

BRISTOL VIRGINIA PUBLIC SCHOOLS

Student Responsibilities and Rights Handbook



2010 – 2011

In accordance with Title IX of the Education Amendments to the Civil Rights Act and the Bristol Virginia School Board does not discriminate on the basis of race, color, national origin, sex, age, marital status, or handicap in the educational programs or activities it operates and it is required by Title IX pursuant to regulations not to so discriminate.

Acknowledgement of Parental Responsibility

This form is for parents/legal guardians of all students enrolled in Bristol Virginia Public Schools to ensure that they have received and reviewed the following important documents.

Student Name _____ DOB _____

School _____ Date _____

I have received and reviewed each of the following:

1. Standards of Student Conduct.
2. A copy of § 22.1-279.3 of the Code of Virginia that sets forth the duty of each parent of a student enrolled in a public school to assist the school in enforcing the standards of student conduct and compulsory school attendance.
3. A copy of the compulsory attendance law.

My signature acknowledges receipt of above listed documents. By signing this statement of receipt, I do not waive, but expressly reserve, my rights protected by the constitution or laws of the United States or Virginia. I retain the right to express disagreement with a school's or school division's policies or decisions.

Print Parent/Legal Guardian/Eligible Student Name _____

Signature of Parent/Legal Guardian _____

Date _____

Signature of Student Age 18 or above _____

Date _____

Please return this form to your child's 1st period or homeroom teacher no later than September 3, 2010.

Bristol Virginia Public Schools

Student Responsibilities and Rights

Bristol Virginia Public Schools
222 Oak Street
Bristol, VA 24201

August 2010

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CODE OF VIRGINIA

§ 22.1-279.3. Parental responsibility and involvement requirements.

A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

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

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section; (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.

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

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

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

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

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

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

2. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

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

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

INTRODUCTION

This booklet is the statement of the standards of student conduct and attendance required by the Virginia General Assembly in Standards of Quality for Public Schools in Virginia, July 1, 2008.

The legal responsibilities and rights of students in the public schools of Bristol Virginia and the rules of conduct and disciplinary procedures applicable to students are explained in this booklet and in the additional published rules made by each local school in accordance with Bristol Virginia School Board Policy which provides:

The Bristol Virginia School Board recognizes that in our free and democratic society the law imposes responsibilities upon public school students and guarantees to them constitutional and other legal rights appropriate to their ages and levels of maturity. To help all students understand and appreciate both their responsibilities and their rights, it is the policy of the School Board that the Division Superintendent develop, subject to review by the School Board, and maintain written regulations stating the legal responsibilities and rights of students in Bristol Virginia Public Schools and the rules of conduct and disciplinary procedures applicable to students. This information shall be provided to each student and teacher in the form of a Student Responsibilities and Rights handbook.

The Bristol Virginia School Board is committed to ensuring respect for the civil rights of all members of the school community, as guaranteed by the Constitution and laws of the United States and the Commonwealth of Virginia. Our policies and regulations are designed to recognize the essential dignity of each student, teacher, and staff member and to create an atmosphere in which learning may flourish.

The primary objectives of the standards of student conduct are (1) to provide standards and guidelines for student behavior; (2) to assist the student in becoming a responsible, productive, and self-disciplined citizen; and (3) to maintain a safe and orderly environment in the classroom and all other areas of the school.

NOTE: As used in this booklet, the term parent shall be interpreted to include the student's parent, legal guardian, or other adult in loco parentis to the student.

CHAPTER I

RESPONSIBILITIES AND RIGHTS OF STUDENTS

Section A Guidelines for Student Responsibilities and Rights

Rights

Responsibilities

Education

The rights of all students, including those guaranteed by the Constitutions of the United States and the Commonwealth of Virginia, and by applicable federal, Virginia, and local statutes, and the right to an education are and shall be recognized without regard to race, religion, sex, creed, ability to pay, national origin, disability, or intellectual ability. Students have a right to a public education beginning with kindergarten and extending through the twelfth grade.

Student responsibilities include regular school attendance, conscientious effort in classroom work, conformance to school rules and regulations, and the responsibility not to interfere with the education of fellow students or the orderly operation of the school.

Environment

Students have the right to expect a safe school environment in which to learn and a climate within the school that is conducive to learning.

Students have a responsibility to help the school staff in operating a safe school by abiding at all times by the laws of the United States, the Commonwealth of Virginia, and the City of Bristol, and the regulations of the Bristol Virginia School Board and the individual school. Students have a responsibility to notify school staff members of behavior that might endanger the safety and well being of others.

Respect

Students have a right to expect courtesy, fairness, and respect from members of the school staff and other students.

Students have the responsibility to respect the rights and authority of teachers, students, administrators, and all others included in the educational process.

Rights

Responsibilities

Property

Students have a right to expect that other Students and school personnel will respect their personal property.

Students have the responsibility to respect personal property rights of other students, teachers, and administrators as well as the public's property, including equipment and school buildings.

Participation

Students who comply with all rules and regulations have a right to participate in school activities.

Students have a responsibility to comply with all rules and regulations for student behavior at all school functions.

Expression

Students have the right to exercise freedom of expression and to address policies publicly, privately, in writing, in visual form, or orally. Students may advocate change in any law, policy, or regulation.

Students have a responsibility to see that expressions do not interfere with the educational program. Students have a responsibility not to use statements or visual imagery that is obscene, slanderous, or libelous; not to use disruptive tactics; not to advocate violation of the law or school regulations.

Complaint

Students have the right to complain to school staff members regarding decisions made by staff members that are considered not to be in the students' best interests.

Students have the responsibility to follow the complaint procedures stated in Chapter I, Section H.

Section B Responsibility for Attendance

Students shall follow their assigned daily schedules unless properly excused by the principal or his or her authorized representative.

Section C Right of Expression and Limitations

Students may exercise the right to freedom of expression through speech, assembly, petition, and other lawful means and have the right to advocate change of any law, policy, or regulation. The exercise of this right may not interfere with the rights of others, nor may oral or written student opinions or visual expression be used to present material that falls into one or more of the following categories:

1. Material that reasonably leads the principal to forecast substantial disruption of or interference with school activities or that endangers the health or safety of students.
2. Material that is libelous or slanderous-statements that are inaccurate or false statements that injure the person by damaging his or her reputation; cause personal humiliation, mental anguish, and suffering; or cause other injuries.
3. Material that advocates the commission of a criminal act or is a criminal act as defined by the Criminal Code of the United States, the Commonwealth of Virginia, or the city of Bristol Virginia.
4. Material that is obscene as defined in Section 18.2-372 of the Code of Virginia (1950), as amended; or, material described in Section 18.2-390 and Section 18.2-391 of the Code of Virginia (1950), as amended. Current copies of these sections of the Code of Virginia are on file in each principal's office and are available for review.

Section D Right to Distribute Literature

In high schools, the student government shall coordinate distribution or display of literature by students enrolled in the school. In all schools the material must be approved by the principal, not be in violation of the provisions of Section C (above) and bear the name of the sponsoring individual(s) or school organization(s). The principal, in consultation with the student government, if feasible, shall determine adherence or non-adherence to the provisions of Section C (above) within 24 hours after copies are presented and shall designate a reasonable time, place, and manner for distribution or display of such literature if the provisions of Section C (above) have been met.

Any student who does not agree with the principal's decision may appeal in writing to the Division Superintendent or his or her designee, who shall make a decision within two days after receipt of the appeal. A student who does not agree with the decision of the Division Superintendent may appeal in writing to the School Board, which shall render a decision within seven days if possible, but not later than its next scheduled meeting.

Distribution of Literature by Non-students

Distribution of literature, announcements, posters, bulletins, and communications by individuals not directly connected with the schools, including students not currently enrolled in a Bristol Virginia public school, shall not be permitted without the express approval of the Superintendent or his or her designee.

Section E Search and Seizure

Desks, lockers, and storage spaces, which are provided to students, are the property of the school. The principal or designee may conduct general inspections on a periodic or random basis and may open desks, lockers, or storage spaces in the presence of a witness and examine the contents, including personal belongings of students.

Desks, lockers, storage spaces, personal belongings, and vehicles parked on school grounds may be similarly inspected on an individual basis when there are reasonable grounds to believe that they contain illegal drugs, weapons, stolen property, or other contraband, provided the search is conducted primarily for enforcing order, safety and/or discipline in the school and not for criminal prosecution. Reasonable efforts to locate the student shall be made prior to the search. If the student is present, the school official shall advise him or her of the circumstances justifying the search and seizure of the objects that the official believes the search may disclose. If the student is not present, he or she shall be informed of the search. Stolen items and items that are specifically prohibited by law, School Board policy, or city or school regulations may be impounded. The student shall be given a receipt for any items impounded by school authorities, and parents shall be notified of any items impounded.

Students reasonably believed to have any such contraband on their person may be searched, and metal detectors may be used. Such personal search may extend to pockets; to the removal and search of outer garments such as jackets, coats, sweaters, or shoes; and to items such as pocketbooks or backpacks. Students suspected of alcohol consumption may also be administered a breathalyzer test.

For students who are suspected to be under the influence of drugs, drug testing may be required by the school administration in accordance with policy JPET.

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

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

Seizure of Illegal Materials – If a properly conducted search yields illegal or contraband materials, such finding shall be turned over to proper legal authorities for ultimate disposition.

Section F The Rights of Adult Students and Their Parents

With certain exceptions 18-year-olds are considered adults under the law of Virginia. Those 18-year-olds who wish to act in lieu of their parents regarding field trips, access to student records by third parties (except those persons who have access without consent), part-time employment, use of motor vehicles, and questioning by police, must sign a declaration. Students who wish to exercise this right may do so, and parents of such students shall be notified of their children's decisions in this regard.

As provided by federal law, parents of a student who is a dependent for tax purposes may have access to the student's record. Further, as required by the Code of Virginia, parents will be notified by letter of any instance of the student's suspension from school. School personnel will continue to contact the student's parents regarding the student's academic performance in school and any suspension from school even though a declaration is filed by the student. Adult students are subject to all rules and regulations of the school.

Section G School Records/Disclosure of Student Information

Students have the right to accurate and complete school records, maintained in accordance with applicable federal and Virginia laws. Accurate and complete individual records shall be maintained for each student enrolled in Bristol Virginia Public Schools. Policies and regulations govern the management of student records and provide:

- That parents have the right to inspect any and all records relating to their dependent(s).
- That students with written parental permission may inspect their records.
- That information may be released to others only under carefully prescribed conditions.
- That nominal fees may be charged for duplication of records.
- That a procedure be established for challenge of the contents of a student's scholastic record by parents or adult students.
- That certain information, known as directory information, may be released without parental consent.
- That scholastic records may be forwarded on request to a school in which the student intends to enroll or to which the student has applied for admission.

Section H The Right to Complain/Important Legal Notices

Students who believe that conditions of the school or decisions made by staff members are not in their best interests may present complaints to teachers, counselors, or school administrators, who shall make themselves available or schedule appointments to hear these complaints. Any student or parent who believes that conduct, either by an individual or by a group, creates a hostile or abusive environment that limits a student's ability to participate in or benefit from the educational program is encouraged to notify school staff members. Following a founded report of inappropriate conduct, the principal or designee shall take immediate action to end the mistreatment, and he or she may take appropriate disciplinary action as required. The principal shall notify, in writing, the Director of Student Services and Special Education, of complaints alleging discrimination.

Meeting with principal: If a student is not satisfied that a complaint previously presented to a member of the school staff has been resolved satisfactorily, the student or his or her parent may request a meeting of the student, the parent, and the principal. The principal may require the parent to attend and shall, following the meeting, promptly inform the parent in writing of his or her decision on the complaint.

Complaint to Director of Curriculum, Instruction and Administration: The principal's decision on a complaint may be submitted by the student or his or her parent to the Director of Curriculum, Instruction and Administration within two school days following receipt of the principal's decision. The written complaint shall state precisely the reasons for dissatisfaction with the principal's decision and shall be limited to the matter under review. Upon receipt of a written complaint, the Director of Curriculum, Instruction and Administration or his or her designee shall promptly review the complaint and inform the parent in writing of his or her decision. The Director of Curriculum, Instruction and Administration may at his or her discretion include a meeting with the principal and the parent as part of his or her review of the complaint and shall notify the Office of Student Services and Special Education of complaints alleging discrimination on the basis of race, religion, sex, national origin, disability, or intellectual ability. The decision of the Director of Curriculum, Instruction and Administration shall be final.

Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

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

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

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

- *Receive notice and an opportunity to opt a student out of* –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- *Inspect*, upon request and before administration or use –

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

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law. Bristol Virginia Public Schools will develop and adopt 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. Bristol Virginia Public Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Bristol Virginia Public Schools will also directly notify, such as through U.S. Mail or email, 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. Bristol Virginia Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and

will 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, SW
Washington, D.C. 20202-5901

Model Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Bristol Virginia Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Bristol Virginia Public Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Bristol Virginia Public Schools to include this type of information from your child's education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.⁽¹⁾

If you do not want Bristol Virginia Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by September 30, 2009. Bristol Virginia Public Schools has designated the following information as directory information: [Note: an LEA may, but does not have to, include all the information listed below.]

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

Footnotes:

1. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

Model Notification of Rights under FERPA for Elementary and Secondary Schools

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

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

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

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

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

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

EQUAL EDUCATIONAL OPPORTUNITIES/ NON-DISCRIMINATION

I. Policy Statement

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

No student, on the basis of gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege, advantage or denied equal access to educational and extracurricular programs and activities.

The School Board shall:

- provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons;
- provide a free, appropriate education, including non-academic and extracurricular services to qualified disabled persons;
- not exclude qualified disabled persons, solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and
- not discriminate against qualified disabled persons in the provision of health, welfare or social services.

II. Complaint Procedure

A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the compliance officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the compliance officers designated in this policy or to any other school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the compliance officers designated in this policy.

The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports shall also be accepted. The complaint should be filed with either the building principal or one of the compliance officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the compliance officer. Any complaint that involves the compliance officer shall be reported to the superintendent.

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

B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 calendar days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of the discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the compliance officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the compliance officer determines that more than 14 days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

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

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

C. Action by Superintendent

Within 5 calendar days of receiving the compliance officer's report, the superintendent, or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the superintendent determines that prohibited discrimination occurred, the Bristol Virginia School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

D. Appeal

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

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

E. Compliance Officer and Alternate Compliance Officer

The Bristol Virginia School Board has designated Dr. Terry Caldwell, Director of Personnel and Support Services, 222 Oak Street, Bristol, Virginia, 24201, (276) 821-5600 as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, Patricia Bowers, Director of Special Education, 222 Oak Street, Bristol, Virginia, 24201, (276) 821-5600. [Note: this individual must be of the opposite gender of the Compliance Officer].

The Compliance Officer shall:

- (1) receive reports or complaints of discrimination;
- (2) oversee the investigation of any alleged 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;
- (5) insure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity, and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The School division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

IV. Right to Alternative Complaint Procedure

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

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training. This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parent/guardian shall 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 discrimination shall be subject to disciplinary action.

EDUCATION OF HOMELESS STUDENTS

§ 22.1-3. Persons to whom public schools shall be free. The public schools in each school division shall be free to each person of school age who resides within the school division. Every person of school age shall be deemed to reside in a school division:

1. When the person is living with a natural parent or a parent by legal adoption;
2. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
3. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either (i) the court-appointed guardian, or has legal custody, of the person or (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.2-1200;
4. When the person is living in the school division not solely for school purposes, as an emancipated minor; or
5. When the person *living in the school division is a homeless child or youth, as set forth in this subdivision, who lacks a fixed, regular, and adequate nighttime residence;*
 - a. *Such persons shall include (i) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an institution that provides a temporary residence for the mentally ill or individuals intended to be institutionalized; or (c) have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (ii) migratory children, as defined in the Elementary and Secondary Education Act of 1965, as amended, who are deemed homeless as they are living in circumstances set forth in clause (i) of this subdivision.*

For purposes of *clause (i) of subdivision 4 5*, "temporary shelter" means (i) any home, single or multi-unit dwelling or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.

If a person resides within housing, temporary shelter, or primary nighttime residence as described in subdivision 6 5 that is situated in more than one school division, the person shall be deemed to reside in and shall be entitled to attend a public school within either school division. However, if a person resides in housing, temporary shelter, or primary nighttime residence as described in subdivision 6 5 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, such person shall be deemed to reside only in the single school division in which the housing, temporary shelter, or primary nighttime residence is located. Notwithstanding any such residency determination, any person residing in housing, a temporary shelter, or primary nighttime residence as described in subdivision 6 5 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, shall be deemed to reside in either school division, if such person or any sibling of such person residing in the same housing or temporary shelter attends, prior to July 1, 1999, or, in the case of a primary nighttime residence as described in subdivision 5, prior to July 1, 2000, a school within either school division in which the property on which the housing, temporary shelter, or primary nighttime residence is located.

School divisions shall comply with the requirements of the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.), to ensure that homeless children and youths shall receive the educational services comparable to those offered to other public school students. School divisions serving the students identified in subdivision 5 shall coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

§ 22.1-3.1. Birth certificates required upon admission; required notice to the local law-enforcement agency.

A. Except as otherwise provided in this subsection, no pupil shall be admitted for the first time to any public school in any school division in this Commonwealth unless the person enrolling the pupil shall present, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child. However, if the student seeking enrollment is a homeless child or youth as defined in § 22.1-3, the school shall immediately enroll such student, even if such student is unable to produce the records required for enrollment, and shall immediately contact the school last attended by the student to obtain relevant academic

and other records, and shall comply with the provisions of the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.), including immediately referring the parent of the student or the youth to the local school division liaison, as described in the federal Act, who shall assist in obtaining the necessary records for enrollment.

B. Upon the failure of any person enrolling a pupil to present a certified copy of the pupil's birth record, the principal of the school in which the pupil is being enrolled or his designee shall immediately notify the local law-enforcement agency. The notice to the local law enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

C. Within 14 days after enrolling a transferred pupil, the principal of the school in which the pupil has been enrolled or his designee shall request that the principal or his designee of the school in which the pupil was previously enrolled submit documentation that a certified copy of the pupil's birth record was presented upon the pupil's initial enrollment.

D. Principals and their designees shall be immune from any civil or criminal liability in connection with any notice to a local law-enforcement agency of a pupil lacking a birth certificate or failure to give such notice as required by this section.

§ 22.1-4.1. Street addresses required in certain school admission documents. Documents submitted for admission of any child to public schools in the Commonwealth, except such documents required in accordance with §§ 22.1-3.1 and 22.1-270, shall include the street address or route number of each pupil's residence. If no street address or route number exists for such residence, a post office box number shall be required. If the pupil *is a homeless child or youth as defined in subdivision 5.*

§ 22.1-3, and for that reason the school division determines, on the basis of the affidavit of the person seeking to enroll the pupil, that a street address, route number, or post office box number cannot be provided, it may accept an address in an alternate form it deems appropriate.

Address information provided under this section shall not be released to any person unless otherwise authorized by law.

§ 22.1-270. Preschool physical examinations.

A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in a school division unless such pupil shall furnish, prior to admission, (i) a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed within the twelve 12 months prior to the date such pupil first enters such public kindergarten or elementary school or (ii) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the pupil *is a homeless child or youth as defined in subdivision 6 5 of § 22.1-3*, and for that reason cannot furnish the report or records required by (i) or (ii) of this subsection, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating

and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student for to the local school division liaison, as described in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school, as required by such Act.

B. The physician, or licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, making a report of a physical examination required by this section shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.

C. Such physical examination report shall be placed in the child's health record at the school and shall be made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.

D. Such physical examination shall not be required of any child whose parent shall object on religious grounds and who shows no visual evidence of sickness, provided that such parent shall state in writing that, to the best of his knowledge, such child is in good health and free from any communicable or contagious disease.

E. The health departments of all of the counties and cities of the Commonwealth shall conduct such physical examinations for medically indigent children without charge upon request and may provide such examinations to others on such uniform basis as such departments may establish.

F., G., H.

I. Parents of entering students shall complete a health information form which shall be distributed by the local school divisions. Such forms shall be developed and provided jointly by the Department of Education and Department of Health, or developed and provided by the school division and approved by the Superintendent of Public Instruction. Such forms shall be returnable within 15 days of receipt unless reasonable extensions have been granted by the superintendent or his designee. Upon failure of the parent or guardian to complete such form within the extended time, the superintendent may send to the parent or guardian written notice of the date he intends to exclude the child from school; *however, no child who is a homeless child or youth as defined in subdivision 5 of § 22.1-3 shall be excluded from school for such failure to complete such form.*

§ 22.1-271.2. Immunization requirements.

A. No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization to the admitting official of the school or unless the student is exempted from immunization pursuant to subsection C *or is a homeless child or youth as defined in subdivision 5 of § 22.1-3.* If a student does not have documentary proof of immunization, the school shall notify the student or his parent (i) that it has no documentary proof of immunization for the student; (ii) that it may not admit the student without proof unless the student is exempted pursuant to subsection C, *including any homeless child or youth as defined in subdivision 5 of § 22.1-3;* (iii) that the student may be immunized and receive certification by a licensed physician, registered nurse or an employee

of a local health department; and (iv) how to contact the local health department to learn where and when it performs these services. Neither this Commonwealth nor any school or admitting official shall be liable in damages to any person for complying with this section. Any physician, registered nurse or local health department employee performing immunizations shall provide to any person who has been immunized or to his parent or guardian, upon request, documentary proof of immunizations conforming with the requirements of this section.

B. Any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 days. The immunization record of each student admitted conditionally shall be reviewed periodically until the required immunizations have been received. Any student admitted conditionally and who fails to comply with his schedule for completion of the required immunizations shall be excluded from school until his immunizations are resumed.

C. No certificate of immunization shall be required for the admission to school of any student if (i) the student or his parent or guardian submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or (ii) the school has written certification from a licensed physician or a local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization. *However, if a student is a homeless child or youth as defined in subdivision 5 of § 22.1-3 and (a) If the pupil does not have documentary proof of necessary immunizations or has incomplete immunizations and (b) is not exempted from immunization pursuant to clauses (i) or (ii) of this subsection, the school division shall immediately admit such student and shall immediately refer the student to the local school division liaison, as described in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall assist in obtaining the documentary proof of, or completing, immunization and other services required by such Act.*

D. The admitting official of a school shall exclude from the school any student for whom he does not have documentary proof of immunization or notice of exemption pursuant to subsection C, *including notice that such student is a homeless child or youth as defined in subdivision 5 of § 22.1-3.*

E. Every school shall record each student's immunizations on the school immunization record. The school immunization record shall be a standardized form provided by the State Department of Health, which shall be a part of the mandatory permanent student record. Such record shall be open to inspection by officials of the State Department of Health and the local health departments. The school immunization record shall be transferred by the school whenever the school transfers any student's permanent academic or scholastic records. Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official shall file a report with the local health department. The report shall be

filed on forms prepared by the State Department of Health and shall state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, *including those students who are homeless children or youths as defined in subdivision 5 of § 22.1-3.*

F. The requirement for Haemophilus Influenzae Type b immunization as provided in § 32.1-46 shall not apply to any child admitted to any grade level, kindergarten through grade 12.

G. The Board of Health shall promulgate rules and regulations for the implementation of this section in congruence with rules and regulations of the Board of Health promulgated under § 2.1-46 and in cooperation with the Board of Education.

NOTICE OF VIDEO SURVEILLANCE

The school system employs video surveillance equipment for security and safety purposes. This equipment may or may not be monitored at any time. Additionally, in special circumstances, covert cameras may be used for security and/or safety of students and staff.

AVAILABILITY OF SCHOOL DIVISION POLICIES

The Bristol Virginia Public School Division's policy manual is available in the library of each school and in the public library. The manual is also available online at www.bvps.org.

CHILD FIND EFFORT

Bristol Virginia Public Schools is committed to providing a free and appropriate education for all children with disabilities between the ages of 2 and 22. "Child Find" is a process of locating, identifying, and evaluating children who may need special education services. If your child is less than 5 years old and exhibits a developmental delay or other serious growth problems, contact the Director of Student Services and Special Education at (276)821-5600 for additional information. If your child is 5 years old or older, contact your child's school principal about your concerns. Children found eligible for special education services are served through a variety of specialized programs.

SEX OFFENDER REGISTRY

The Bristol Virginia Public School Division receives notification of registered sex offenders in the same or contiguous zip codes as any schools within the division. Certain employees receive registry information as determined by the superintendent. This information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. The registry may be viewed at:

<http://sex-offender.vsp.virginia.gov/sor/index.htm> (Va.Code § 22.1-79.3.C.)

Bristol Virginia Public Schools

The Bristol Virginia Public School Division provides a free and appropriate education for all identified eligible students with disabilities, ages 2 through 21, residing in Bristol Virginia City. Children with disabilities are those children who manifest one or more of the following impairments and who, because of these impairments need special education.

Autism – a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child’s educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. Autism does not apply if a child’s educational performance is adversely affected primarily because the child has an emotional disturbance. A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in this definition are satisfied.

Deafness – a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects the child’s educational performance.

Deaf-Blindness – simultaneous hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Developmental Delay – a disability affecting a child ages two by September 30 through six inclusive:

1. Who is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development, or (ii) who has an established physical or mental condition that has a high probability of resulting in developmental delay;
2. The delay(s) is not primarily a result of cultural factors, environmental or economic disadvantage, or limited English proficiency; and
3. The presence of one or more documented characteristics of the delay has an adverse affect on educational performance and makes it necessary for the student to have specially designed instruction to access and make progress in the general educational activities for this age group.

Emotional Disability – a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child’s educational performance:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disability includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disability as defined in this section.

Hearing Impairment – an impairment in hearing in one or both ears, with or without amplification, whether permanent or fluctuating, that adversely affects a child’s educational performance but that is not included under the definition of deafness in this section.

Intellectual Disability – significantly sub average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child’s educational performance. Intellectual disability was formerly known as mental retardation.

Multiple Disabilities – simultaneous impairments (such as intellectual disability with blindness, intellectual disability with orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. This term does not include deaf-blindness.

Orthopedically Impairment – a severe orthopedic impairment that adversely affects a child’s educational performance. The term includes impairments caused by congenital anomaly, impairments caused by disease (e.g. poliomyelitis, bone tuberculosis, etc.) and impairments from other causes (e.g. cerebral palsy, amputations, and fractures or burns that cause contractures).

Other Health Impairment – an impairment having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia and Tourette syndrome that adversely affects a child’s educational performance.

Specific Learning Disability – a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken, or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of intellectual disabilities; of emotional disabilities; of environmental, cultural, or economic disadvantage.

Speech or Language Impairment – a communication disorder, such as stuttering, impaired articulation, expressive or receptive language impairment, or voice impairment that adversely affects a child’s educational performance.

Visually Impairment including blindness – an impairment in vision that, even with correction, adversely affects a child’s educational performance. The term includes both partial sight and blindness.

Evaluation and referral to the Early Intervention Program are provided to children with disabilities ages birth to two years. If you feel that your child might qualify for a special education program, or if you would like to discuss your concern, please contact the principal of the school nearest you or call a member of the special education staff at 276-821-5600.

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

The Bristol Virginia School Board offers your student the use of electronic communications through the Bristol Virginia School Division's computer system. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the internet and other electronic information systems/networks.

Part of the School Division's responsibility in preparing students for the 21st century is to provide them access to the tools they will be using as adults. The internet will likely be one of these tools. Through the Division's computer system your student will have access to databases, libraries and computer services from all over the world. We accept the responsibility of teaching your student about his/her role as a "network" citizen and the code of ethics involved with this new community.

With this educational opportunity also comes responsibility on the part of your student. It is important that you and your student read the enclosed division policy, administrative regulation and agreement form and discuss these requirements. The Division takes precautions to prevent access to inappropriate material. However, it is impossible to control access to all material and a user may access inappropriate material.

In order for your student to take advantage of this educational opportunity, your authorization is needed. Attached to this letter are the Acceptable Computer System Use Policy and Regulation (IIBEA) and the Acceptable Computer System Use Agreement which both you and your student must agree to before your child may use the computer system. Please review these materials carefully with your student before signing the acknowledgement of Parental Responsibility. If you do not agree to your child's use of the computer system, please notify your child's Principal of this decision in writing and that information will be filed in your child's permanent record.

ACCEPTABLE COMPUTER SYSTEM USE

All use of the Bristol Virginia School Division's computer system shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and any other internal or external network.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the Division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.
2. **Privilege.** The use of the Division's computer system is a privilege, not a right.
3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes:
 - using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal, state or local law.
 - sending, receiving, viewing or downloading illegal material via the computer system.
 - unauthorized downloading of software.
 - downloading copyrighted material for unauthorized use.
 - using the computer system for private financial or commercial gain.
 - wastefully using resources, such as file space.
 - gaining unauthorized access to resources or entities.
 - posting material authorized or created by another without his or her consent.
 - using the computer system for commercial or private advertising.
 - submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate material.
 - using the computer system while access privileges are suspended or revoked.
 - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
 - Be polite.
 - Users shall not forge, intercept or interfere with electronic mail messages.
 - Use appropriate language. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited.
 - Users shall not post personal contact information, including names, home, school or work addresses, telephone numbers, or photographs, about themselves or others.

- Users shall respect the computer system's resource limits.
- Users shall not post chain letters or download large files.
- Users shall not use the computer system to disrupt others.
- Users shall not read, modify or delete data owned by others.

5. **Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

7. **Vandalism.** Intentional destruction of any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

8. **Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.

9. **Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. **Enforcement.** Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of minors may also be monitored manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.**

Note: To review the most up-to-date Internet Acceptable Use policy, visit the division's online policy manual at <http://policies.bvps.org>.

Section J ANNUAL SCREENING

Elementary Students

All students through grade three, within 60 administrative days of initial enrollment in Bristol Virginia Public Schools, shall be screened in speech, voice, and language to determine if a referral for an evaluation for special education and related services is indicated.

All students, within 60 administrative days of initial enrollment, shall be screened in the areas of vision and hearing to determine if a referral for an evaluation for special education and related services is indicated. In addition, the vision and hearing of all students in grades three (3), seven (7), and ten (10) shall be screened during the school year.

All students through grade three, within 60 administrative days of initial enrollment, shall be screened for fine and gross motor functions to determine if a referral for an evaluation for special education and related services is indicated.

All students in grades five through ten (5-10) shall be provided information on scoliosis. This information is to be provided to parents and is included in this handbook.

The division will reinstitute annual health fairs at the individual schools. Height and weight will be collected and maintained on students in grades K, 3, 5, and 7. This information will be utilized for division-wide but not individual data purposes.

Dental screenings will also be a part of the annual health fairs. Parents or guardians will receive written notice of any dental concerns noted at the health fair.

Parents or guardians will receive written notification if your child fails any screening. Results of any screening are confidential and maintained in the student's scholastic record.

Secondary Students

All new students, within 60 administrative days of initial enrollment, shall be screened in the areas of vision and hearing to determine if a referral for an evaluation for special education and related services is indicated. In addition, the vision and hearing of all students in grades seven (7), and ten (10) shall be screened during the school year. All students in grades five, through ten shall be provided with information on scoliosis. This information is to be provided to parents and is included in this handbook.

At the secondary level, height and weight screenings as well as dental screenings, will occur for students in grades seven (7) and ten (10).

Parents or guardians will receive written notification if your child fails any screening or if any dental concerns are noted. Results on any screening are confidential and maintained in the student's scholastic record.

BRISTOL VIRGINIA PUBLIC SCHOOLS

222 Oak Street

Bristol, Virginia 24201-4198
(276) 821-5600 – Fax (276) 821-5601

Mark Y. Lineburg, Ed.D.
Superintendent

Bristol Virginia School Board

Ronald Cameron, Chair
Randall White, Vice Chair
Randy Alvis
Tyrone Foster
Beth Rinehart

July 1, 2010

Dear Parent/Guardian:

According to the state of Virginia, scoliosis screening shall be according to one of the following options:

1. Provide information on scoliosis to parents of students in grades 5 through 10 or;
2. Implement a scoliosis screening program for students in grades 5 through 10 or;
3. Implement a scoliosis screening program for students in selected grades 5 through 10 and provide information on scoliosis to parents of students in grades 5 through 10 not selected for screening.

Bristol Virginia Public Schools has selected option number one. We are providing you with important information regarding scoliosis.

If you have questions or need more information, please feel free to contact your school nurse. Thank you.

Sincerely,

Rex Gearheart
Director of Curriculum, Instruction &
Administration

Facts about Scoliosis

What is scoliosis?

Scoliosis is a lateral or sideward curvature of the spine. Scoliosis is not a disease. Normally the spine is in a vertical straight line. Scoliosis is often found in the same families, and is three to four times more frequent in girls than in boys.

Is there a cause of scoliosis?

Scoliosis is most often known as *idiopathic* scoliosis, which means the exact cause of the curvature is unknown. It is often detected during the preadolescent or adolescent growth spurt. Scoliosis can be due to a *congenial*, bone abnormality present at birth. Other causes of scoliosis are degenerative scoliosis and neuromuscular scoliosis. *Degenerative* scoliosis may be due to an injury or illness. *Neuromuscular* scoliosis results from abnormalities in muscles or nerves.

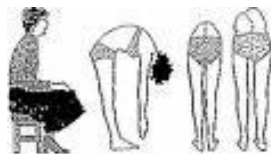
Why screen for scoliosis?

Early detection of scoliosis can prevent scoliosis from progressing. Scoliosis can progress to poor range of motion, back pain, impaired function of the heart and lungs, and unpleasant cosmetic deformities.

How is scoliosis identified? Physicians use family history, physical exams and x-rays when checking for scoliosis. A simple test, called the Adam's Forward Bend test (see figure 1) is often used when screening for scoliosis. With this test, the child is asked to bend over at the waist as if they are going to touch their toes. The examiner then views for asymmetry of the back, and shoulders or any spinal curvatures.

A check list for detecting scoliosis

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Does your child have one shoulder higher than the other?
<input type="checkbox"/>	<input type="checkbox"/>	Does your child have one hip that looks higher than the other?
<input type="checkbox"/>	<input type="checkbox"/>	Does your child's head look centered over the body?
<input type="checkbox"/>	<input type="checkbox"/>	Does one shoulder blade stick out more than the other?
<input type="checkbox"/>	<input type="checkbox"/>	Is there a greater distance between arm and body on one side, than the other when the arms hang loose at the sides?
<input type="checkbox"/>	<input type="checkbox"/>	Does your child have round shoulders or a humpback?
<input type="checkbox"/>	<input type="checkbox"/>	Does your child lean to one side more than the other?



Adam's Forward Bend Test (figure 1)

If you answered yes to any of the questions above, it is advised that you consult with your physician or health care provider.

Potential treatment for Scoliosis

There are three basic plans for an individual that has scoliosis.

Observation

Orthopedic Bracing

Surgery

If your child is diagnosed with scoliosis, talk with your physician about the best form of treatment available.

Potential treatments vary, based on history, physical exam, x-rays and other tests.

Information on where screening may be obtained

If you suspect that your child has scoliosis check with your health care provider. If you need more information on scoliosis contact your school nurse.

References:

http://www.niams.nih.gov/Health_Info/Scoliosis/scoliosis_ff.asp

<http://www.iscoliosis.com/symptoms.html>

<http://www.livingwithcerebralpalsy.com/idiopathic-scoliosis.php>

<http://www.webmd.com/osteoarthritis/guide/arthritis-scoliosis>

HEAD LICE PROTOCOL

1. Any student displaying signs of head lice should be checked immediately. (excessive itching of scalp)
2. If lice/nits are found, parents should be notified and student sent home with written and verbal instructions on treating the condition. (First time)
3. Any siblings should be checked also. If siblings attend another school, notify that school office/nurse.
4. **Parents are required to accompany students to school. Proof of treatment must be brought by the parent. The student will be re-screened, preferably before they go to class.** IF live lice and/or multiple nits (more than 10 to 12, less than an inch from the scalp) are still present, the student will not be permitted to return to class but return home. (Follow-up)
5. Parents should accompany students a second time to school. IF live lice and multiple nits (as described in item 4) are still present, notify the attendance officer and/or the district nurse. A home visit may be offered at this time for further instruction and care. (Second follow-up)
6. Parents should accompany students to school before entrance is allowed at this point.
*IF 10 to 12 nits are discovered and are more than one (1) inch away from the scalp, the nurse and parent may remove these and allow the student to return to class. IF this inspection reveals multiple nits or lice, the student will be sent home and the attendance officer and/or the district nurse will make contact with the parent(s). (Third follow-up)
7. On the fourth and subsequent reports of nits or lice for the student, the student **MUST** be sent home. Immediately notify the district nurse and attendance officer/school social worker. The school nurse must provide a written history of lice/nit infestation for the student. At this point, the district nurse and social worker/ attendance officer will discuss the disposition of the case. Assistance from the departments of Health and/or Human Resources may be requested for further investigation.
8. Every effort will be made to maintain the privacy of the student.
9. IF a student has a chronic problem with reinfestation (three cases of live lice and/or nits occurring at least two weeks apart within a school year) all nits must be gone before the student may return to class.
10. Infestations are reported to the school administration. If outbreaks continue, the following steps are to be taken:
 - a. Student coats will be stored away from other students in plastic bags or individual cubbies.
 - b. The school nurse will give instructions on preventing the spread of lice to all students in each class involved where multiple cases have been found.
 - c. Custodians will be asked to vacuum more thoroughly in the affected area after school.

A letter of explanation may be sent home to parents advising them to check their child each day for possible infestation. The letter should include instructions on how to check for nits/lice

11. If lice or nits are found on a student which require him/her to be sent home, notices will be sent home with other students indicating that there has been a case of head lice in the classroom. All attempts will be made for letters to be sent home within 2 days.

CHAPTER II

RULES OF CONDUCT AND DISCIPLINARY PROCEDURES

Section A RULES OF CONDUCT

Students may be disciplined by school officials, to include suspension and expulsion, for student conduct on school property, while engaged in or attending a school activity, or while going to or returning home from school. Students may also be disciplined for acts committed away from school property and outside school hours if the conduct is detrimental to the interest of the school or adversely affects school discipline.

Prohibited conduct encompasses any behavior incompatible with the workplace and good citizenship and includes but is not limited to the following:

DISRUPTIVE CONDUCT

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

Students shall not engage in conduct that is or is intended to be disruptive of any school activity, function or process of the school or is dangerous to the health or safety of students or others. Disruptive conduct includes fighting, threats, or intimidation that endangers the well being of other students, school staff members, or others.

ATTENDANCE

Student attendance is a cooperative effort; schools shall involve parents and students in accepting responsibility for regular attendance.

Each parent or guardian of a child within the compulsory school attendance age shall be responsible for the child's regular and punctual attendance at school as required by law.

Students shall attend school on a regular and punctual basis unless otherwise excused in accordance with school board regulation.

DEFIANCE OF THE AUTHORITY OF SCHOOL PERSONNEL

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

CHEATING

Students are expected to perform honestly on any assigned schoolwork or tests. The following actions are prohibited:

1. Cheating on a test or assigned work by giving, receiving, offering, and/or soliciting information.
2. Plagiarizing by copying the language, structure, idea, and/or thoughts of another.
3. Falsifying statements on any assigned schoolwork, tests, or other school documents.

BUS RELATED CONDUCT

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior. Students who become disciplinary problems on school buses shall be reported to the principal by the driver and may have their riding privileges suspended. This includes conduct in a school vehicle, while on a school sponsored trip and on the way to and from school including the bus stop. Students are subject to the same disciplinary action as would be prescribed had the behavior occurred at school.

FIGHTING

Fighting is defined as exchanging mutual physical contact between two or more students by pushing, shoving or hitting with or without injury. Fighting of any kind is prohibited. Students shall not fight or engage in any activity that could intentionally cause physical harm to another person. The penalty for fighting may include out-of-school suspension for all parties involved, or who fail to immediately withdraw. Students instigating fights will also be disciplined. Students who feel a fight may develop must report immediately to the main office, or to a teacher, and ask for help. No excuses will be accepted for fighting.

SELF DEFENSE

Students are subject to disciplinary action for misconduct. Cases for which self-defense is claimed must meet the following criteria: (1) the claimant must not have provoked or behaved in a manner to cause the incident. (2) the claimant must have had reasonable fear of danger of harm and (3) the claimant used no more force than needed for protection from the threatened harm. Such incidents should be reported immediately to school officials. When claims of self defense have been established, the administrator shall (1) allow the student to present his version of what occurred and (2) review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interaction among the student involved. Finding from the review of circumstances and other relevant information should be considered in determining appropriate corrective disciplinary action. Claims of self defense do not constitute a valid defense against possession or use of a weapon on school property or at any school sponsored activity. Weapons are prohibited on school property and at school-sponsored events.

ASSAULT AND BATTERY

A student shall not assault or commit battery upon another person. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery.

The following violations shall result in disciplinary action and may require mandatory sanctions:

1. Threatening or physically assaulting another student or another person (other than a staff member) who has reason to be at school, whether or not causing injury, shall result in disciplinary measures up to and including a 10-day suspension and a recommendation for expulsion.
2. Physically assaulting a school staff member shall result in suspension from school for up to 10 days, and the principal may recommend expulsion. In the event of injury to the staff member, expulsion shall be recommended.

THREATS OR INTIMIDATION

Students shall not make any verbal or physical threat of bodily injury or use of force directed toward another person for the purpose of extortion or for any other reason.

EXTORTION

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

PROFANE, OBSCENE, OR ABUSIVE LANGUAGE

Students shall not use language, a gesture, or engage in conduct that is vulgar, profane, obscene, or disrupts the teaching and learning environment. Students shall not use orally or in writing vulgar or patently offensive language, sometimes referred to as “curse” words or profanity, or possessing or displaying visual imagery that is obscene as defined in the Code of Virginia, or engage in indecent or lewd exposure of body parts.

BULLYING

A student, either individually or as a part of a group, shall not harass or bully others. Prohibited conduct includes, but is not limited to, physical intimidation, taunting, name-calling, insults, and any combination of prohibited activities. Prohibited conduct includes verbal conduct consisting of comments regarding the race, gender, religion, disability, physical abilities or characteristics or associates of the targeted person. Falsifying statements about other persons is prohibited. Also, using technology such as email, text messages or web sites to defame or harm others is prohibited.

STALKING

Students shall not engage in a pattern of behavior that places another person in fear of serious harm. Stalking is defined as conduct, occurring on more than one occasion and directed at another person, that places that other person in reasonable fear of death, criminal sexual assault, or bodily injury.

HARASSMENT / SEXUAL HARASSMENT

A student shall not harass or sexually harass another student or any school employee, volunteer, student teacher or any other person present in school facilities or at school functions in violation of JFHA/GBA. It is prohibited for any student, male or female, to harass another student or employee by making unwelcome sexual advances, or engaging in other verbal or physical conduct of a sexual nature. False charges of sexual harassment shall be treated as a serious offense and those persons making false charges shall be subject to disciplinary action.

The Bristol Virginia Public School Board prohibits the harassment of children with disabilities in academic and nonacademic settings during the school day and for school-sponsored extracurricular activities.

HAZING

No student shall engage in hazing. Hazing means to recklessly and intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with, or as a condition for, continued membership in a club, organization, association, fraternity, sorority, or student body, regardless of whether the student or students so endangered or injured participated voluntarily in the activity.

Hazing is a Class 1 misdemeanor which may be punished by confinement in jail for up to 12 months and a fine of up to \$2500, or both, in addition to any disciplinary consequences which may be imposed. In addition, any person who received bodily injury by hazing has a right to sue, civilly, the person or persons guilty thereof, whether adults or minors.

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

GANG ACTIVITY

A student shall not engage in gang or gang related activities that are disruptive to the school environment, which include, but are not limited to, the display or any apparel, jewelry, accessory, tattoo, or manner of grooming, which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in a gang that advocates illegal or disruptive behavior. Gang activity is defined in Policy JFCE.

PROPERTY VIOLATIONS

Property violations include, but are not limited to, arson, destruction of property, vandalism, and theft.

Arson - § 18.2-79. of the *Code of Virginia*, prohibits the burning or destroying of any school. The destruction may be in whole or in part—only a *slight* burning is necessary to violate this section of the *Code*.

Destruction of property - § 22.1-280.4. of the *Code* authorizes school boards to seek reimbursement from a pupil or the pupil's parent for any "actual loss, breakage, or destruction of or failure to return property, owned by or under the control of the school board, caused or committed by such pupil in pursuit of his studies."

Theft – Larceny is the wrongful taking of the property of another without the owner's consent and with the intention to permanently deprive the owner of possession of the property.

Vandalism - § 18.2-138. of the *Code* prohibits the willful and malicious damaging of public buildings, including schools.

The following violations shall result in disciplinary action at the discretion of the principal and may require a report to local law enforcement authorities:

1. Willful causing or attempting to cause damage to school property.
2. Theft of, taking, or trying to take another person's personal property or money by force, fear, or other means.
3. Vandalism, arson, or any threat or false threat to bomb, burn, damage, or destroy in any manner a school building or school property.

A student (or the student's parent) shall be required to reimburse the school board for any actual loss of, breakage or, destruction of, or failure to return property owned by or under the control of the school board caused or committed by such student.

VANDALISM

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

LOITERING

Students are required to be in class or assigned areas when present on school grounds. Students must not be in certain unauthorized areas.

TRESPASS

The student shall not trespass on school property or use school facilities, including school buses, without proper authority or permission, or during a period of suspension or expulsion. This includes failure to leave promptly after being told to do so by the principal or the staff member in charge.

All visitors to a school or its grounds shall report to the main office immediately. Persons who fail to do so may be considered trespassers and subject to legal action, and student visitors who fail to do so may be subject to disciplinary action as well as legal action. Any persons whose presence or action interferes with or disrupts the operation of the school, its students, or school activities shall be prohibited from entering school or remaining on school property or remaining at a school-sponsored activity, wherever located.

GAMBLING

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

USE/POSSESSION OF ALCOHOL, TOBACCO, AND OTHER DRUGS

A student shall not possess, use, and/or distribute alcohol, tobacco and/or tobacco products, or other drugs on school property, on school buses, or during school activities, on or off school property.

This includes, but may not be limited to, smokeless tobacco, anabolic steroids, look-alike drugs, drug paraphernalia, and any prescription or non-prescription drug not possessed in accordance with Policy JHCD.

A student shall not possess, procure, purchase or attempt to possess, procure, or purchase, or be under the influence of (legal intoxication not required), or use or consume or attempt to use or consume, any of the restricted substances listed in regulation JFC-R, which incorporates Policy JFCF.

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

Any student who possesses or uses prohibited substances may participate in prevention and intervention activities deemed appropriate by the superintendent.

**DISTRIBUTION OR SALE OF ILLEGAL DRUGS OR POSSESSION/
DISTRIBUTION WITH INTENT TO SELL**

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

POSSESSION OR USE OF WEAPONS OR OTHER DANGEROUS ARTICLES

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

BOMB THREATS

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

**FELONY CHARGES/REPORTS ON CONVICTION OR ADJUDICATION OF
DELIQUENCY**

Section 22.1-277. of the *Code* authorizes the suspension or expulsion of pupils “for sufficient cause,” including acts off school property when the acts lead to an adjudication of delinquency, a conviction of certain offenses, or a charge that would be a felony if committed by an adult.

VIOLATIONS OF LAW OR POLICY

Students shall not violate any law of the city, state, or nation; regulation of the school or school system; or policy of the School Board.

ACCEPTABLE USE OF THE INTERNET

Students shall abide by the School Division’s Acceptable Computer Use Policy and Regulations. Students shall not have unauthorized or illegal use of, or access to, computers, software, telecommunications, and related technologies; any willful act that causes physical, financial, or other harm or otherwise disrupts information technology.

FIREWORKS

Students shall not use or possess fireworks on school property, school buses, or at any school related event on or off school grounds.

POSSESSION OF BEEPERS, CELLULAR TELEPHONES, PERSONAL DIGITAL ASSISTANTS (PDAS), OR SIMILAR DEVICES

The Bristol Virginia School System forbids student possession and use of beepers, cellular telephones, blackberries, personal digital assistants (PDAs) or similar devices on School Board property during the school day. However, for appropriate after-school use a student may keep a cellular telephone and similar devices out-of-sight in his or her car or locker during the school day. The cell phone and similar devices must remain in the “off” position at all times during school hours. If not left in the car, the device must be placed in the student’s own locker before 7:45 a.m. and remain there until the end of school at 2:40 p.m. Violations of this policy will result in the confiscation of the cellular telephone and/or similar devices (six weeks per incident) and detention or in-school or out-of-school suspension, at the discretion of the school administration. **NOTE:** In the event a family makes the decision to not relinquish the cell phone the student will be suspended for ten (10) days out-of-school without the opportunity to make up work missed. **ELEMENTARY SCHOOLS:** Students are discouraged from bringing cell phones to elementary schools. However, if the parent allows this, then the phone must be kept in their book bag and turned off during school hours. If the phone is out or rings during the school day the principal will confiscate the phone and call the parents. The parent or guardian will have to come and meet with the principal. During this meeting the principal will inform the parents that the next time this happens the phone will be kept in the safe for six weeks. Violations of this policy will result in the confiscation of the cellular telephone and/or similar devices and detention or in-school or out-of-school suspension, at the discretion of the school administration.

OTHER CONDUCT

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

STUDENT DRESS

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

APPEARANCE/ DRESS STANDARDS

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

Clothing should fit, be neat and clean, and conform to standards of safety, good taste, and decency. Clothing should not be so tight that undergarments are revealed. Clothing that exposes cleavage, private- parts, the midriff, or undergarments, or that is otherwise sexually

provocative, is prohibited. Examples of prohibited clothing include, but are not limited to: sagging or low-cut pants, low-cut necklines that show cleavage, tube tops, halter tops, backless blouses or blouses with only ties in the back, clothing constructed of see-through materials, and head coverings unless required for religious or medical purposes.

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

Parents of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal. Students not complying with this code will be asked to cover the noncomplying clothing, change clothes, or go home. Repeated infractions will result in disciplinary action.

TOPS

1. All undergarments will remain under appropriate cover or clothing.
2. Transparent shirts or blouses, backless shirts, halter-tops, tube tops, open sided tops (such as basketball-type jerseys) or cut off tee shirts and other tops that expose the chest, cleavage, back, midriff, navel or waistline are prohibited.
3. Mesh-type shirts or jerseys that expose the chest or midriff also are inappropriate.
4. Clothing with string or “spaghetti” straps is not permitted. The minimum acceptable width of a shoulder strap is the width of a standard credit card, phone card, or driver’s license.
5. Clothing or accessories which identify students with, or can be perceived as, gang affiliations are not permitted.
6. Tops worn under jackets must meet the dress code standards. Jackets may not be used to cover inappropriate tops/clothing.

COATS

All coats and heavy jackets should be placed in student lockers prior to the beginning of school. Sweaters, sweatshirts, or short light-weight jackets may be worn during the school day.

STREET CLOTHING

Only street clothing is acceptable for school (no pajamas, house slippers, swim trunks, etc.) No costumes are allowed for any holiday.

PANTS/SHORTS/SKIRTS/SKORTS

1. All undergarments must remain fully under appropriate cover or clothing.
2. Hips, midriff, buttocks, lower back, upper thigh and navel will remain covered with clothing whether standing, sitting or bending.
3. Miniskirts, short skirts, “short” shorts, or form fitting attire that is revealing or disruptive to the learning environment are prohibited.
4. Sleepwear or lounge pants will not be permitted.
5. Skirts and dresses must be no shorter than the knee. All skirts and dresses however, must not be shorter than credit card length above the top of the knee if leggings are worn).
6. Pants with regular waistbands should be worn at the waist and be size-appropriate.

7. No Sagging is allowed.
8. No holes, tears, or rips are permitted in appropriate places such as the crotch, seat, etc.... No holes are permitted above the knee area.

JEWELRY

No industrial or pet chains or collars may be worn around the neck, wrist, waist, or chains attached to wallets. Chains worn around the neck must be small enough to break if jerked by another individual.

PIERCINGS

The piercing must be no larger than that required by a standard earring.

SHOES

Shoes must be worn at all times.

HEAD COVERINGS

Hats, scarves, sweatbands, or stockings may not be worn on the head inside the building. Hats should be placed in the locker upon arrival at school.

SUNGLASSES

No sunglasses are to be worn or visible during the school day unless prescribed by a doctor for health purposes.

SPIRIT UNIFORMS, SCHOOL REPRESENTATIVES, AND CLOTHING FOR SCHOOL EVENTS

- Spirit group uniforms worn to attend class must meet all dress code requirements.
- In the interest of safety and/or health, specific dress or grooming standards may be required for certain classes.
- A more rigorous code may be required for students serving as representatives of the school.
- Clothing worn to school sponsored events (sports event, plays, etc.) does not have to meet the same code as clothing worn in the classroom setting. However, students should dress in a manner that is not embarrassing to the Bristol Virginia BOE, school officials, and the students' families.

DISCIPLINE FOR VIOLATION OF THE DRESS CODE: (VHS ONLY)

1. Students will be required to change clothing (call parent and go home). If a parent cannot be reached, the student will be placed in ISS for the day.
2. In addition to the change of clothing, the student will be assigned detention for the 1st offense, and ISS/OSS for the 2nd and other offenses.

Classes missed due to change of clothing will be recorded as PAR if the parent gives permission and this occurs within the five (5) days allowed for parent permission, otherwise, it will count as unexcused time from school with no allowance for make-up work.

UNLAWFUL ACTS

Unlawful acts which will lead to police notification and may lead to suspension from classes, exclusion from activities or expulsion includes but is not limited to:

- a. *possession, use, distribution, sell, manufacture, or being under the influence of alcohol, illegal drugs, or possession of drug paraphernalia.
- b. **assault/battery
- c. sexual assault
- d. arson
- e. intentional injury (bullying, fighting)
- f. theft
- g. bomb threats, including false threats, against school personnel or school property
- h. use or possession of explosives (Policy JFCD)
- i. possession of weapons or firearms (Policy JFCD)
- j. extortion, blackmail, or coercion
- k. driving without a license on school property
- l. homicide
- m. burglary
- n. sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation)
- o. malicious mischief
- p. shooting
- q. any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs
- r. stabbing, cutting, or wounding
- s. unlawful interference with school authorities including threats
- t. unlawful intimidation of school authorities
- u. other unlawful acts including being an accessory or any of these or other unlawful acts
- v. biological/chemical threats, including false threats or hoaxes, against school personnel, other students, or property

Any student involved in a reportable drug or violent incident shall participate in prevention and intervention activities deemed appropriate by the Superintendent or his/her designee. Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluation and if the parent consents. The superintendent shall issue regulations listing additional actions which may be cause for corrective action and if serious enough or exhibited repeatedly may lead to suspension or expulsion.

* Using, possessing, distributing, manufacturing, or being under the influence of a controlled substance, including anabolic steroids, an imitation controlled substance including nonalcoholic beer, illegal drugs including marijuana, intoxicants including alcohol. Inhalants, and any prescription or nonprescription drug not authorized as medication, or using, possessing, manufacturing, or distributing drug paraphernalia. As employed herein,

the term “distributing” shall be deemed to include, without limitation, giving, sharing, or selling, or intending or attempting to do so, as well as facilitating any of the above. Any student violating this rule will be brought before the school board for actions that may lead up to and/or include expulsion.

However, use by a student of a drug authorized by a medical prescription from a registered physician in accordance with the instructions for use of the drug as prescribed for the student shall not be considered a violation of this rule.

1. The principal or principal's designee shall notify the student's parent or guardian of the recommendation of expulsion from school.
2. The principal or principal's designee shall report the violation to the Bristol Virginia Police Department. If material is found that is suspected of being a controlled substance, it shall be turned over to the police department.

** Physical or sexual assault or battery upon any person, including improper touching, assaulting or threatening to assault a staff member shall result in suspension, and the principal may recommend expulsion of the student. Any middle or high school student who willfully and physically assaults a school staff member, in a way that results in bodily injury to that staff member, shall be excluded from school for a ten day suspension and recommended for expulsion.

Any collection or group of students assembled with the intention of committing an assault constitutes a mob. Each and every student who is part of a mob shall be held directly responsible for any assault committed by the group.

For any involvement in a mob assault by any student, a principal shall exclude each student from school for a ten-day suspension and shall recommend expulsion from school and shall report the assault to the Bristol Virginia Police Department.

- w. Unauthorized use or possession of any gun, knife, or other weapon including the use or possession of explosives.

Unauthorized use or possession of any gun, knife, or other weapon including the use or possession of explosives. Weapons include, but are not limited to:

- any pistol, shotgun, stun gun, taser, revolver, or other firearm listed in section 22.1-277.07(D), 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, knife, bowie knife, ballistic knife, switchblade knife, machete, 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 nunchahka, nunchuck, nunchaku, shuriken, or fighting chain,
- any disc of whatever configuration, having at least two points or pointed blade, and which is designed to be thrown or propelled, known as a throwing star or oriental dart,

- any studded accessory or article of clothing such as a studded collar or chain belt,
- mace, pepper spray, or any similar propellants,
- explosives, and
- destructive devices as defined in section 22.1-277.07(D), of the Code of Virginia, or other dangerous articles.

For unauthorized use or possession of a gun, or unauthorized use of any weapon, a principal shall exclude a student from school for a ten day suspension and shall recommend expulsion from school. A principal may suspend a student and recommend expulsion in any situation involving unauthorized possession of a weapon.

x. Hazing or otherwise mistreating another student so as to cause bodily injury. Any student who subjects another student to assault, pranks, or other disagreeable tasks that result in the other student's bodily injury shall be excluded from school for a ten-day suspension and recommended for expulsion. A report of the incident shall be made to the Commonwealth Attorney in accordance with Section 18.2-56 of the Code of Virginia.

y. Stalking

PROCEDURES / GENERAL INFORMATION

ADMINISTERING MEDICINES TO STUDENTS

Prescription Medications

Bristol Virginia Public School personnel may give prescription medication to students only with a physician's written order and written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student.

Nonprescription Medications

Bristol Virginia Public School personnel may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student.

Self-Administration of Asthma Medication

Students with a diagnosis of asthma are permitted to possess and self-administer inhaled asthma medications in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. In order for a student to possess and self-administer asthma medication, the following conditions must be met:

- written parental consent that the student may self-administer inhaled asthma medications must be on file with the school;
- written notice from the student's primary care provider must be on file with the school, indicating the identity of the student, stating the diagnosis of asthma and approving self-administration of inhaled asthma medications that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication;
- an individualized health care plan must be prepared, including emergency procedures for any life-threatening conditions; and
- information regarding the health condition of the student must be disclosed to school board employees complying 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 will be effective for a period of one school year, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication may be limited or revoked after appropriate school personnel consult with the student's parents.

FIRST AID

Each school in the Bristol Virginia Public School Division has a health clinic. Clinics provide treatments to students who have health concerns or need first aid care. Permission for any treatments beyond first aid must be written by a physician and have the parent's permission. The clinics have the following topical medications available for students who need basic first aid care: Bactine Spray, Benadryl Spray, Calagel (itches and rashes), Orajel (minor tooth ache), Triple Antibiotic Cream (cuts and scratches), and Benzocaine (bug bites or stings). If you do not want these medications available for your child, please contact your school nurse. Parents will be notified of any concerns or excessive use of the clinic.

ASSEMBLIES: Assemblies are held for the benefit of the student body as part of the educational program. Students are to demonstrate good behavior and respect for the program participants. Students are to remain with their assigned classes and sit in the seats assigned.

BEGINNING AND ENDING THE SCHOOL DAY: Students arriving early should report to the cafeteria and remain there until the first bell. Students not participating in extra-curricular activities, or working individually with a teacher or coach, must leave school grounds after the last bell. A note to parents: students are not allowed to stay on school grounds after the last bell because there is no supervision. Since bus transportation is provided, waiting for a ride is not an acceptable reason for remaining at school after hours. No loitering on school grounds is allowed.

CHILD ABUSE REPORTING: Every employee of Bristol Virginia Schools who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to:

1. the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
2. to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
3. to the person in charge of the school or department, or his designee, who shall make the report forthwith.

DANCES: All guests are subject to approval of the sponsor, teacher, or administrator. Students will be required to remain in the building until leaving to go home. Dress appropriate to the occasion will be required. The use or possession of tobacco products, alcoholic beverages and other drugs is strictly prohibited.

FIRE DRILLS: When a fire alarm sounds:

- Exit the rooms single file according to the posted directions and follow the supervising teacher's directions. When between classes or during lunch, use the nearest exit and move at least 30 yards from the building.
- Move quickly and orderly to the assigned area.
- Remain with your group until re-entry is signaled.

FOOD AND BEVERAGES: No beverages or food will be allowed to be brought into the school building during school hours or after hours for athletic events or other activities. Any exception must be approved by the principal.

LIBRARY: The library is designed for reference work, research, and leisure reading; therefore, no talking is allowed except to the librarian and/or teacher. Classroom/Study Hall teachers should make prior arrangements with the librarian before sending students to the library.

LITTERING: Do your part to keep all of our schools attractive. Do not litter.

MOTOR VEHICLES: Virginia High School Students who plan to park on campus must meet attendance regulations as defined in this student handbook and are required to register with the School Resource Officer. Students must also purchase a parking permit at the cost of \$5.00. During the school day, students are not to visit, sit in, or operate motor vehicles. Once a student arrives at school, he/she must park the car, lock it, and leave it. Students must receive permission from an administrator to return to their car during the day. Students are allowed to park only in designated areas. Improperly parked vehicles are subject to towing at the owner's expense. Student drivers are required to demonstrate proper and safe driving both in the parking lot and in the vicinity of the school. Violation of these requirements will result in loss of driving privilege on campus.

PUBLIC DISPLAY OF AFFECTION: Public display of affection is prohibited.

RADIOS & TAPE PLAYERS, ETC.: Students are not allowed to have radios, record players, disc players, tape players, IPODS, etc. during the instructional day. However, with supervisor permission, they may be used on school trips.

REFERRAL TO OFFICE: If told to report to the office by a member of the faculty, staff, or administration, a student must report immediately. Failure to report to the office when directed will result in suspension.

SALE OF MATERIALS: Distribution or sale of any materials is not allowed unless approved by the principal.

SCREENING: All students, within 60 administrative days of initial enrollment, shall be screened in the areas of vision and hearing to determine if a referral for an evaluation for special education and related services is indicated. In addition, the vision and hearing of all students in grades three (3), seven (7), and ten (10) shall be screened during the school year. All students in grades five through ten (5-10) shall receive information on scoliosis during the school year. Parents or guardians will receive written notification if your child fails any screening. Results on any screening are confidential and maintained in the student's scholastic record.

STUDY HALL: Study hall is designed as quiet study time during the school day; therefore, no talking is allowed. Each student has the responsibility to come to study hall with materials and assignments prepared to work.

VIDEO SURVEILLANCE: The school system employs video surveillance equipment for security and safety purposes. This equipment may or may not be monitored at any time. Additionally, in special circumstances, covert cameras may be used for security and/or safety of students and staff.

TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers shall have the initial authority to remove a student from a class for disruptive behavior that interrupts or obstructs the learning environment, using the following criteria:

1. The removal of the student is necessary to restore a learning environment free from interruptions or obstructions caused by the student's behavior.
2. The removal of the student occurs only after teacher or administrative interventions have failed to end the disruptive behavior. However, nothing shall preclude the immediate removal of a student for behavior that might warrant suspension from school.
3. The removal of a student is an appropriate response to student behavior that is a violation of the rules of conduct.
4. Written notice of the student's behavior and removal from class is given to the parent by the teacher.

REPORTING TO POLICE

The principal or designee shall report all violations of law that require disciplinary action to the police department in accordance with Section 22.1-279.3:1 of the Code of Virginia, including all alcohol and other drug violations, unauthorized use or possession of any weapon, assault, or hazing.

The questioning by police officers of students in school or on school grounds about alleged illegal activities shall meet the conditions as defined in Policy KNAJ or the Code of Virginia.

Section B DISCIPLINARY PROCEDURES

The principal or his or her designee shall determine the appropriate disciplinary measures to be taken in each case of student misconduct or violation of any rules or regulations, except when School Board action is required, and may request the assistance of other appropriate staff members. In disciplinary cases, all students have the right to due process and to fair procedures in determining facts and imposing penalties.

Whenever used in this regulation, the term "principal" shall mean the principal, any assistant principal or, in their absence, the designated teacher in charge.

CORRECTIVE ACTIONS

The following corrective actions are among those available to the school administration for violation of the Student Code of Conduct. Each offense shall be considered fully in determining reasonable corrective actions.

1. Counseling
2. Admonition
3. Reprimand
4. Loss or suspension of privileges, including access to the School Division's computer system for a specified period of time

5. Parental and/or pupil conferences
6. Tasks or restrictions assigned by the principal/designee
7. Detention after school or before school
8. Suspension from school-sponsored activities or events prior to, during, or after the regular school day.
9. In-school suspension
10. Short-term or long-term suspension
11. Referral to an alternative education program
12. Notify legal authority where appropriate
13. Recommendation for expulsion
14. Mandatory expulsion for bringing a firearm onto school property or to a school-sponsored activity or use or possession of marijuana, as defined in Chapter 34 of Title 54.1 and section 18.2-247 of the Code of Virginia on school property or at a school sponsored activity
15. Evaluation for alcohol or drug abuse
16. Alternative instructional arrangement. The student may be removed from his or her regular schedule of classes and assigned to a program of study under restrictive supervision for a fixed period of time. The student shall have the opportunity to receive full credit for work performed, and the principal shall notify the parent in writing of the terms and duration of the agreement.
17. 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 by the school principal for a period not to exceed 45 school days following a conference with his or her parent in whom the terms and conditions of the probation are explained. The principal shall also notify the parent in writing when probation is imposed, including the reasons for probation and its date of termination.
18. Long-term probation- A student may be placed on probation by the School Board or Superintendent for a period not to exceed 365 days. The School Board or Superintendent shall notify the parent in writing when the probation is imposed, including the reasons for probation and its date of termination.
19. Modification of student classroom assignment or schedule
20. Student behavior contract
21. Removal from class
22. Initiation of child study process
23. Referral to student support services, in-school intervention, mediation, or community service programs.
24. Suspension (short-term or long-term)
25. Required scheduled conferences with the school resource officer and/or school counselor.

**Options for corrective disciplinary action for misconduct may be differentiated by grade level.*

Definitions:

“Exclusion” means a school board’s denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

“Expulsion” means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.

“Short-term suspension” means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

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 below under "Suspension for ten school days or less" shall be given as soon as practicable thereafter.

SUSPENSION FOR TEN SCHOOL DAYS OR LESS

A student may be suspended out-of-school for violations of the Code of Conduct. For out-of-school suspensions of 10 days or less, the school administrator shall inform the student of the specific violation and provide the student with opportunities to respond to the charges. The student may present the student’s version of what occurred. When the school suspends a student, the school shall 1) notify the student of the right to appeal; 2) make a reasonable effort to notify the student’s parent of the suspension, inform the parent that a copy of the suspension notice/letter governing the suspension and the procedures for appeal are being mailed or sent home with the student, and make arrangements for the student’s return home; and 3) send written notification to the parent informing the parent of the suspension, of its reason, the length of the suspension, the right to appeal, the student’s right to return to school, and any conditions for that return.

SUSPENSION FOR MORE THAN TEN SCHOOL DAYS

The principal may recommend to the Division Superintendent or his designee that a student be suspended for more than ten school days. The Division Superintendent or his designee may authorize such suspension after the student and parent(s) or guardian have been provided written notice of the proposed action and the reasons therefore and of the right to a hearing before the Division Superintendent or his designee, if requested in writing.

When the Division Superintendent or his designee receives a request for a hearing, he or she shall promptly schedule with the parent(s) a mutually agreeable time and place for the hearing or, failing that, shall notify the parent(s) in writing at least two days before the hearing of the date, time, and place of the hearing and the procedures. The student may be represented at the hearing by a parent or other adult legally responsible for the student and one additional adult who may be legal counsel, a member of the clergy, a social worker, etc. The hearing shall be conducted by the Division Superintendent or his designee, shall be closed to the public, and may include the presentation of evidence, testimony, and cross-examination of those present.

Following the hearing, the Division Superintendent or his designee shall promptly notify the parent(s) and the principal of the decision and the basis for the decision, noting the parent's right to appeal in writing to the full School Board. Appeals to the full School Board shall be conducted in accordance with the procedures established.

If the decision to extend the suspension is in conjunction with a recommendation for expulsion, the School Board as part of the expulsion hearing will consider an appeal on the extension.

EXPULSION

Expulsion means only disciplinary action imposed by the school board, as provided in school board policy, where a student is not permitted to attend school within the division and is not eligible for readmission for 365 calendar days after the date of expulsion. Expulsion may be affected or rescinded only by the School Board or a designated committee thereof. The principal, with the approval of the superintendent, his designee, or a hearing officer, shall promptly send written notice of the facts warranting a recommendation for expulsion to the Division Superintendent or his designee, the parent(s), and the student. The principal shall offer to meet with the student and parent(s), prior to a hearing, to explain the expulsion process and to discuss the facts leading to the recommendation.

The Division Superintendent or his designee shall promptly schedule a hearing on the expulsion recommendation at a mutually agreeable time and place or, failing that, shall notify the parent(s) in writing at least two days before the hearing of the date, time, and place of the hearing and the procedures. The expulsion recommendation is not binding on the Division Superintendent or his designee, who may implement alternative disciplinary sanctions. If the Division Superintendent or his designee upholds the principal's recommendation, his or her office shall inform the student and the parent(s) of such.

EXPULSION FOR DRUG-RELATED OFFENSES

Any student determined to have distributed or manufactured a controlled substance including anabolic steroids or prescription drugs, an imitation controlled drug, or other prohibited substance on school property or at a school-sponsored activity shall be expelled for a period of not less than one year. However, the school board may determine, based on the facts of a particular case that special circumstances exist and another disciplinary action or term of expulsion is appropriate. The division superintendent may conduct a review in such cases to determine whether a disciplinary action other than expulsion is appropriate, and recommend that action to the school board for final determination.

SUSPENSION FOR MORE THAN TEN SCHOOL DAYS OR EXPULSION OF A STUDENT WITH A DISABILITY RECEIVING SPECIAL EDUCATION SERVICES

Suspension and/or expulsion of students with disabilities will be in compliance with state regulations and federal law.

ADMISSION OF STUDENTS SUSPENDED OR EXPELLED FROM ANOTHER DIVISION OR PRIVATE SCHOOL

A student who has been expelled or suspended for more than 30 days from attendance at school by a school board or a private school, or for whom admission has been withdrawn by a private school, may be excluded from attendance for no more than one calendar year in the case of expulsion or withdrawal of admission, and in the case of suspension of more than 30 days, for not longer than the duration of such suspension. The school shall provide written notice to the student and his or her parent of the reasons for such possible exclusion and of the right to a hearing conducted by the division superintendent. The student may not attend school until a review of the case is conducted by the division superintendent. Exclusion shall be imposed upon a finding that the student presents a danger to the other students or staff members of the school division. The decision to exclude the student shall be final unless altered by the school board after timely written petition. Upon the expiration of the exclusion, the student may petition the division superintendent for admission.

Section C UNAUTHORIZED PERSONS

No person whose presence or action interferes with or disrupts the operation of the school, its students, or school activities may enter or remain in any school vehicle or building or upon any school ground, roadway, or sidewalk. All visitors to a school or its grounds shall report to the main office immediately. Persons who fail to do so may be considered trespassers and subject to legal action.

Section D DISCIPLINARY ACTION FOR CONDUCT NOT RELATED TO SCHOOL ACTIVITIES

The School Board may require any student who has been charged with an offense relating to Virginia's laws on weapons, alcohol, drugs, or intentional injury to another person or has been found guilty or not innocent of a crime that resulted in or could have resulted in injury to others to attend an alternative education program, including, but not limited to, night school, adult education, or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

The School Board may impose this requirement without regard to where the crime has occurred. Students are subject to corrective action for any misconduct that occurs:

- in school or on school property
- in a school vehicle
- while participating in or attending any school sponsored activity or trip
- on the way to and from school
- off school property, when the acts lead to: an adjudication of

delinquency or a conviction for an offense listed in Section 16.1-305.1 of the Code of Virginia, 1950, as amended (unlawful purchase, possession or use of a weapon, homicide, felonious assault and bodily wounding, criminal sexual assault, manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances or marijuana, arson and related crimes, and burglary and related offenses” or (2) a change that would be a felony if committed by an adult.

Notification is sent to the Division Superintendent by the staff of the juvenile court when a student is charged with or found in violation of certain laws, as required by Sections 16.1-260 of the Code of Virginia.

CHAPTER III

STUDENT ACTIVITIES AND PROGRAMS

Section A BASIC CONCEPTS

The student activity program is an integral part of the total educational offering of Bristol Virginia Public Schools and is subject to the same administrative controls as are other educational programs. All school sponsored activities involving students shall be conducted within the letter and spirit of rules and regulations addressing appropriate behavior. All student activities, except those exempt in regulations, shall meet the following guidelines:

1. Student activities shall be open and available to all students. Non-school clubs, secret societies, or clubs with restrictive membership policies shall not be approved as legitimate student activities in school.
2. Students in each activity shall be required to select a faculty representative, subject to acceptance by the faculty member and approval by the principal.
3. Students and staff members shall be involved in the planning and conduct of school assemblies. The principal or designee, in consultation with the student government shall decide if attendance is to be compulsory or voluntary.
4. When establishing election procedures and qualifications for office or membership, school organizations shall observe the following rules:
 - a. No group shall discriminate against any student on the basis of race, sex, religion, national origin, or disability.
 - b. Academic standing may be a qualification only for honor societies. A member or members of the organization may follow membership requirements established by outside organizations such as the Kiwanis Club and the Virginia High School League provided no requirement permits the arbitrary exclusion of a candidate for membership.
5. Students will be required to have a 2.0 G.P.A. or be required to attend the 2.0 study hall for a semester in order to participate in interscholastic athletics and/or cheerleading.

ELIGIBILITY REQUIREMENTS

Student participants interested in competing in interscholastic athletics and/or cheerleading must meet the VHSL requirements to be eligible for participation as well as the 2.0 Policy JS that was established by the Bristol Virginia Board of Education. These requirements are:

VHSL: A student must pass five subjects at the end of the first semester for VHSL eligibility, and earn a passing grade in five subjects for the end of the year grade.

2.0 Policy: Each student shall have attained a 2.0 cumulative grade point average for the semester immediately preceding a semester in which he or she participates in interscholastic athletics and/or cheerleading. Any student athlete who fails to achieve the 2.0 GPA at the end of a semester will be required to attend the 2.0 study hall four days per week for the entire semester (even though the season may have ended) to be eligible to participate the following semester. In order to continue participation in the sports program students must maintain their 2.0 academic averages for each grading period (6 weeks) or attend athletic study hall.

Both the VHSL rule and the 2.0 Policy allow for first semester 6th graders and first semester 9th graders to participate without regard to their previous semester grades. However, if at the end any grading period during the athletic season the student athlete fails to earn a 2.0 GPA, the student must attend the 2.0 study hall to continue in the sport.

It is the responsibility of the program administrator at each school to inform all students of these eligibility requirements upon entering school at the beginning of each school year and to students who transfer in during the school year. Student participants must sign an agreement form at the beginning of each year that they have been informed of the VHSL and 2.0 policies, and that they understand the criteria for remaining eligible for interscholastic activities during the school year.

Any student participant who fails to comply with the study hall assignment by the program administrator or fails to regularly attend study hall will be referred to the school principal. The program administrator will recommend that the participant be ruled ineligible to continue any participation in interscholastic activities. The school principal will make the final decision and report that decision to the athletic director and appropriate activity sponsors.

Study Hall

The program administrator shall oversee athletic study hall and report to the appropriate interscholastic activity sponsor all progress of student participants. Study Hall will be held Monday through Thursday from 2:45 p.m. to 3:30 p.m. at each school in the area designated for this activity and Saturday morning from 9:00 a.m. to 9:45 a.m. at Virginia High School. Makeup will be held on Fridays from 2:45 p.m. to 3:30 p.m. Student participants, assigned to study hall, must attend 4 of the 5 study hall sessions offered per week to remain eligible in the interscholastic activity in which he/she is currently participating.

Section B **STUDENT GOVERNMENT**

In order that students may experience the responsibilities and rights of self-government and participate in the management and conduct of their affairs, a duly elected representative student government shall be established. The student government, with the approval of the principal, shall be established on a level commensurate with the maturity of the student body and, in high school, shall determine election procedures and qualifications for student government and class office with the approval of the principal. The student government shall work to improve communication among the students, teachers, parents, and school officials. In high school, the student government, with the concurrence of the principal and appropriate faculty members shall be responsible for authorization, promoting, scheduling, and operating student activities. Activities failing to meet the guidelines in Chapter III, Section A, are subject to cancellation or restriction. The student government shall require all student clubs and organizations under its leadership to develop constitutions and bylaws appropriate to their operation. School officials shall consult with the student government for student opinion on general matters of curriculum, procedures, faculty student relations, and discipline.

Section C **STUDENT PUBLICATIONS**

Students are encouraged to establish school newspapers, yearbooks, literary magazine, and similar publications. The student editorial staff and faculty advisor shall establish editorial policy that promotes responsible journalism and does not violate the prohibitions on written expressions contained in Section C of Chapter I. The principal shall ensure that the contents of school-sponsored publications do not violate the provisions of Section C in Chapter I. In accordance with the procedures established in Section D of Chapter I, the principal's decision shall be subject to appeal.

Section D **SCHOOL ACTIVITY FUNDS**

All funds derived from local school activities such as entertainment, athletic contests, student clubs, and other events sponsored by the school are school activity funds. The principal shall be responsible for safeguarding, accounting, and auditing school activity funds. The student government, with the advice and consent of the principal, shall be responsible for advising officers of student activities on policies and regulations governing the receiving, transferring, and expending of school activity funds.

Section E **GUIDANCE AND COUNSELING PROGRAM**

Bristol Virginia Public Schools' guidance and counseling program assists students with their educational, career and personal/social developmental needs. It is the goal of the guidance and counseling program to help the individual fulfill his/her potential growth and become a productive member of society.

Through a developmental guidance and counseling program, students are assisted to work toward accomplishing the following:

Academic Objectives:

- Become oriented to the educational environment;

- Acquire effective study skills for academic achievement and develop an appreciation for learning;
- Gain knowledge of academic abilities, educational needs, and interests;
- Acquire knowledge of the curricular choices available in the school and the career goals to which they may lead;
- Plan a program of studies which is consistent with the individual ability and interests; and
- Develop competence needed for achievement which is consistent with ability.

Academic guidance (academic advising) consists of advice which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities.

Career Objectives:

- Become knowledgeable about the world of work and careers;
- Increase knowledge of self by assessing areas such as interests, abilities, aptitudes, and achievements, at appropriate age and grade levels, and relate such knowledge to programs of study for potential careers;
- Acquire information about educational and training opportunities within and beyond school;
- Establish tentative career objectives; and
- Prepare for further education and/or employment

Career guidance (career advising) consists of advice which helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities.

Personal/Social Objectives:

- Develop an understanding of self, to include interests, strengths, weaknesses, likes, dislikes, and develop positive realistic concept of self;
- Develop an understanding and respect for others and learn appropriate interpersonal skills;
- Acquire skills for solving problems and making decisions;
- Become increasingly self-directive and responsible; and
- Develop a basic understanding of and positive attitudes toward school, the community, and society.

Personal/Social counseling consists of counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Such counseling may be provided either (i) in groups in which generic issues of social development are addressed or (ii) through structured individual or small group multi-session counseling which focuses on the specific concerns of the participants.

A positive relationship between school and home fosters the academic and social growth of children. Counselors invite parents to meet with them concerning their child.

Information and records of personal/social counseling shall be kept confidential and separate and not disclosed to third parties without prior parental consent or as otherwise provided by the law.

Parents who do not want their child to participate in a guidance/counseling program should notify the school principal in writing. Parents who wish to review materials used in the guidance/counseling program should call the counselor for an appointment.

Chapter IV STUDENT ATTENDANCE

Section A **SELECTED VIRGINIA SCHOOL CODE REQUIREMENTS:
Code of Virginia, 1950, as amended, sections Section 22.1-254; and
22.1-258 through 22.1-269.**

1. **Student Attendance Policy**

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

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

A parent/guardian should contact the school before 9:30 a.m. on the day of the absence to give an explanation for the student's absence. If this call is not received, a reasonable effort will be made to make contact with the parent/guardian. If no contact is made, the absence will be coded as unexcused. The parent must contact the attendance office within two school days of the absence for the student to receive an excused absence. A log will be kept of calls received.

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

2. **Compulsory Attendance Procedures**

a. **Upon Fifth Absence Without Parental Awareness and Support**

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

b. Upon Sixth Absence Without Parental Awareness and Support

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

c. Upon Additional Absence Without Parental Awareness and Support

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

d. Parental Cooperation in Remediating Unexcused Absences

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

Section B **TRUANCY**

High school students who enter the courts due to truancy are subject to loss of driving privileges by suspension of their driver's license through the court system. Students who have not yet obtained a driver's license may be subject to a waiting period for the issue of their original license.

Section C **EXCUSED ABSENCES**

Under the compulsory attendance law, an accounting must be made of each day's absence. A call or verified note from a parent will be accepted for a student accumulating up to five (5) days of absences for the school year, and these days are coded as PAR days. After the fifth

(PAR) absence, ONLY a special excuse is accepted. Explanation of Special Excuse: Statements from a physician, dentist, or mental health professional that the student was unable to attend; an excuse from a court; and written evidence of the death of the student's mother, father, step-parent, legal guardian, grandparent, brother, sister, aunt, or uncle. Bereavement leave beyond two (2) days would require principal approval. Two visits to a college or with armed services personnel are also included in this category. All excuses must be dated and in writing to be valid. Excuses for college or university must be validated by providing a document from the registrar's office of the visiting college. Special excuses will not be granted during the school day to obtain driving permits. PAR days must be used or the absence is recorded as unexcused. Work missed for PAR days and special excuses **may** be made in Make-Up School (VHS).

Section D **MAKE-UP SCHOOL (For Virginia High School Students Only)**

No amount of make-up work will automatically compensate for the classroom experience that has been missed. Make-up school will be scheduled each week during the school year on Tuesdays, Wednesdays, and Thursdays from 3:00 p.m. to 4:30 p.m. for students who have been absent (excused) by period or by day to make up the schoolwork they have missed. Make-up school does not provide either specific course instruction for what was missed or seat time for each minute of each class from which a student was absent. It provides an opportunity to earn credit for doing the work required in each class. Students will be allowed to ask for make-up work for the five (5) PAR days approved by the parent and for special excuses. After a student misses class three or more times with excused absences that student must attend Make-Up School for any work that is made up. **Students will not have the opportunity to make up work missed for unexcused absences.**

It is the student's responsibility to ask the teacher for the missed work and attend Make-up School within four scheduled Make-up School days to receive credit for the work. Failure to ask for the work within three days following the absence will result in loss of the opportunity to make up the work.

Students will be allowed to make up work for OSS (Out-Of-School Suspension), only if it is assigned by the administration. The opportunity to make up work missed will be offered for two separate OSS incidents. If a student is assigned OSS for a third time by the administration, he/she will not be allowed to make up work.

Students choosing OSS in place of In-School-Suspension, or failure to surrender a cell phone, will not be allowed to make up any work that was missed during the suspension period.

Section E **MAKE-UP PLAN FOR STUDENTS WITH CHRONIC HEALTH ISSUES (VHS ONLY)**

Any student, who has chronic health issues and medical documentation for days missed from school, will be provided an opportunity to receive assignments to be completed at home. The parent of the student should notify the Attendance Secretary of the nature of the absence. Medical documentation must be provided for any days missed beyond the five (PAR) parent days. This will ensure that the absence will be coded as excused.

The parent should contact the VHS Guidance Department by 9:00 a.m. on the morning of the third consecutive day of the illness to request assignments for the work missed. The Guidance Counselor will notify the student's teachers to place work in the assignment box in the guidance office. Those assignments will be ready for pick-up by 3:00 p.m. on that day. New assignments will be provided when the preceding work has been completed and returned. The work will be made available on two-day intervals up to two weeks. Any tests or work that cannot be completed at home should be completed in Make-Up School after the student returns to school.

After ten (10) consecutive days missed, the parent should contact the Coordinator of Homebound Services. A determination will then be made as how to proceed with the student's educational plan.

PERFECT ATTENDANCE POLICY - Perfect attendance is defined as being in attendance 100% of each school day. No tardies to school or class, checkouts, or excused notes are permitted for perfect attendance.