanied by a qualifying exam of three or higher.

L. Transfer Students

Students transferring into a Virginia public school from other than a Virginia public school will be required to take SOL tests to earn the verified units of credit as listed below:

1. Standard Diploma
 - a. Students transferring during the ninth grade or at the beginning of the 10th grade shall earn verified units of credit as described in section B of this policy.
 - b. Students transferring in during the 10th grade or at the beginning of the 11th grade shall earn a minimum of four verified units of credit: one each in English, mathematics, history, and science.
 - c. Students transferring in during the 11th grade or at the beginning of the 12th grade shall earn a minimum of two verified units of credit: one in English and one of the student's choosing.
2. Advanced Studies Diploma
 - a. Students transferring in during the ninth grade or at the beginning of the 10th grade shall earn verified units of credit as described in section C of this policy.
 - b. Students transferring in during the 10th grade or at the beginning of the 11th grade shall earn a minimum of six verified units of credit: two in English, one in mathematics, one in history, one in science, and one of the student's choosing.
 - c. Students transferring in during the 11th grade or at the beginning of the 12th grade shall earn a minimum of four verified units of credit: one in English and three of the student's choosing.

M. High School Credit Taken at Middle School

Grades and credits earned in middle school for high school credit-bearing courses will count toward graduation credits and will be calculated in the high school GPA unless a "Request to Omit Grade and Credit for High School Courses" is filed as provided for in the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131-90).

Requests to omit grades and credit for a high school credit-bearing course taken in middle school must be submitted to the high school principal prior to the first student day of the student's ninth grade year. When parents do not opt to omit a grade and credit and the student proceeds to the next course in sequence, parents may appeal to the high school principal during the first month of school that the student be returned to the prerequisite class if it becomes apparent that further preparation is needed for success in the more advanced course.

N. High School Course Credit through Demonstration of Mastery

Students seeking to earn course credit to meet graduation requirements without completing the 140-hour class requirement must present verification of completion of course content for which credit is being sought. Verification of course mastery will be by transcript and passing score on FCPS End of Course (EOC) Competency Test, passing score on appropriate benchmark test, or approved examinations. Approved examinations are Virginia Standards of Learning End-of-Course tests, tests approved by the State Board of Education as substitute tests for the Standards of

Learning tests, or a passing score of 3 or higher on Advanced Placement® tests. Passing grades will be reflected as a “P” on the student transcript and will not be calculated in the grade point average.

Credits awarded under this procedure will be recorded on the student’s academic transcript using the approved state code number for the course. Relevant SOL EOC, when applicable, will be required and scores will be recorded in accordance with regulations governing student transcripts. Documentation of other approved tests will be recorded in the student’s official academic record (cumulative folder) along with the signed documentation from the division superintendent or designee granting the course credit. Students will earn applicable verified credits should they pass Standards of Learning assessments or other Virginia Board of Education-approved examinations.

O. Diploma Options for Students with Disabilities

1. Students with disabilities who are eligible for special education services and who receive instruction from the regular education teacher shall receive credit in the same manner as students in regular education. Modifications to grading and testing procedures may be based upon the student’s individualized education program.
2. Students with disabilities who receive appropriate instruction designed to accommodate their disability, should be considered eligible for receiving credit for courses taught by special education teachers.
3. Special education units of credit shall meet the minimum time allotment of 140 clock hours and shall have a defined course of study with objectives for mastery of pre-determined skills, and knowledge associated with the course.
4. For each student, the individual educational plan shall define the course of study, the procedures, and the means of evaluation.
6. The basis for awarding units of credit to a student shall be passing grades and the satisfactory completion of the performance objectives as provided for in his/her individual educational plan.
7. Students with disabilities shall be awarded a diploma upon earning the credits prescribed by the Virginia Department of Education and passing tests prescribed by Standards for Accrediting Public Schools in Virginia.
8. Students with disabilities who are eligible for special education services who graduate with a credential other than a standard or advanced studies diploma and who subsequently complete requirements for a standard or advanced studies diploma shall be awarded the newly earned credential. Special education students attempting to complete standard or advanced diploma requirements may participate in subsequent SOL test administrations for the purpose of completing diploma requirements.

P. Commencement

All seniors receiving either a diploma or a certificate of program completion will be called alphabetically to receive their award. All will be listed on the graduation program as members of the graduating class. Students not meeting prescribed graduation requirements for a Frederick County Public Schools diploma or certificate will not participate in spring commencement exercises. Students assigned to alternative education programs for disciplinary reasons may not participate in commencement exercises, unless such prohibition is waived by the principal (See also Regulation 328R, Instruction- Alternative Education Programs).

Q. Valedictorian and Salutatorian Status

The following requirements for determining valedictorian and salutatorian status will be in effect:

1. A student must have completed requirements for an advanced studies diploma.
2. A student must have successfully completed at least two Advanced Placement courses with a minimum grade of “B” in each.
3. Honors and Advanced Placement courses will be graded on the grading scale specified in School Board Policy 316P, Instruction—*Evaluation and Grade Assignment*. All Grade Point Averages (GPA) will be calculated on the universally recognized 4 point scale (A=4.0; B=3.0; C=2.0; D=1.0; F=0) to determine class rank. The cumulative GPA will be increased by (0.05) quality points for each Advanced Placement or approved College Dual-Enrolled course successfully completed by the student. Approved

College Dual-Enrolled courses may only include English/literature, mathematics, sciences, and history/social science. Dual-Enrolled career and technical and/or applied sciences courses are not eligible for additional quality points. Other accelerated coursework, including but not limited to International Baccalaureate, Cambridge or certain Governor's School courses, may also be considered for additional quality points, as approved by the School Board. Students may be eligible for consideration for valedictory or salutatory status by GPA/class rank after having completed requirements for an Advanced Studies Diploma and at least two Advanced Placement or approved College Dual-Enrolled courses.

4. When two or more students share valedictorian status, no salutatorian will be named.

Homebound, Correspondence, and Alternative Technological Means of Instruction (FCPS 310P)

Homebound Instruction

The School Board shall maintain a program of homebound instruction for students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, nurse practitioner, or clinical psychologist.

Credit for the work shall be awarded when it is done under the supervision of a licensed teacher, a person eligible to hold a Virginia license, or other appropriately licensed professional employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the School Board have been met.

Correspondence Courses

Students may enroll in and receive a standard and verified unit of credit for supervised correspondence courses with prior approval of the principal. Standard units of credit will be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the School Board. Verified units of credit may be earned when the student has passed the SOL test associated with the correspondence course completed.

Instruction through Alternative Technological Means

Standard units of credit will be awarded for the successful completion of courses delivered through emerging technologies and other similar means when the course is equivalent to that offered in the regular school program and such courses must be taken through programs approved by the Virginia Board of Education. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The division superintendent will develop regulations governing this method of delivery of instruction in accordance with the regulations of the Board of Education.

Homeless Students

Frederick County Public Schools is committed to educating homeless children and youth. The school division homeless liaison is the director of student support services. The school division will coordinate services to students with relevant local social services agencies and programs that provide services to students.

A student is considered to be homeless if they meet the following criteria:

- ◆ Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
 - ◆ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
 - ◆ Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations.
 - ◆ Living in emergency or transitional shelters
 - ◆ Abandoned in hospitals
 - ◆ Awaiting foster care placement

- ◆ Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- ◆ Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- ◆ Migratory children who qualify as homeless because they are living in circumstances described above.
- ◆ Unaccompanied youth who qualify as homeless because they are living in circumstances described above. The term “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian. This would include runaways living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing; children and youth denied housing by their families (sometimes referred to as “throwaway children and youth”); and school-age unwed mothers living in homes for unwed mothers because they have no other housing available.

Homeless Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation will be provided for a homeless student to and from the school of origin as follows:

- ◆ if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child’s or youth’s transportation to and from the school of origin shall be provided or arranged by the division in which the school of origin is located.
- ◆ if the homeless child’s or youth’s living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

Legal references: 20 U.S.C. § 6399; 42 U.S.C. §§ 11302, 11431 et seq.; Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70; 22.1-78; 22.1-253.13:1.D.6.; 22.1-270.

Homework (FCPS 314P)

Homework is a fundamental part of the learning process as an extension of classroom instruction. Meaningful homework assignments serve many purposes. These range from drill and providing practice in applying concepts and skills presented in the classroom to providing enrichment experiences for students. In addition, homework contributes to the development of organizational and study skills, self-discipline, and a sense of responsibility on the part of students. It can also provide an essential communication link between the school and the home. Research clearly shows that the amount of time devoted to learning is related to achievement and that homework has a positive effect on student achievement, particularly at the high school and middle school levels. Therefore, in the Frederick County Public Schools, homework is an essential part of the total school program. It is considered beneficial and important in a student’s overall educational program and is to be assigned on a regular basis.

Each Frederick County school will develop specific written homework guidelines which are consistent with this policy and accompanying regulation and which establish clear and consistent expectations for homework in that school. These guidelines will address such things as time allotments for homework, the purposes of typical homework assignments, how homework will be checked and evaluated, the weight homework will have in the evaluation of student progress, and procedures for making up homework when the student is absent. These guidelines may also include specific expectations for students and parents with regard to homework. The school homework guidelines must be reviewed annually and must be shared with students and parents at the beginning of each school year.

Human Rights (FCPS 218P)

Let it be known and understood clearly by all members of this school system, that the philosophy of this system is that we are all members of the same family—the human family—and as such are each to be accorded respect, fairness, and equal treatment. We are not educated members of this school family until we understand that we are all to honor and respect each other and the differences we represent.

It is important that each student in this system come to school and enjoy freedom from intimidation or discrimination by threat, force, violence, or harassment.

Any treatment of another in this school family that is not in accord with this standard is not acceptable and will be dealt with pursuant to prescribed standards for student conduct.

Insurance for Injuries

Frederick County Public Schools does not carry insurance for injuries to students. Parents are encouraged to purchase insurance from a private vendor or the student insurance that is made available through each school office. Qualified families may enroll in the Family Access to Medical Insurance Security (FAMIS) Plan. Parents may contact the office of the director of student support services or the school nurse for additional information.

Student accident insurance is made available to parents for purchase. Typically, there are several coverage options available for purchase including school-time, 24-hour and football/sports coverage. Information on student accident insurance is available in the front office of each school and on your child's school web page under "Health Services."

Loss, Theft or Damage of Personal Property

Frederick County Public Schools is not liable for the loss, theft or damage of personal property. Students and visitors are responsible for the care and safety of all personal property.

Online Payment System

Parents/guardians can pay for school activities or place money on account with the school cafeteria using the online payment system. The system is user-friendly and can be found on the Division's main webpage and each school's website. Parents are able to view current account balances, review recent purchases, receive low-balance alerts and set up recurring payments. VISA and MasterCard credit or debit cards are accepted.

Parental Responsibility and Involvement Requirements

Excerpted from the Code of Virginia (1950), as amended
§22.1-279.3. Parental responsibility and involvement requirements.

- A. Each parent of a student in a public school has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.
- 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 material customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section and (ii) a copy of the school board's standards of student conduct. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school vision's policies or decisions.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct and the notice of the requirements of this section. Each school shall maintain records of such signed statements.

- D. The school principal may request the student's parent to meet with the principal or designee to review the school board's standards of conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress.

- E. In accordance with §22.1-277 and the guidelines required by §22.1-278, the school principal may notify the parents of any student who violates a school board policy when such violation would result in the student's suspension, whether or not the school administration has imposed such disciplinary action. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.
- 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 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 a parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior, as follows:
 - 1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist 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 the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled it may order (i) the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or (ii) the student or his parent to be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$2,500.
- 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 2 of subsection G. 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 to interest of such court.

§22.1-279.4. Information regarding prosecution for certain crimes.

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.

Police Drug Dogs

Frederick County Public Schools seeks to maintain a safe and orderly environment in all schools. In an effort to deter the presence of illegal substances at Frederick County Public Schools, the schools in conjunction with the Frederick County Sheriff's Office will conduct random drug searches of occupied school buildings. These searches will consist of several teams of trained police officers using drug-sniffing dogs. The dogs possess a passive disposition and will be utilized in searches of both the building and parking areas. The criteria and procedures below will be followed in the event of a search.

1. Drug searches will be conducted randomly and without public warning. The administration will be notified immediately preceding the search.
2. Upon notification from the Superintendent or Superintendent's designee, the principal will notify all persons occupying the building via the public address system that building is to be secured in a modified lock-down.
3. The only persons occupying the halls should be law enforcement personnel and administrators. Any persons not assignment to a classroom at the time of the announcement should report to the library or office and remain there until further notice.

4. Teachers must account for all students, keep students in class, and close the classroom doors.
5. Teachers are to continue with instruction.
6. The administrators will supervise the following locations and will assist law enforcement officials.
7. If dog indicates a hit on a locker, the administration will place a lock securing that locker until it can be searched.
8. Search of locker and student interview conducted by administrator(s).
9. At the conclusion of the search, staff members will be given instructions from the administration to resume normal activities.

Policy Manual

A current copy of the Frederick County Public Schools Policy Manual is available to employees and to members of the community through the Frederick County Public Schools web page (<http://www.frederick.k12.va.us/>), at each school, and the administrative offices.

Portable Communication Devices (FCPS 219R)

This regulations shall not apply to any school official, teacher, security officer, support employee, law enforcement officer, or any other person who may use or possess such devices in the performance of his duties in a legal volunteer activity, trade or business, or for medical necessity.

Generally

Portable communication or other electronic and mechanical devices include, but are not limited to, cell phones, smartphones, iPods, iPads, Chomebooks, laptop computers, tablets, netbooks, MP3 players, Personal Digital Assistants, computer games, electronic games, portable radios, laser pointers, and other portable electronic devices or the representation thereof. Students may possess a portable communication or other electronic and mechanical devices under the following conditions:

1. Students may only access the Internet through the Frederick County Public Schools' secure wireless network unless access to the network is not available and permission is granted by a school staff member to access the Internet via another means.
2. No student shall establish a wireless ad-hoc or peer-to-peer network using their device while on school property, under school control or attending any school function or activity.
3. Students may not use the device for unlawful or other prohibited purposes while on school property, under school control or attending any school function or activity. Any violation shall result in appropriate disciplinary and/or legal action as specified in School Board policy/regulation as well as by local, state and federal law. The illegal use of such devices may result in referral to law enforcement authorities.
4. Students may not contact parents or others to come to school and pick them up during the school day unless approved by a school administrator
5. The School Board and/or school is not responsible for any such lost, stolen, or damaged devices or any financial obligations resulting from the use of such devices. The School Board and/or school do not assume any liability for the inappropriate use of such items.
6. Students found in violation of the School Board's policy/regulation regarding portable communication and other devices shall be disciplined in accordance with Regulation 402R, Students—Code of Student Conduct.
7. Students should have no expectation of privacy in their use of portable communication or other electronic and mechanical devices while on school property, under school control or attending any school function or activity.



Use During Instructional Time

The use of portable communication and other electronic and mechanical devices is prohibited during instructional time unless a school staff member directs students to use a particular device for a specific educational task. Unless otherwise directed by school staff, all devices shall be concealed and muted during instructional time.

Use During Non-Instructional Time

Students may use portable communication and other electronic and mechanical devices during non-instructional times (lunch, between classes, before and after school including extracurricular activities, and on buses) provided they do not create a disruption or interfere with any school activity. The use of portable communication and other electronic and mechanical devices is a privilege, and students may be denied access at any time at the discretion of the building administrator.

Liability

The School Board and/or school is not responsible for any such lost, stolen, or damaged devices or any financial obligations resulting from the use of such devices. The School Board and/or school do not assume any liability for the inappropriate use of such items.

Prohibiting Entry of Those Convicted of Sexual Offenses onto School Property (FCPS 226P)

A. Sex Offender Registry Notification

The School Board will annually notify parents of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

B. Notification of Registered Sex Offenders

Upon being notified that an enrolled student's parent/guardian is a registered sex offender, the principal shall notify the parent in writing that they are barred from school-controlled property or at any school-related or school-sponsored activity without the prior, written and express permission of the Superintendent or designee.

C. School Visitation by Registered Sex Offenders

Any person who is a registered sex offender is barred from school-controlled property and at any school-related or school-sponsored activity without the prior, written and express consent of the Superintendent or designee.

Any person who has been convicted of a sexually violent offense, as defined in Code of Virginia § 9.1-902, shall be prohibited from entering or being present upon any elementary or secondary school or child day center property during school hours or during school-related or school-sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless (1) he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote; (2) he is a student enrolled at the school; or (3) he has obtained a court order pursuant to Virginia Code § 18.2-370.5.C allowing him to enter and be present upon such property, and is in compliance with terms and conditions of the order.

Registered sex offenders seeking permission to visit school-controlled property or any school-related or school-sponsored activity shall make their request in writing to the Superintendent a minimum of two weeks prior to the date they wish to visit school-controlled property or any school-related or school-sponsored activity. The request shall specifically reference the location, the date(s) and time, and the reason the individual would like to be granted permission to be on school-controlled property or at any school-related or school-sponsored activity. If any such permission is granted, it must specify the location, date, time and other limited circumstances and conditions under which the individual may be present, with a copy of such permission transmitted simultaneously to principal, the Frederick County Sheriff or designee, and School Resource Officer.

When a registered sex offender is permitted on school-controlled property or at school-related and school-sponsored activities, he/she will be monitored to ensure that he/she does not come into contact with any children other than his/her own.

Prosecution of Juveniles as Adults

What can happen if a juvenile is tried as an adult? There are significant differences on the impact of going through the criminal justice system as a juvenile and going through as an adult. In the traditional juvenile system, a juvenile is given additional protections because of their youth. First, issues related to the charge and conviction of a crime may be confidential and therefore may not be available to the public. Second, the juvenile's criminal record is erased, following a period of time, when the juvenile becomes an adult. Third, a juvenile who is convicted remains in the juvenile system where a judge has a lot of freedom to determine the punishment/consequence to be imposed. In the juvenile system the emphasis is on treatment and education. In contrast, if a juvenile is prosecuted as an adult (1) the issues and information related to the charge and the conviction of a crime are part of the public record; (2) the information is part of an adult criminal record and is therefore never erased when the juvenile becomes an adult; and (3) the juvenile is subject to the sentencing guidelines which are imposed in the state system. These guidelines provide for minimum sentencing requirements and do not provide the judge with freedom in imposing a punishment; however, the circuit court judge does have the discretionary power to commit the juvenile to the juvenile system even if prosecuted as an adult.

What happens when an adult is sentenced for a crime they committed as a juvenile? The juvenile court may impose an adult type penalty up to a maximum of 12 months in jail and/or a fine up to \$2,500. Consequently, any juvenile who is tried as a juvenile but is 18 years of age or older at sentencing may receive an adult penalty for a conviction as a juvenile. (Section 16.1 284 of the Code of Virginia).

Remedial Instruction (FCPS 326P)

Frederick County Public Schools will provide remedial instruction programs as required by Standards of Quality and Regulations for Establishing Standards for Accrediting Public Schools in Virginia. This shall include programs of prevention, intervention, or remediation for students who are educationally at risk.

Reporting to Parents (FCPS 316 R-B)

Teachers in Frederick County shall use report cards, interim reports, internet-based reporting tools and designated parent-teacher conference days as means of reporting evaluation of student progress to parents. Students in grade levels 1–12 shall be awarded achievement grades using the approved grading scale included in Policy 316P, Students—Evaluation and Grade Assignment. Teachers at elementary and middle school levels shall complete interim progress reports for parents at the midpoint of each grading period. Teachers at the high school level shall complete interim progress reports to parents at the midpoint of each grading period for any grade below a “C.” Interim progress reports are to be completed using a school division approved format.

In addition to receiving interim reports and report cards, parents shall be given opportunities to meet with teachers to discuss student progress. Parent-teacher conference days shall be held at specified times according to the School Board-approved calendar. Parents are encouraged to contact and/or meet with school administrators, teachers and counselors with academic questions or concerns regarding their children, at any time.

A. Elementary Schools

1. Kindergarten student achievement grades for language arts and math shall be assessed using the following scale:
 S = Satisfactory (consistently meets standards)
 N = Needs Improvement/Practice (partially meets standards)
 U = Unsuccessful (does not meet standards)
2. Music, physical education, conduct and work habits shall be evaluated as “O” for outstanding, “S” for satisfactory, and “N” for needs improvement.
3. Achievement grades for elementary school students receiving instruction using an adjusted curriculum shall be noted on the report card, with a check mark in the appropriate box for reading or mathematics.
4. Skills listed under each of the academic subjects on the elementary report card shall be marked as (+) as satisfactory or (–) as needing improvement. If a skill was not evaluated, the notation on the report card shall be left empty.
5. No achievement grades shall be given in grades 1 or 2 for science or social studies; however, those areas may be taught as separate subjects or integrated into other subjects.

6. In grades one–three, handwriting, physical education, music and art shall be evaluated as “O” (outstanding), “S” (satisfactory), or “N” (needs improvement). Handwriting is not evaluated in grades four and five. This scale may also be used for English Language Learners who are working at lower proficiency levels. Plus (+) and minus (–) notations shall not be awarded for handwriting, physical education, music, art, and for English Language Learners.
 7. Work habits and conduct for elementary students shall be evaluated as “O” (outstanding), “S” (satisfactory), or “N” (needs improvement), Skills in these areas shall be evaluated as (+) as satisfactory or (–) as needing improvement. A summative grade will be given for each major area but not for skills in the area.
 8. Reading and math levels shall be reported on the report card using procedures developed for this purpose.
 9. In kindergarten, progress reports will not be given, except on an individual basis, for the first quarter interim reporting period. Interim reports for quarters two and three shall be provided to parents according to a calendar approved by the School Board. For the fourth quarter, progress reports will be sent at the interim reporting period only for those kindergarten students who are having difficulty or who have been identified for possible retention.
- B. Middle and High Schools
1. Grade Point Averages (GPA) will be calculated using a 4 point scale (A=4.0; B=3.0; C=2.0; D=1.0; F=0) to determine class rank. The cumulative GPA will be increased by (0.05) quality points for each Advanced Placement or approved College Dual-Enrolled course successfully completed by the student. Approved College Dual-Enrolled courses may only include English/literature, mathematics, sciences, and history/social science. Dual-Enrolled career and technical and/or applied sciences courses are not eligible for additional quality points. Other accelerated coursework, including but not limited to International Baccalaureate, Cambridge or certain Governor’s School courses, may also be considered for additional quality points, as approved by the School Board.
 2. Students may be eligible for consideration for valedictory or salutatory status by GPA/class rank after having completed requirements for an Advanced Studies Diploma and at least two Advanced Placement or approved College Dual-Enrolled courses.
 3. Students enrolled in an approved online course of study shall be graded in accordance with Policy 316P, Instruction—Evaluation and Grade Assignment and Regulation 316R-A, Instruction—Evaluation and Grade Assignment. Approval of online course enrollment rests with the principal.
 4. The “O, S and N” scale may be used for middle school English Language Learners who are working at lower proficiency levels.
 5. Middle and high school achievement grades shall not include conduct or attitude grades. Commendations or concerns regarding work habits or behaviors should be noted as comments on the student report card.
 6. Students transferring from home instruction or a non-public school without accreditation from a regional agency may receive credit for courses under procedures established by the school division. Courses approved for transfer will be recorded as “P” for passing and will not be calculated into the student’s grade point average.

Returned Checks

Frederick County Public Schools has entered into an agreement with a third party administrator for the collection of all returned checks. Checks returned by the bank will be automatically forwarded to the third party administrator after the first presentation. The third party administrator will contact the author of the check to collect the face amount of the returned check plus the maximum collection fee allowable by law. Further action within the limits of the law may be taken if the author of the check does not properly respond. In addition, Frederick County Public Schools may elect to cease accepting checks from the individual check author.

School Counseling Programs (FCPS 324P)

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

- a. Academic guidance, which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities;
- b. Career guidance, which helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities;
- c. Personal/social counseling, which assists students to develop an understanding of themselves, the rights and needs of others, how to resolve conflict, and to define individual goals, reflecting their interests, abilities, and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not be disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.

No student shall be required to participate in any counseling program to which the student's parents object.

Frederick County Public Schools prohibits the use of counseling techniques which are beyond the scope of the professional certification, licensure, or training of the counselor(s) including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Frederick County Public Schools will annually provide written notification to parents about the counseling programs which are available to their students. The notification shall include the purpose and general description of the programs, information regarding how parents may review materials to be used in guidance and counseling programs at their child's school, and information about the procedures by which parents may limit their child's participation in such programs.

Employment Counseling and Placement Services

Frederick County Public Schools provides to secondary students employment counseling and placement services to furnish information relating to the employment opportunities available to students graduating from or leaving the schools in the school division. Such information includes all types of employment opportunities, including, but not limited to, apprenticeships, the military, career education schools and the teaching profession. In providing such services, the school division consults and cooperates with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations and career schools.

School Nutrition Services Accounts

Parents/guardians may add money to their student's cafeteria account online using a VISA or MasterCard credit or debit card. This option is accessed from each school's website and the division's main webpage. Once an online account is setup, parents/guardians can monitor their student's cafeteria account balance to ensure adequate funds are available for breakfast and/or lunch.

Cash and/or checks for cafeteria purchases are also accepted at the school cafeteria. Delinquent cafeteria student accounts will be communicated to parents/guardians. Failure to satisfy the delinquent account will lead to collection actions through the court system as well as prevent the student from participating in certain school activities.

Sexual Harassment/ Harassment and Any Other Discrimination (FCPS 429P)

It is the policy of the School Board of Frederick County to maintain an environment free from sexual harassment, any other harassment, and any other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status.

The School Board of Frederick County prohibits sexual harassment, any other harassment, and any other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status; therefore, it is a violation of this policy to harass a student or school personnel sexually, or based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status. Further, it is a violation of this policy for any school personnel to tolerate sexual harassment, any other or harassment, and any other discrimination based on a student's or employee's race, color, national origin, age, religion,

political affiliation, sex, disabilities, or veteran status by students, school personnel, or third parties participating in, observing, or otherwise engaging in school-sponsored activities.

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

The school division will (1) promptly investigate all complaints, written or verbal, of sexual harassment, any other harassment, and any other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status; (2) promptly take appropriate action to stop any harassment or other discrimination and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

I. Definitions

A. Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, or communication of a sexual nature when:

- (i) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; or
- (ii) submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- (iii) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment (i.e., the conduct is sufficiently severe, persistent or pervasive to limit a student's or employee's ability to participate in or benefit from the educational program or work environment.).

Examples of conduct which may constitute sexual harassment include:

- ◆ unwelcome, sexually motivated or inappropriate patting, pinching, or other physical contact (other than necessary restraint of students by school personnel to avoid physical harm to people or property);
- ◆ unwelcome sexual flirtations or propositions;
- ◆ sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions;
- ◆ graphic verbal comments about an individual's body, or overly personal conversation of a sexual nature;
- ◆ sexual jokes, notes, stories, drawings, gestures, or pictures;
- ◆ spreading sexual rumors;
- ◆ touching an individual's body or clothes in a sexual way;
- ◆ displaying sexually suggestive objects, pictures, cartoons, or posters; and
- ◆ impeding or blocking movement.

B. Other Harassment and Other Discrimination Based on Race, Color, National Origin, Age, Religion, Political Affiliation Sex, Disabilities, or Veteran Status

Other harassment and other discrimination based on race, national origin, age, religion, political affiliation, sex, disabilities, or veteran status consists of physical or verbal conduct relating to an individual's race, color, national origin, age religion, political affiliation, sex, disabilities, or veteran status when the conduct:

- (i) has the purpose or effect of creating an intimidating, hostile, or offensive working or educational environment;
- (ii) has the purpose or effect of substantially or unreasonably interfering with an individual's work or educational performance; or
- (iii) otherwise adversely affects an individual's employment or educational opportunities.

Examples of conduct which may constitute harassment or other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status include:

- ◆ graffiti containing racially offensive language;

- ◆ name calling, jokes, or rumors;
- ◆ physical acts of aggression against a person or his property because of that person's race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status;
- ◆ slurs, negative stereotypes, and hostile acts which are based on another's race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status; and
- ◆ written or graphic material containing ethnic comments or stereotypes which is posted or circulated and is intended to degrade individuals based on their race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status.

II. Complaint Procedure

A. File report

Any student or school personnel who believes he or she has been the victim of sexual harassment, harassment, and any other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status by a student, school personnel, or a third party participating in, observing, or otherwise engaging in school-sponsored activities, should report the alleged harassment as soon as possible, generally within 30 (thirty) days of the alleged harassment or other discrimination, to one of the compliance officers designated in this policy. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to their school administrator, guidance counselor, or one of the compliance officers designated in the policy. Any school personnel who has noticed that a student or other school personnel may have been a victim of harassment and/or other discrimination must immediately report the alleged harassment and/or other discrimination to a supervisor or one of the compliance officers designated in this policy.

The reporting party should make complaints using the "Complaint of Harassment/Discrimination" form in Regulation S06R, Personnel-Sexual Harassment. However, oral reports will also be accepted. The complaint should be filed with either the building principal or one of the compliance officers designated in this policy. However, a complaint may be filed with any administrator. The principal/administrator must immediately forward any report of alleged prohibited harassment and/or other discrimination to the compliance officer. Any complaint that involves the compliance officer must be reported to the superintendent. Any complaint that involves the superintendent must be reported to the chairperson of the school board or other member of the school board.

The complaint and identity of the complainant and alleged harasser will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged prohibited harassment and/or other discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or, if appropriate, a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not more than 14 (fourteen) calendar days after receipt of the alleged harassment or discrimination by the compliance officer. Within 3 (three) school days of receiving the complaint, the compliance officer shall send written notice that the complaint has been received to the complainant and the person or persons allegedly responsible for the harassment or discrimination. If the compliance officer determines that more than 14 (fourteen) calendar days will be required to investigate the complaint, he or she will notify the complainant and the person(s) allegedly responsible for the harassment or discrimination of the reasons for the extended investigation and the date by which the investigation will be concluded. If the alleged harassment and/or other discrimination



may also constitute child abuse, then the complaint must be reported to the Department of Social Services in accordance with law.

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

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

The compliance officer will issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report will be sent to the school board. The report will include, to the extent possible, a determination of whether the allegations are substantiated, whether this policy was violated, and recommendations for corrective action, if any.

All employees will cooperate with any investigation of alleged harassment and/or other discrimination conducted under this policy or by an appropriate state or federal agency.

C. School division action

Within 5 (five) days of receiving the compliance officer's report, the superintendent will issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent determines that prohibited harassment occurred, Frederick County Schools shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Any decision about a report of harassment and/or other discrimination against the superintendent will be made by the school board. Such action may include discipline up to and including expulsion or termination of employment.

D. Appeal

If the school division determines that no harassment and/or other discrimination occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the school board within 5 calendar days of receiving the decision. Notice of appeal must be filed with the superintendent who will forward the relevant portions of the record to the school board. The school board shall make a decision within 30 calendar days of receiving the record. The school board may ask for oral or written argument from the aggrieved party and the superintendent and any other individual the school board deems relevant.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure (509P, Personnel—Grievance Procedures) instead of the complaint procedure in this policy.

E. Compliance officer and alternate compliance officer

The Frederick County School Board has designated the assistant superintendent for administration as the compliance officer responsible for identifying, preventing, and remedying prohibited harassment and/or other discrimination. Complaints may also be made to the alternate compliance officer, the executive director of human resources, Frederick County Public Schools Administration Building, 1415 Amherst Street, Winchester, VA 22601.

The compliance officer will:

1. receive reports or complaints of harassment and/or other discrimination;

2. oversee the investigation of any alleged harassment and/or other discrimination;
3. assess the training needs of the school division in connection with this policy;
4. arrange necessary training to achieve compliance with this policy; and
5. ensure that any harassment and/or other discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, including the authority to protect the alleged victim and others during the investigation.

III. Retaliation

Retaliation against students or school personnel who report harassment and/or other discrimination or participate in any related proceedings is prohibited. The school division will take appropriate action, up to and including expulsion or termination of employment, against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings.

IV. Right to alternative complaint procedure

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

V. Prevention and notice of policy

Training to prevent sexual harassment, and harassment, and any other discrimination based on race, color, national origin, age, religion, political affiliation, sex, disabilities, or veteran status will be included in employee and student orientations as well as employee inservice training.

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

VI. False charges

Students or school personnel who make false charges of harassment and/or other discrimination will be subject to disciplinary action up to and including expulsion or termination of employment.

Student Scholastic Records (FCPS 416R)

A. Generally

The Frederick County School Board shall maintain accurate and complete records for every student enrolled in the public schools in accordance with applicable federal and state law and regulations.

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

B. Definitions

For the purposes of this policy, Frederick County Public Schools uses the following definitions of terms.

Authorized representative—any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

Directory information—information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, awards, scholarships received, the most recent educational institution attended, and the student’s educational and/or career plans after graduation. Directory information may not include the student’s social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user.

Early childhood education program—a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional, and physical development and is a state pre-kindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

Education program—any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

Education records—any information recorded in any way including handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche maintained by the Frederick County School Board or an agent of the school division which contains information directly related to a student, except

- ◆ records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;
- ◆ records created and maintained for law enforcement purposes by the Frederick County School Board’s law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;
- ◆ in the case of persons who are employed by the Frederick County School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in his capacity as an employee;
- ◆ records created or received after an individual is no longer in attendance and that are not directly related to the individual’s attendance as a student;
- ◆ grades on peer-graded papers before they are collected and recorded by a teacher; and
- ◆ any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student’s file or is stored electronically under an individual student’s name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Student—any person who is or has been in attendance at Frederick County Public Schools regarding whom the school division maintains education records or personally identifiable information.

Eligible student—a student who has reached age 18, or is emancipated under Virginia law.

Parent—a parent of a student, including a natural parent, a guardian, an individual acting as a parent in the absence of a parent or guardian.

C. Dissemination and Maintenance of Records About Court Proceedings

1. Adjudications

- a. The superintendent shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in VA Code §16.1-260.G. contained in a notice received pursuant to VA Code §16.1-305.1, to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.
- b. A parent, guardian, or other person having control or charge of a student; and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of VA Code §16.1-260 was based and the reasons therefore. The parent or guardian shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.
- c. Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of VA Code §16.1-260 received by a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by the superintendent and by any others to whom disseminated, separately from all other records concerning the student. However, if school administrators or school board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of VA Code §16.2-260, the notice shall become part of the student's disciplinary record.

2. Petitions and Reports

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

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

If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

D. Annual Notification

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

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

E. Procedure to Inspect Educational Records

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

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

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given in 15 calendar days or less from the receipt of the request.

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

Student Search and Seizure (FCPS 439P)

The purpose of this policy is to help preserve and foster a safe, non-disruptive educational environment for effective teaching and learning, to maintain and foster order and discipline, to deter students from bringing weapons, drugs, alcohol or other contraband onto school property or to school-related activities, and to achieve these objectives consistent with law.

While students are entitled to the guarantees of the United States Constitution's Fourth Amendment, they still are subject to reasonable searches and seizures. School officials are empowered to conduct reasonable searches of particular students and student property when there is reasonable suspicion that a student may be in possession of drugs, weapons, alcohol, or other contraband in violation of school rule or policy or law.

All school-related property always remains under the control of school officials and is subject to search at any time. School-related property includes but is not limited to computers, lockers, cabinets, desks, bookcases, buses and other vehicles and items controlled or directed by school officials in the support of educational-related programs or activities.

In the initiation and conduct of any search, a school administrator will remain in charge at all times. A school administrator initially will seek voluntary consent to the search. In general, no member of law enforcement may be authorized to conduct a search on behalf of the school

but may facilitate a school search under the continuing control and direction of a school administrator. A canine also may be utilized under proper circumstances to facilitate a school administrator's search. Law enforcement officials may, under circumstances authorized by law, conduct their own independent searches (e.g., upon belief that a crime is being committed in their presence or in exigent circumstances).

A. Reasonable Suspicion

The school official performing a search must be able to articulate a reason for suspecting the student possesses something, which violates the law or school rule or policy. For example, reasonable suspicion may exist because of eyewitness observations of school personnel, information from a reliable informant, suspicious behavior, a bulge suggestive of weapon or contraband, recognizable smell of tobacco, alcohol or marijuana, unusual behavior, or the student's history and school record. A mere "hunch" or guess is not a sufficient basis to undertake a search.

B. Individualized Suspicion

In order for a search to be reasonable, it ordinarily must be based on not only reasonable suspicion but also on individualized suspicion of wrongdoing. This requirement does not mean that the suspicion must always be confined to only one person at a time. There may be special situations in which a group of students is so specific and small that each of the individuals in the entire group may be searched consistent with the individualized suspicion requirement.

C. School Property—Lockers and Desks, etc.

Student lockers, desks, student vehicles and other similar property are owned, leased or controlled at all times by the school. The school exercises exclusive control over the school-related property and a student should not expect any privacy whatsoever regarding items placed or stored in or on school-related property, because school-related property is subject to search at any time by school officials.

D. School Computers

School computers, files, software, and other similar educational technology, including Internet access records, including but not limited to data, are controlled by the school. The school exercises exclusive control over the school property, and a student should not expect any privacy whatsoever regarding the property because school property is subject to search at any time by school officials.

E. The Person

A student may be searched if there is individualized reasonable suspicion that the search will turn up evidence that the student has violated either the law, school board policy or a rule of the school. A particular student's effects (e.g. purse, book bag or personal electronic device) are also subject to being searched by school officials and are subject to the same rule. As a search of a student becomes more intrusive, an increasingly higher degree of individualized suspicion must exist. The scope of the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

A search should be conducted in private, to the extent practicable. In all circumstances in which the search of a student appears necessary, school officials should inform the student of the action to be taken and the reason(s) for the search. School officials should initially request voluntary consent for the search.

If a student resists or otherwise refuses to consent to a search, the student should be immediately removed and be reasonably isolated until a parent(s) and/or law enforcement representative arrives to assist with the situation in order to observe or minimize disruption. If the student presents any danger to self or others, or if there is reasonable suspicion to believe that the student possesses a weapon or drugs or alcohol, the student immediately may be reasonably searched by a school administrator. An uncooperative or disruptive student will remain subject to disciplinary action.

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 present, unless there is an immediate threat. No pat-down search should involve contact with bodily areas typically regarded as particularly sensitive areas.

If school officials conclude that a more intrusive search (e.g. a search that would involve exposure of or contact with particularly sensitive bodily areas) is needed, they should call the parent(s) of the students involved and report their suspicions to parent(s) and to the police. School officials should not conduct highly intrusive searches. Any strip search is prohibited.

Except as to a small number of particular students, group searches will not be permitted. Searches of students and their effects must be particularized.

F. Vehicles

Students are permitted to park on school premises as a matter of privilege, not of right. Any person who operates a vehicle on school property or in connection with any school-related activity impliedly authorizes school authorities to conduct a search of the vehicle and its contents without notice, without further consent, and without a search warrant. School authorities may conduct routine periodic patrols of parking lots and inspections of the exteriors of student vehicles on school property or in connection with any school-related activity without cause, without notice, without consent, and without a search warrant. The interiors of vehicles may be inspected whenever there is individualized reasonable suspicion to believe that illegal or unauthorized materials are contained inside, without notice, without student consent, and without a search warrant.

G. Metal Detectors

As part of an overall plan to protect the health, welfare and safety of students, faculty, staff, and visitors, metal detectors may be used to scan and screen for firearms and other weapons. Searches with metal detectors may be conducted whenever individualized reasonable suspicion exists.

H. Canine Sniffs by Trained Dogs

Canine sniffs of student lockers, desks and other property may be performed at any time. If the dog alerts to an area, then individualized suspicion exists for the search of the area and the space(s) and items in the vicinity. No use of canines should be undertaken except at the request of the Superintendent or designee. When the canine arrives at the location for the canine initiative, the principal/designee becomes the Superintendent's designee in directing and controlling any search.

I. Location

Searches of students and student property may be conducted whenever the student is involved in or attending a school sponsored or related function, whether it is on the school campus or not. Searches, whether on or off the school campus, are to be conducted in accordance with school policy.

J. Seizure of Illegal Item

If a search conducted pursuant to this policy yields or reveals an illegal contraband item, then the item should be promptly tagged, bagged, and documented (e.g., photographed, receipted) and turned over to a designated school administrator or the school resource officer until the materials are no longer required or needed. Any contraband should be safeguarded and kept separate from any other items in such a way as to preserve its clear identity.

K. Notice

Students will be provided notice of this policy concerning search and seizure by having it placed in the school handbook or distributed by supplemental publication. In the event that any provision of this policy, if strictly construed, would likely result in danger to any person by reason of (a) apparent emergency, or (b) by adverse conduct of a student or other person, any person acting under the authority of the School Board of Frederick County, Virginia, pursuant to this policy is authorized to take any reasonable action.

L. Restraint of Student

To protect a student or others, any School Board employee may temporarily restrain a student. Reasonable care should be taken in such action.

Title I

The federal law, No Child Left Behind Act of 2001, requires school divisions receiving Title I funds to annually notify parents of children attending Title I schools that they may request and obtain information about the qualifications of teachers instructing their children in Title I schools.

To meet this requirement, we are notifying you that you can contact your school principal to receive information about the qualifications of the teacher(s) instructing your child.

Please contact Kathryn Neal, Supervisor of Reading Intervention and Professional Learning at 540-662-3889 x88162, if you have questions about this information.

Video Surveillance

As a component of a comprehensive safe school plan, video surveillance, with or without audio capability, may be used in the common areas of certain schools and on school buses to maintain the security of students, staff members and visitors. Surveillance equipment may or may not be monitored at any time. Video recordings may be used for disciplinary purposes. To protect the confidentiality of all students, only school personnel may view video recordings that include more than one student. Law enforcement representatives in the course of a criminal investigation may view video recordings.

Work Permits

Work permits are required for fourteen (14) and fifteen (15) year olds. After the age of sixteen (16), they are no longer required. Work permits may be obtained through the Virginia Department of Labor and Industry website. http://www.doli.virginia.gov/laborlaw/employment_certificate_instructions.html.



**Frederick County Public Schools
Department of Student Support Services**