



Harrington Waddell
Elementary
Parent/Student
Handbook
2024-2025

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www.lexedu.org

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Mission Statement

The mission of Harrington Waddell Elementary School is to create and nurture a community of life-long learners by providing sound progressive educational opportunities and challenging experiences that serve the needs and talents of all students.

Belief Statements

- o Students' learning needs should be the primary focus of all decisions that affect the work of the school.
- o Students learn in different ways; therefore, curriculum and instructional practices should incorporate a variety of learning activities to accommodate differences in learning styles.
- o Students need to demonstrate their understanding of essential knowledge and skills while being actively involved in solving problems and producing quality work.
- o The commitment to continuous improvement is imperative if our school is going to enable students to become confident, self-directed, lifelong learners.
- o Teachers, administrators, parents, and the community share the responsibility for advancing the school's mission

**Harrington Waddell Elementary Faculty & Staff
2024-25**

Kindergarten

Hailey Hostetter
Mindy Laubscher
Amanda White

First Grade

Peyton Adams
Janice Black
Hayden Richardson

Second Grade

Michala Bryant
Deborah Mohr
Tina Suter

Third Grade

Jennie Buntin
Anna Cincotta
Laura Squire

Fourth Grade

Michelle Dittman
Sion Jang
Kelly Rapoza

Fifth Grade

Katelyn Harper
Autumn Jenkins
Jaike Foley-Schultz

Paraprofessionals

Mollie Calomeris
Rose Covington
Kendall Hemmings
Megan Powers
Susan Wheeler
Sekena Wilson

Resource

Julie Hamilton, SLP
Kelly Allio, Special Education
Ronella Daniel, ECSE
Kim Moore, Special Education
Rachel Braun, ELL
Amelia Ditzel, ELL

Math/Reading Specialists

Ellie Bahhur, Reading
Naomi Gardner, Math/Gifted
Sherry Miller, Reading
Hannah Straub, Intervention

Specialists

Maggie Wilson, School Counselor
Tracy Bond, Art
Jacky Foster, Librarian
Angie Rader, Music/Band
Holly Snyder, P.E.
Hannah Straub, K-2 Art
Jen Hall, ITRT

Cafeteria Staff

Teresa Camden
Cathy Cooper
Teresa Donald
Mary Poe, Manager

Custodial Staff

Frances Caceres
Mary Altizer
Richard Jackson

School Nurse

Brittney Campbell

Office Staff

Kimberly Troise, Principal
Colleen Drake, Secretary
Amy Hayes, Office Aide

Harrington Waddell Elementary School School Calendar 2024-25

2024-2025 LEXINGTON CITY SCHOOLS STUDENT CALENDAR

SB Approved: 2/6/24

July 2024						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JULY						

January 2025						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JANUARY (19 days)						
1-3	NO SCHOOL - Winter Break					
6	Students Return / Beginning of third quarter					
20	NO SCHOOL - Martin L. King, Jr. Day					

August 2024						
Su	M	Tu	W	Th	F	Sa
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

AUGUST (13 days)						
14	FIRST DAY OF SCHOOL FOR STUDENTS					

February 2025						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

FEBRUARY (19 days)						
14	TWO-HOUR EARLY RELEASE DAY					
17	NO SCHOOL - Teacher Workday					

September 2024						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

SEPTEMBER (20 days)						
2	NO SCHOOL - Labor Day					
20	TWO-HOUR EARLY RELEASE DAY					

March 2025						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

MARCH (20 days)						
13	End of third quarter					
14	NO SCHOOL - Teacher Workday					
17	Beginning of fourth quarter					

October 2024						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

OCTOBER (21 Days)						
11	End of first quarter					
14	NO SCHOOL - Teacher Workday					
15	Beginning of second quarter					
24	TWO-HOUR EARLY RELEASE DAY Parent Teacher Conferences 3PM-7PM					
25	NO SCHOOL - Teacher Workday Parent Teacher Conferences 8AM-12PM					

April 2025						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

APRIL (17 days)						
14-18	NO SCHOOL - Spring Break					

November 2024						
Su	M	Tu	W	Th	F	Sa
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

NOVEMBER (18 days)						
26	TWO-HOUR EARLY RELEASE DAY					
27-29	NO SCHOOL - Thanksgiving Break					

May 2025						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

MAY (18 days)						
22	TWO-HOUR EARLY RELEASE DAY LAST DAY OF SCHOOL FOR STUDENTS					

December 2024						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

DECEMBER (15 days)						
20	TWO-HOUR EARLY RELEASE DAY End of second quarter					
23-31	NO SCHOOL - Winter Break					

June 2025						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JUNE						

SCHOOL DAYS = 178 / EARLY RELEASE DAYS = 6 / TEACHER WORKDAYS = 11

02/07/2024 10:07 AM

<https://www.verto42.com/calendars/school-calendar.html>

EXPECTATIONS

Expectations of Administration

- Administration will foster a collaborative atmosphere that promotes shared decision-making and open lines of communication.
- Administration will plan, organize, implement, adjust and evaluate the school's educational programs.
- Administration will demonstrate and delegate leadership.
- Administration will manage the physical and fiscal aspects of school operation.
- Administration will assist teachers, students, and parents in meeting their expectations.

Expectations of Teachers

- Teachers are expected to be in classrooms ready to go at 7:45 a.m.
- Teachers are expected to take care of classrooms and belongings, including keeping things neat, clean, and clutter-free.
- Teachers are expected to keep an open line of communication with parents. Phone calls are the best method of communication.
- Teachers are expected to create a positive atmosphere of mutual respect and consideration by practicing the same.
- Teachers are expected to use planning time wisely. Lesson plans should be available to the administration upon request.
- Teachers are expected to continually reflect on academic practices to improve and provide success for all students.

Expectations of Students

- Students are expected to use manners and treat all adults and classmates with respect.
- Students are expected to keep their hands to themselves at all times. School is not the place for “horseplay” or “play fighting” of any type.
- Students are expected to follow directions given to them by adults in the building.
- Students are expected to be responsible for their belongings, including keeping up with lunch boxes, coats, and book bags.
- Students are expected to do their part to help care for the classrooms, playground, bathrooms, cafeteria, and all other parts of the building. Littering and graffiti are unacceptable behaviors.
- Students are expected to keep all electronic devices turned off and in their backpack during school hours.

Expectations of Parents

- Parents are expected to maintain an open line of communication with classroom teachers.
- Parents are expected to support the school in teaching responsibility and accountability.
- Parents are expected to have their children to school daily and on time.
- Parents are expected to see that students complete their nightly reading.
- Parents are expected to ensure their children come to school dressed appropriately.
- Parents are expected to remind students to keep all electronic devices turned off and in their backpack during school hours.

ARRIVAL AND DISMISSAL PROCEDURES

Arrival

Children will be dropped off in the car lane each morning. **Parents driving their children to school should follow the signals of the teachers on duty to maximize the safety of all children. PLEASE DO NOT PARK IN THE DRIVEWAY and PLEASE DO NOT PASS CARS IN THE FIRE LANE as students are exiting both sides of the vehicle.** If a parent needs to enter the school in the morning, he/she will need to park in the parking lot and walk to the main office.

The center crosswalk is closed during arrival and dismissal times. If you must cross during arrival or dismissal times, please use the crosswalks on either end of the sidewalk.

Students are encouraged to arrive between 7:45 and 7:55 a.m. Upon arrival, students will report to their classroom beginning at 7:45 a.m. Students may choose to pick up a “grab and go” breakfast from the school cafeteria between 7:45-7:55AM each day. If your Kindergartener plans to eat breakfast at school, they will eat in the cafeteria from 7:45-7:59 am. All elementary school announcements, the Pledge, and the moment of silence will take place over the PA system at 8:00 AM.

Dismissal

Students in all grades will be dismissed for the day at 2:45 pm. Students will be walked to the dismissal area by their teachers. Cars will line up, and teachers will assist in loading cars. Students will wait in grade-level groups until their car arrives, and then they will be loaded. Please call the main office by 2:00 pm if your child’s regular dismissal routine changes.

All parents will receive a name card to be placed on their visor. This will help us load cars more efficiently. Please make sure to have the name card displayed in a prominent place. If you need additional cards, please contact the main office.

We appreciate your support of the following guidelines during dismissal:

- 1. Please remain in your car during dismissal.**
- 2. If you have business to attend in the school, please wait until all children have been delivered to their cars and then park in the parking lot to enter the school building.**
- 3. The sidewalk in front of the building is closed to parents and visitors during arrival and dismissal times. Please wait for your child(ren) at either end of the school building and not in front of the main doors where students and staff need to exit. This allows our teachers and staff to closely monitor students during these times.**
- 4. Please do not bring pets to the front loading area.**

LCS has partnered with ParentSquare. The great news about this platform is that it automatically syncs with our Student Information System, PowerSchool. Therefore, if contact information is up to date in PowerSchool, there is no need to update information on another platform. Parents/Guardians will have the option to set up a ParentSquare account for better access to information shared by the school and division. However, this step will not be necessary to receive alerts. Please contact the main office if you have questions about how to set up your account.

SHUTTLE BUS SERVICES

Lexington City Schools is pleased to offer a shuttle bus service to and from our schools in the morning and afternoon. The schedule for the shuttle bus is below:

Morning Schedule:

7:40 a.m. – Bus Leaves LDMS to transport elementary school students to HWES

7:50 a.m. – Bus Leaves HWES to transport middle school students to LDMS.

Afternoon Schedule:

2:50 p.m. – Bus Leaves HWES to transport elementary school students to LDMS

3:05 p.m. – Bus Leaves LDMS to transport middle school students to HWES

*For LCS-approved extracurricular activities, a shuttle bus may be provided to LCS students traveling to MRMS or RCHS to participate in these activities.

*The bus will adhere to the schedule outlined above to be more efficient.

Rules for Bus Riders:

Students are responsible for helping the regular or substitute driver with three important aspects of transportation – safety, order, and the rights of others. The following general rules are established to assist you while on the bus:

1. Wait until the bus comes to a complete stop before approaching the bus.
2. Enter the bus orderly; avoid shoving, crowding, and disturbing others.
3. Use the handrail(s) to assist in going up the steps.
4. When the bus is in motion, do not stand or move from seat to seat or walk in the aisle.
5. Remain seated until the bus stops.
6. Avoid talking to the driver while the bus is moving.
7. Keep your arms, head, or other extremities inside the bus.
8. Objects should not be thrown inside or out of bus windows.
9. Talking should be at a conversation level, free of profanity, and never loud or boisterous.
10. Always treat fellow riders with courtesy.
11. Bus aisles and/or emergency exits must be clear at all times. Book bags, band instruments, athletic equipment, other school or personal items, feet, and legs should not block aisles.
12. Help keep the bus's interior clean by putting trash in its proper receptacle.
13. All items should be in a book bag and secured.
14. School bus drivers are prohibited from making unauthorized stops for students.
15. State Board of Education Regulations prohibit using tobacco products by riders on the school bus.
16. Avoid bringing bottles or other breakable objects onto the bus.
17. Avoid eating or drinking on the school bus.
18. Electronic music devices may be permitted if using headsets or earbuds and do not interfere with other students' safety, order, and rights.
17. Damage to seats or other bus equipment will be paid for by the pupil(s) involved.

All riders are subject to being recorded by video equipment. Behavior recorded may be reviewed for disciplinary action by appropriate school personnel.

ATTENDANCE REGULATIONS

There is no substitute for regular attendance. Parents should ensure that their children attend school regularly and be responsible for helping them arrive on time and remain at school for the entire academic day. Good attendance habits set the tone for high achievement.

Virginia School Law, Section 22.1-254 – Ages of children required to attend school; “Every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30th of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in 22.1-254.1.”

The Virginia Department of Education defines chronic absenteeism as missing ten percent or more of the school year for any reason. Missing ten percent of the school year is calculated as missing just eighteen (18) school days or two days per month. Missing school can translate into third graders unable to master reading, sixth graders failing courses and ultimately, teens dropping out of high school. In fact, research indicates students who are chronically absent for just one year are three times more likely to drop out of school. We ask that you partner with us to help your child succeed in school by building good attendance habits.

1. School instructional hours are from 8:00 a.m. to 2:45 p.m.
2. The warning bell rings at 8:00 a.m. – all students should be on their way to class. At 8:01 AM, students will be counted tardy. **ANY STUDENT ARRIVING AFTER 8:00 MUST BE ESCORTED TO THE OFFICE BY THEIR PARENT/GUARDIAN AND SIGNED IN.**
3. The parent/guardian should call the school office no later than 9:00 a.m. to report absences. Virginia’s compulsory attendance law requires that all public schools make a reasonable effort to verify a student’s absence with the parent or guardian.
4. Any student who accumulates 10 or more **unexcused** absences during the school year may be referred to the court system.
5. Absences are considered excused for illness, court appointment, or funerals. Any student who accumulates 15 **total** absences (**excused or unexcused**) will be **required** to turn in a medical note, or show proof of a court appointment or a funeral, in order for the absence to be considered excused.
6. Prearranged Absence Forms may be picked up in the office, and will be reviewed by the school principal. Teachers will collect missed work and give it to students with instructions upon their return to school.
7. Parents/Guardians will receive by mail or email notices of excessive tardiness, absences, and early dismissals. If tardiness, absenteeism, or the number of early dismissals affect the student’s academic progress, remediation will be required.
8. Students will not be released during the school day to any person not authorized by the student’s parent/guardian to assume responsibility for the pupil. Please report to the office when checking a student out. The student will be called from class to meet the parent. The student must be signed out, and the person picking the student up must have permission from the parent/guardian. The person picking up the student must show proper identification to sign out the student.

9. **Parents must come to the office when checking a child out early or bringing a child in late.** The office staff will call for the child to meet the parents in the office. Parents do not go to classrooms during the instructional day unless it has been prearranged with the teacher.
10. Early check-outs will also be monitored, and a report will be made to parents if these become excessive.

INSTRUCTION, CURRICULUM, AND RELATED SERVICES

Harrington Waddell Elementary School considers the students' abilities, interests, and educational needs along with implementing the Virginia Standards of Learning into our curriculum.

Instructional programs include:

Reading	Art
English & Writing	Music / Band (5th Grade Only)
Handwriting	Health & Family Life
Spelling	Science
Mathematics	History & Social Studies
Physical Education	School Counseling
Title I	ELL
Gifted Education	Special Education
Social Emotional Learning	Remediation - Response to Intervention (Reading and Mathematics)

Copies of the Virginia Standards of Learning for each grade and subject are available at school and on the Virginia Department of Education homepage. You may find a direct link to the Standards of Learning for K-12 through the School Information tab on the school webpage: www.lexedu.org

Harrington Waddell Elementary School provides many special programs to meet the needs of all learners.

Instructional Program Descriptions

Language Arts

Harrington Waddell Elementary uses a Science of Reading approach to teach reading. By following the neuroscience of reading, teachers ensure all students have the tools they need to become successful readers. Teachers use research-based strategies and instructional methods that align with the current understanding of how the brain processes language and learns to read. This allows the teachers to analyze data to recognize individual student differences in reading development so that they can tailor instruction to best support their learning.

Skills are explicitly taught in a structured, systematic, and multisensory way to help students develop foundational skills for reading (decoding) and writing (encoding).

The five pillars of early literacy essential for reading proficiency include **phonemic awareness, phonics, vocabulary, fluency, and comprehension**. Each component plays a crucial role in developing strong reading skills.

Phonemic awareness is identifying, manipulating, and distinguishing individual sounds (phonemes) in spoken words. It involves understanding that words are made up of separate sounds and being able to hear, blend, segment, and manipulate those sounds.

Phonics refers to the relationship between letters and sounds in language. It involves understanding how letters represent sounds and using that knowledge to decode written words during reading and encode words during writing.

Fluency refers to the ability to read text accurately, quickly, and with proper expression. It involves automaticity in word recognition, comprehension, and prosody.

Vocabulary refers to the words students must know to communicate effectively through reading and writing. It includes understanding the meaning of words and how they are used in different contexts.

Reading comprehension is the ability to understand and make meaning from what has been read. It involves using background knowledge, decoding skills, vocabulary, and critical thinking strategies to construct meaning from text. Reading comprehension is the application of multiple skill components and can be seen as the main goal of reading.

Mathematics

At HWES, we approach the teaching of mathematics with a diverse range of learning strategies and materials to meet the needs of all students. We follow the Virginia Standards of Learning as our foundational curriculum, ensuring that we meet state educational requirements. To enrich the learning experience, we extend beyond these standards with hands-on, interactive opportunities that make math engaging and relevant.

Our program includes specific activities such as math centers, real-world problem-solving projects, or interactive software that allow students to explore mathematical concepts in a meaningful way. We also offer tailored remedial opportunities for students who require additional support, and enrichment programs for those seeking further challenges..

Recent updates to our curriculum include implementing the 2023 Virginia Standards of Learning for Mathematics, and we continuously seek feedback from students and parents to improve our approach. These efforts ensure that each student can achieve their full potential and develop a strong foundation in mathematics.

Physical Education

The Physical Education program at HWES consists of psychomotor, movement, and specific skill instruction. Adaptive physical education is also a vital part of the program for students with special needs.

Title I

Title I is a federally funded program under the Education Consolidation and Improvement Act of 1981. Title I's primary goal is to provide individualized and small group instruction for students who are working below grade level in reading K-4.

Section 504

Section 504 is a federal civil rights law that protects students from disability discrimination by public schools that receive funding. Students of all ages who have a physical or mental impairment that substantially limits a major life activity may qualify for protection under Section 504. The student has the right to reasonable accommodations giving them equal access to learning and school activities if the student's disability gets in the way of the student's ability to learn. A 504 plan is a legal document that we are required to follow. **Maggie Wilson is the Section 504 coordinator at HWES.** Kimberly Troise, principal, also supports Section 504 planning.

Gifted Education

Gifted Education is a special educational program that nurtures and develops the talents and abilities of students in kindergarten through fifth grade who exhibit high intellectual aptitude and offers identified students appropriate educational experiences and opportunities. Gifted services in LCS are integrated into the total school curriculum. Lexington City Schools provides differentiated instruction for students through: enrichment activities, advanced content and pacing of instruction, projects and research, problem solving activities, higher level thinking in academic products, cross-curricular study and projects. Referrals to the program are accepted from school personnel, parents, peers, or by self-nomination. Classroom differentiation occurs in both the primary classrooms (K-2) and the upper-level classrooms (3-5). The gifted teacher works in cooperation with the classroom teacher to develop lesson plans and higher-level questions and oversee the program to ensure that the children are being challenged. There may be times when pull-out instruction is appropriate, but the goal is inclusion. Any questions may be directed to the LCS gifted coordinator, Laura Joyner.

Art

The art program continues to be a vital part of the HWES curriculum. It provides an important opportunity for individual expression and creative development. This learning is achieved by coordinating various guidelines for a student's age level needs with appropriate art-related activities.

Music/Band

Music education adds to students' well-rounded education at HWES. Music education requires students to demonstrate consistent personal discipline while working to express beauty and emotion through performance. Music activities integrate classroom units and the Virginia Standards of Learning for Music (May 2020).

Kindergarten and first-grade students learn simple songs, dances, and games from various cultures, easy melodic intervals, creative movement, and play rhythm and Orff instruments.

Second and third-graders learn to read and recognize different musical symbols, rhythm, meter, melodic intervals, and forms in music. They learn to play more difficult accompaniments on the rhythm and Orff instruments for their songs, stories, and poetry. Second and third graders also continue to build their repertoire of songs, dances, and games from various cultures.

Fourth graders focus primarily on playing the recorder. This activity prepares students for reading music and for playing as a group. In the spring of fourth grade, students indicate their intention to enroll in the band program, and instrument selection is completed.

Fifth graders learn about more complex musical forms and styles. They listen to classical as well as modern examples of music. Other activities include writing a musical composition, analyzing musical performances, and studying composers from the four music historical periods. In the fall, fifth-grade students can join the school band. Students are taught in small classes in the fall and progress to full band classes in the second semester. The elementary program primarily aims to teach basic techniques on a given instrument.

Family Life Education

There is a Family Life Education curriculum in grades K-5 that was developed by the VDOE, reviewed by faculty, staff, and parent representatives, and approved by the School Board. Copies of the objectives for each grade level are available for review in the main office. Parents have the right to opt their child out of the Family Life Program if they do not want their child to participate.

Science

Science education is taught in grades K-5 in a hands-on investigative manner. We use and teach the Virginia Standards of Learning as the baseline curriculum, expanding in most areas to provide enriching, hands-on opportunities for students to explore and learn science. There is a strong focus on labs, safety, and investigation. We also strongly focus on conservation, promoting “green” habits, and the importance of gardening.

History and Social Science

The History and Social Science program at HWES is a comprehensive program that embraces local, state, national, and world history. Students begin at a very early age to understand the importance of history and how it impacts our lives today. Various materials and strategies are used to promote history learning, such as books, movies, field trips, and class projects.

Social Emotional Learning

The SEL Competencies at HWES are based on the VDOE vision of social-emotional learning “The vision of social-emotional learning in Virginia is to maximize the potential of all students and staff to become responsible, caring, and reflective members of our diverse society by advancing equity, uplifting student voice, and infusing SEL into every part of the school experience.” Harrington Waddell has adopted *Character Strong* as the schoolwide curriculum for Social and Emotional Learning competencies.

School Counseling

The purpose of our school counseling program is to help all students succeed academically and to encourage students to become good citizens. The counselor holds sessions for all K-5 classrooms throughout the school year. These sessions include lessons on character education, conflict management skills, positive work/study habits, effective communication skills, and bullying prevention.

Individual Counseling

Individual counseling is available to students at the request of parents, teachers, or students. Parents are always informed when a series of individual counseling sessions are deemed appropriate and permission is requested.

Group Counseling

Group counseling is available to all students and may be requested by parents, teachers, or students. Written parental permission must be obtained prior to group participation. Group topics may include

- Anger management: Students will learn constructive ways to cope with anger.
- Changing Families: Students will learn effective ways of coping with separation, divorce, or remarriage in their families.
- Getting Along: Students will learn social skills to enhance interpersonal relationships.
- Loss/Grief: Students will explore feelings regarding personal losses.

Additional Services

The counselor’s goal is to have a close working relationship between the school and home, and she accomplishes this through consultation with parents and teachers. The guidance office has an extensive parent resource library.

The counselor coordinates other related programs during the school year, such as new student tours and lunches, after-school tutoring, and the *Character Strong* program. More information will be available about these programs as the year progresses. During Morning Meeting each Wednesday, K-5 classes focus on the character trait for each month using the adopted program, *Character Strong*.

ELL

The ELL (English Language Learning) program at HWES is a federally funded program that supports students in their regular classrooms and in a pull-out model who needs instruction in the English Language. If a student's home language is determined to be that other than English, they are then screened to determine if services are needed. Once a student completes the screening process, parents are notified of the level of services needed. Service for ELL students is provided to students depending on their level of English acquisition and their level of proficiency. The WIDA ELP proficiency standards are used as a guide for placement and instruction.

Technology Education

Lexington City Schools has a local curriculum for the instruction of the Virginia Technology Standards of Learning. Students have access to computers in all classrooms. Lexington City Schools Acceptable Computer Use policy is sent to all parents at the beginning of the school year inside of the Parent/Student Handbook.

Special Education

The Special Education program in Lexington City Schools is a federally funded program that focuses on students who have identified disabilities in academic, social & emotional, or physical areas. Students in this program receive special services which enable them to function in the regular classroom to the greatest extent possible. Rebecca Walters is our Director of Special Education and Julie Nicely is our Special Education Coordinator. They can be reached at 540-463-7146.

Library

The media specialist serves as an instructional agent of the school. The four program elements of the school library are: collaboration, reading literacy, enhancing learning through technology, and information literacy. Students are encouraged to pursue individual interests while learning the value of information and how to locate, evaluate and use it. The library provides a place to learn to become a capable and avid reader, a place to learn how to communicate in print or multimedia formats, and a place to enjoy reading and learning. The library is open for students from 8:00 a.m. to 2:45 p.m.

Remediation - Response to Intervention (Reading and Mathematics)

Schools in Virginia are required by the Standards of Quality and the Standards of Accreditation to have a remedial education plan to serve those students who do not pass the Virginia Standards of Learning, those who are below grade level, and those who may be considered "at-risk". Waddell Elementary School offers ongoing remediation opportunities throughout the school year. Summer remediation programs may be offered as well.

After School Enrichment

After-school enrichment clubs are typically offered each year. This is an ever-changing and evolving program. Information will be sent home as clubs become available.

*In addition to these overviews, please visit Harrington Waddell Elementary School's Information Website at http://lexingtonva.gov/community/schools/hwes/school_information/default.htm for a link to K-5 Standards of Learning.

Instructional Time

Instructional time is very valuable. We do our best to provide an interruption-free instructional environment.

You can help us do this by

- ✓ Planning appointments for after-school when possible.
- ✓ Scheduling conferences with teachers ahead of time.
- ✓ Make sure your child is aware of after-school plans at the beginning of the day.
- ✓ Make sure your child has everything with them when they arrive at school, such as band instruments and lunches.

GRADING AND REPORTING

A report card will be sent home for each student at the end of each nine weeks grading period as a tool for communicating student progress, achievement, and areas for growth. Teachers will send an interim report home at the midpoint of each quarter for any student who is not yet meeting grade level expectations in academic, behavior, or attendance areas. Parents are encouraged to contact the teacher with any questions or concerns.

MONDAY FOLDERS

Each Monday, all students bring home a folder containing graded work and other information. This folder is an important communication vehicle between home and school. After reviewing the contents with your child, please sign the attached form and return the folder to school Tuesday. You may keep your child's work.

HOMEWORK POLICY

- Students in kindergarten through 4th do not have traditional written homework; however, students are asked to read nightly and study/prepare for any upcoming assessments. This may require some practice activities at home. Nightly reading for 10 to 20 minutes significantly strengthens a student's reading ability.
- 5th-grade students are in a transitional year as they prepare for middle school expectations. To ensure students do not struggle with homework as 6th graders, they receive a school-purchased planner as 5th graders to record nightly reading, assessments, and some written homework. There is an expectation that parents will sign the planner nightly to ensure homework is completed and students are prepared for the next school day. With school-to-home communication through the planner, students are given guidance and support in how to be responsible for homework completion and daily preparedness for school.
- When a student is absent, teachers will work with the student as much as possible during the school day to make up for any missed work. In some instances, work will need to be sent home for completion. Students are allowed a day for every day absent for make-up work. For example, if a student misses three days, then all make-up work is due within three days of the student's return.

SCHOOL HEALTH & SAFETY

School Nurse Program

The school maintains a clinic for limited medical services for our students. Our nurse will be available in the clinic from 7:45 a.m. to 3:00 p.m. The clinic's purpose is to provide first aid for school-related illnesses or injuries. The clinic is neither equipped nor designed to care for out-of-school illnesses or injuries and is not intended to take the place of parent-directed medical care. The nurse will follow your doctor's written instructions for the treatment of your child, which may be needed during the school day. Emergency forms will be sent home annually for your completion. The data on this form is important and must be returned during the first week of school.

Bathroom

Private restrooms are available for students and staff.

Illness/Injury Procedures

We make every effort to safeguard your child's health at school. If a child becomes ill during school hours or is injured to the degree that class work cannot be resumed, parents will be notified by phone, and their desires acknowledged. A quick parental response is important for the well-being of the children.

It is important to keep the office informed of new phone numbers, changes in your preferred emergency procedures, changes in your child's health, new medications, or anything else that impacts their well-being at school.

Control of communicable diseases and illness:

Your child's good health is important. **Please do not send your child to school if any of the following symptoms or signs are present in the previous twenty-four hours:**

- Elevated temperature (100 degrees or greater)
- Acute cold, sore throat, or persistent cough
- Vomiting, nausea, or severe abdominal pain
- Repeated diarrhea
- Pus-like discharge from the nose or eyes OR red, inflamed eyes or eyelids,
- Suspected and untreated impetigo, scabies, or lice.

Medication

We are happy to assist students who need medication at school and, for safety reasons, ask for the utmost compliance and cooperation regarding very specific district requirements. We do not provide Tylenol, Advil, cough preparations, or other over-the-counter medications to students unless these are supplied from home. These will need to be brought into the school by the parent, guardian, or designated adult. A medication form is included in the handbook for your convenience.

Medications must be:

- In the original, properly labeled container (no baggies or envelopes, please),
- Up to date (check the expiration date before bringing it to school), and
- Age appropriate in dosage.

Prescription medications: All prescription medications must be brought to the office by a parent, guardian, or responsible adult. Please do not send these medications to school with your child because of safety concerns. A completed Medication Permission Form must be completed by both the parent and the physician for the medication to be administered. All medications are kept in a locked cabinet. Any changes in the original medication authorization require a new written authorization.

Nonprescription Medications: School personnel may give oral non-prescription medication to students only with written permission from the student's parent or guardian. Oral non-prescription medications will be administered for no longer than three (3) consecutive days, after which time a written order from a physician/dentist/licensed nurse practitioner must be presented. All medication forms must be renewed annually for medication administration.

"Supplements/Alternative Substances": Special agents such as herbs, amino acids, and homeopathic remedies, along with other non-FDA approved supplements, may only be given when there is:

- Written physician approval and a description of contents and possible adverse effects;
- Written parent permission, and
- Specified instructions for use (a special form for this is available in the school office.
- Supplements must be in the original container, up to date, and age-appropriate.

General Self-Administration of Medication

Self-administration of any medication is prohibited for students in grades kindergarten through eighth grade, with the exception of asthma or diabetic medications which are discussed below.

Self-Administration of Asthma or Diabetic 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. The same is true for students diagnosed with Diabetes. In order for a student to possess and self-administer medications, a completed "Asthma Health Care Action Plan" or "Diabetes Management Protocol" must be on file. This includes the physician's order for medication, the parent/guardian signature, a signature from the school nurse or building administrator, and a demonstration by the student of safe practices for medication use. A copy of this form is available in the school office.

Permission granted to a student to possess and self-administer 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 asthma medication may be limited or revoked after appropriate school personnel consults with the student's parents.

BICYCLE SAFETY

Only students in grades 3-5 will be permitted to ride bikes to school due to safety concerns. Students who ride bicycles to school must obey the City of Lexington's bicycle safety rules. Lexington bicycle rules can be obtained from the Lexington Police Department. HWES has the following rules:

1. Bikers without parental permission forms on file will have their bicycles confiscated for parent pick-up.
2. The school is not responsible for damaged or stolen bikes. Therefore, students are encouraged to lock the bike to the rack.
3. All bike riders must wear a helmet. **NO EXCEPTIONS.** If you do not have a helmet and cannot afford one, please contact the office and we will try to see that you get one.
4. Scooters and skateboards will not be allowed on school grounds during the school day. This policy is in place strictly out of concern for the safety of all students.

FIRE DRILLS AND EMERGENCY PROCEDURES

During the first 20 days of school, there will be four fire drills. Thereafter, one fire drill per month will be held during the remainder of the school year. A copy of the exit route for each classroom is posted near the door. The following procedures will be in force during a fire drill:

Upon hearing the fire alarm (a series of horn squawks):

1. Exit rapidly and silently in orderly lines.
2. Make sure all doors and windows are closed.
3. Make sure all lights are turned off.
4. Teachers must carry their roll books and crisis packs.
5. Account for all students.
6. Remain quiet during the entire drill.
7. Re-enter quietly and orderly when the bell rings.

OTHER EMERGENCIES

1. In an emergency other than one that requires the immediate evacuation of the building, children and teachers are to remain in the classrooms.
2. Teachers will personally gather any students who are in the bathrooms and then lock the door.
3. Instructions will then be delivered over the PA, Intrado APP, or personally by a staff member.
4. Teachers will review these procedures during the first week of school with their classes.

Lexington City Schools has also developed a Crisis Management Plan for use in severe emergencies. Waddell has procedures to follow from that Crisis Plan as well as procedures exclusive to our building. More information on Crisis Management is found on pages 79-85 of this handbook.

CRISIS SAFETY DRILL

In light of the recent tragic happenings across the country, you need to know that schools are still one of the safest places for children. While not a perfect system, we do try to make every effort to keep all people at Harrington Waddell Elementary School safe. Part of our plan to maintain a safe environment includes four annual crisis drills with students. There will be two crisis safety drills during the first 20 days of school. Thereafter, two crisis drills will be held during the remainder of the school year. We attempt to provide an inclusive program for our students involving safety. Lexington City Schools has developed a Crisis Intervention Plan. Waddell also has its own plan. Staff members are trained in the use of the plan annually. The Lexington City Police Department has worked with Waddell staff to help us maintain a good plan for a variety of emergency situations. Our whole purpose is to help keep all children and our school personnel safe.

VISITORS & VOLUNTEERS

ALL VISITORS MUST REPORT TO THE OFFICE WHEN ENTERING THE SCHOOL BUILDING, SIGN IN, WEAR A VISITORS BADGE, AND SIGN OUT WHEN LEAVING THE BUILDING. ANYONE SIGNING IN MUST SHOW A PROPER FORM OF IDENTIFICATION.

We appreciate and encourage all of the volunteers in our school. If you are interested in assisting the school or the PTA, please contact your child's teacher or a member of the PTA board. Forms will be sent home in the fall by the PTA, listing all volunteer needs and opportunities. Anyone interested in tutoring after school may contact the HWES tutoring coordinator, Ellie Bahhur or our school counselor, Maggie Wilson. Every volunteer must complete a volunteer form before volunteering.

CAFETERIA POLICIES

A hot school lunch is available for **\$3.10** full-price and **\$.40** reduced price (Free for 2024-25 school year, state pandemic funding). Breakfast is also available for **\$1.50** full-price and **\$.30** reduced price (Free for 2024-25 school year, state pandemic funding). We strongly encourage that children purchasing school lunch do so on a weekly basis on Monday mornings. Please send payment Monday morning to cover the expense of the lunches you wish your child to eat that week. It is perfectly permissible to pay for five, four, three, or even two lunches on a Monday. Lunch packers may purchase milk for the price of **\$.40**. Adult lunch is available for **\$4.00**.

Ice cream may be purchased as an extra. Grades K, 1, 3 may purchase ice cream on Fridays and Grades 2, 4, and 5 may purchase ice cream on Tuesdays. The cost of ice cream is \$1.00. Students may not charge for ice cream and it is not included in free and reduced lunches. Students may only purchase ice cream for themselves.

Milk may be paid for by the week as well. Children bringing money for lunch or milk after Monday must pay as they travel through the line. Please make checks payable to the "Waddell Cafeteria." Your cooperation in paying for lunches on Mondays will help make for a smooth and expeditious operation of the checkout line. In the event that your child must charge for lunch, payment is expected the following day. On the first day of school, applications for free and reduced meals are distributed. The anonymity of children receiving free or reduced meals is maintained. If your financial situation changes during the school year and you think that you might now be eligible for free or reduced meals, please ask your child to pick up an application from the office. It will be processed immediately.

The "Offer vs. Serve" program is offered to students in grades 4-5. Students at these grade levels may refuse two out of the five items served on a tray. However, students in grades K-3 will be served all food items on the scheduled menu for any given day.

Expectations for student cafeteria behavior are no different than expectations for student classroom behavior. Respecting the following simple rules will ensure an enjoyable lunchtime for all:

1. Use good table manners.
2. Talk softly.
3. Walk.
4. Pass through the lunch line in an orderly fashion.

5. Sit at available seats.
6. Raise your hand for permission to leave your seat.
7. Line up quietly by tables to leave the lunchroom as told by the teacher or aide.

Students should have an opportunity to unwind a bit from the rigors of their class work. However, orderly manners will be kept in the cafeteria. Please impress upon your children the need for a proper demeanor at lunch. Occasional lunch visits with your child are encouraged. Please let your child know that you will be coming for lunch that morning. If you intend to eat school lunch, your child may then order an extra one for you. You may also call the school office to order lunch. The adult lunch price is \$4.00. You must follow the visiting procedures as outlined when you visit for lunch. Feel free to join your child for lunch, however, we ask that you do not follow their class outside to the playground after lunch.

Grade	Lunch Times
Preschool	10:30-10:55 a.m.
Kindergarten	11:00-11:25 a.m.
First Grade	11:30-11:55 a.m.
Second Grade	11:05-11:30 a.m.
Third Grade	12:00-12:25 p.m.
Fourth Grade	11:35-12:00 p.m.
Fifth Grade	12:05-12:30 p.m.

NON-SCHOOL SPONSORED SNACKS

The Lexington City School Board recognizes students from time to time will be allowed to have snacks at school that are not part of the School Lunch Program. The Lexington City School Board has developed the following guidelines for non-school-sponsored snacks and parties:

1. Students are not allowed to bring soft drinks to school. No school employee will give students soft drinks. Employees should not display soft drink containers in front of students.
2. Students may bring a healthy snack during the school day. Each teacher will ensure that students have time during their class for students to eat their snacks.
3. Class parties should be limited to 1 per month. Each party should have various healthy choices in addition to one “treat.” “Treat” is defined as a cupcake, cookie, or cake. Each party should include a salty snack, a fruit, and a vegetable snack as well. Drinks for parties may include 2% milk, 100% juice, or water.
4. No class party or celebration should begin until the Food Service Program has concluded its daily activities (after 1:15 p.m.). No class party should interrupt instructional time.
5. No “fast food” should be delivered to the cafeteria for students during lunch.
6. Staff members should not have catered lunches in the presence of students.

7. Classrooms with students who have a severe food allergy will be notified. Parents may elect to share the food allergy with the entire class in order to provide clarity and understanding for students.

STUDENT DISCIPLINE & CONDUCT

Student Conduct

The conduct of all members of the school community should be guided by a philosophy of mutual respect and caring. A school is a place for learning and teaching. We are all learners, and in many ways, we are all teachers.

School-wide behavior expectations in all settings include

1. Be kind.
2. Be safe.
3. Be responsible.

Our philosophy hinges on respect, caring, and positive reinforcement of appropriate behavior. Unacceptable behavior may result in any one of the following disciplinary measures: counseling, calling parents, quiet lunch, loss of privileges, detention, in-school suspension, out-of-school suspension, or expulsion (by action of the Lexington City School Board). If it is necessary to keep a child after school for disciplinary or academic detention, the parent will be informed by note or phone call as soon as possible. The local school principal has the responsibility and authority to exercise reasonable judgment in enforcing the Code of Conduct as established by the Lexington City School Board. Please see Policy JFC at the end of the handbook for the Standards of Student Conduct.

Each student has the right to expect an educational environment in which they can strive to achieve their intellectual potential. The student is expected to attend school regularly, be diligent in their studies and conduct themselves in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

All parents are expected to assume responsibility for the student's behavior and assist the school in enforcing the Standards of Student Conduct. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior patterns or medical problems that might lead to serious difficulties.

The Standards of Student Conduct apply to all school activities, including those that take place after school, such as PTA events. Parents are responsible for supervising their children at such events.

The school principal shall notify the parents of any student who violates a School Board policy when such violation could result in the student's suspension, whether or not the school administration has imposed any disciplinary action. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior; and (3) that, if the student is

suspended, the parent may be required to accompany the student to meet with school officials. The principal or his/her designee shall notify the parent of any student involved in an incident required to be reported to the Superintendent and Virginia Board of Education.

ELECTRONIC DEVICES

In keeping with our mission to create and maintain a safe and healthy learning community, our schools prohibit student use of cell phones, SMART watches, earbuds, and other electronic communication devices during the school day. All personal devices must be turned off and put away during the school day. Exceptions may be made for those students with documented health care plans to address physical accommodations, such as glucose monitoring.

AFTER SCHOOL - PLAYGROUND

Students who stay after school on the playground will not be supervised by HWES staff or faculty. It is the responsibility of the parent to ensure the supervision of their child. If a child is left unsupervised, the school is not responsible for the child's actions. We encourage parents to accompany their children on the school playground after school hours. School hours are 7:45 am - 2:45 pm Monday through Friday. If a discipline-related incident occurs after school hours, please reach out to the child's parents directly. The playground is open to the public during any other hours.

Woods Creek and the trail neighboring Waddell Elementary School are not part of the school's property. Students are discouraged from entering the creek when unaccompanied by an adult. The school is not responsible for students left unsupervised during non-school hours.

STUDENT ATTIRE

Each parent or guardian has responsibility for a student's proper attire. If a student's clothing is deemed inappropriate by school staff, parents will be contacted and asked to bring proper clothing to school.

Appropriate dress includes:

1. Student dress should be neat and clean.
2. Shoes must be worn at all times.
3. Sneakers are to be worn in physical education class.
4. Hats may not be worn in the school building.
5. Undergarments may not be visible at any time.
6. Clothing must cover the torso, and tops must have arm holes.
7. There should be no inappropriate pictures or printing on clothing.
8. Clothing accessories may not be used as toys.
9. Weather conditions should be considered when judging the appropriateness of clothing.
10. Other rules may be necessary to promote and maintain a productive learning environment.

PARTIES/INVITATIONS

Your child may bring party invitations to school **only if every child in the class will be receiving one.** Plans for get-togethers or parties that include only some of a class should be handled outside of school.

Classes will have the opportunity to celebrate the next special occasions with a short classroom party: Halloween, Winter Celebration, and Valentine's Day. End-of-the-year activities will also be planned at each grade level. The homeroom parent and the teacher will coordinate plans for each of these events. Please make sure that healthy snacks are provided.

PARENT TEACHER ASSOCIATION

The Parent Teacher Association is made up of parents and teachers working together with a powerful voice for your children. With your help, we continue to work together toward our PTA goal of quality education and nurturing environment for every child to learn in. By hosting programs and events throughout the school year, we provide both educational and fun experiences for the Waddell and Lylburn Downing community. Our PTAs are affiliated with both the state and national PTA.

In addition, designated teacher representatives will be members of the Board. This year, the PTA will focus on:

- Creating a family friendly atmosphere
- Developing personal relationships with families, students and staff
- Maintaining a happy fun environment to learn in.
- Supporting new families to the community
- Supporting teachers and their instructional efforts
- Providing opportunities for volunteering
- Supporting, and raising school spirit

Please consider joining this organization. We rely totally on volunteers to ensure the success of our programs.

Additional Required Notifications

A. File: GAB (*Also IIBEA*)

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote work access, cloud services, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the division's computer system must be (1) in support of education and/or research, or (2) for legitimate division business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text

messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy and the Technology Use Guidelines established by the superintendent.

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. The superintendent is also responsible for reviewing and updating, as necessary, the Guidelines at least every two years. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

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

File: GAB
(Also IIBEA)
Page 2

(9) a component of internet safety for students that is integrated in the division’s instructional program.

Use of the school division’s computer system must be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The division’s computer system is not a public forum.

Users of the division’s computer system have no expectation of privacy for use of the division’s resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division’s computer system without the prior approval of the superintendent or superintendent’s designee.

No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any device or equipment issued, owned, or leased by the School Board, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

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Page 3

The failure of any user to follow the terms of this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damages relating to or arising out of any violation of this policy or the Technology Use Guidelines.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the internet. Furthermore, the School Board is not responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board review and amends, if necessary, this policy every two years.

Adopted: September 12, 2005
Revised: September 11, 2006
August 10, 2009
June 16, 2010
May 2013
April 2019
May 2019
June 9, 2021
March 7, 2023
June 6, 2023

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

Code of Virginia, 1950, as amended, §§ 2.2-5514.1, 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78.

Cross Refs.:	ECAB	Vandalism
	EGAA	Reproduction and Use of Copyrighted Materials
	GBA/JHFA	Prohibition Against Harassment and Retaliation
	GCPD	Professional Staff Discipline
	GCQB	Staff Research and Publishing
	JFC	Student Conduct

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B. Technology Use Guidelines
(LCS – Policy GAB-R/IIBEA-R)

All use of the Lexington City 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, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and any other internal or external network. This includes any device that may be connected to or used to connect to the school division’s network or electronically stored division material.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the division’s computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the division or (2) for legitimate school business.

2. **Privilege.** The use of the division's computer system is a privilege, not a right.
3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:
 - using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state, or local law.
 - sending, receiving, viewing or downloading illegal material via the computer system.
 - unauthorized downloading of software.
 - using the computer system for private financial or commercial purposes.
 - wastefully using resources, such as file space.
 - gaining unauthorized access to resources or entities.
 - posting material created by another without his or her consent.
 - submitting, posting, publishing, or displaying any obscene, profane, threatening, illegal, or other inappropriate material.
 - using the computer system while access privileges are suspended or revoked.
 - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
 - intimidating, harassing, bullying, or coercing others.
 - threatening illegal or immoral acts.
4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
 - be polite.
 - users shall not forge, intercept or interfere with electronic mail messages.
 - use appropriate language. The use of obscene, lewd, profane, lascivious, threatening or disrespectful language is prohibited.
 - users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
 - users shall respect the computer system's resource limits.
 - users shall not post chain letters or download large files.
 - users shall not use the computer system to disrupt others.
 - users shall not modify or delete data owned by others.
5. **Liability.** The school board makes no warranties for the computer system it provides. The school board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The school division is not responsible for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the school board for any losses, costs, or damages incurred by the school board relating to or arising out of any violation of these procedures.
6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system

administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

7. **Vandalism.** Intentional destruction of or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.
8. **Charges.** The school division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone, data, 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. All electronic mail may be archived. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users may be held responsible and personally liable for the content of any electronic message they create or that is created under their account or password. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
10. **Enforcement.** Software will be installed on the division's computers having internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by school board policy, or legal action.**

Adopted: September 12, 2005
 August 10, 2009
 May 2013
 April 2019
 May 2019

Legal Refs: 18 U.S.C. §§ 1460, 2256.
 47 U.S.C. § 254.
 Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2
 and 22.1-78.

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

C. Prohibition Against Harassment & Retaliation
(LCS – Policy GBA/JFHA)

I. Policy Statement

The Lexington City School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

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

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

The school division

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

II. Definitions

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

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

Prohibited Conduct

Harassment Based on Sex

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

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

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

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

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;

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

Harassment Based on Race, National Origin, Disability or Religion

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

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

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

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

Additional Prohibited Behavior

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

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

“Title IX Coordinator” means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at jwhite@lexedu.org

III. Complaint Procedures

1. Report

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

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

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

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

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

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

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

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

2. Compliance Officer Formal Procedure

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

The investigation may consist of personal interviews with the person allegedly harassed, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will

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consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the person allegedly harassed and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5)

how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

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

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

3. Action by Superintendent

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

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4. Appeal

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

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

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

A. Compliance Officer Informal Procedure

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

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

B. Sexual Harassment Prohibited by Title IX

Definitions

“Actual knowledge” means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any

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official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

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

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

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

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

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

Title IX Grievance Process

Generally

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

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

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform

the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

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

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

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

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of

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sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

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

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

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

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

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

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

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

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

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

Notice of allegations

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

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and

- informs the parties of any provisions in the School Board’s code of conduct or the superintendent’s Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

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

Dismissal of formal complaints

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

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

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

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

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

Investigation of formal complaint

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

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

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

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by

the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

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

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

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

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

Determination regarding responsibility

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

The written determination must include

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

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

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

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

Appeals

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

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

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

As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;

- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
- ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

The appeal decision-maker

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

Timelines

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

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

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

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

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

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

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one

party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

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

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

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

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

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

Recordkeeping

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

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

These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not

deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. Retaliation

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

V. Right to Alternative Complaint Procedure

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

VI. Prevention and Notice of Policy

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

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

VII. False Charges

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

Adopted: May 2002
Revised: June 21, 2011
October 2012
May 2015
February 2019
June 10, 2020
September 9, 2020
June 9, 2021

Legal Refs: 20 U.S.C. §§ 1681-1688.

29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.
34 C.F.R. 106.2, 106.8, 106.9, 106.30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902, 22.1-23.3, 22.1-295.2.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA-F/JFHA-F	Report of Harassment
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances
	JB	Equal Educational Opportunities/Nondiscrimination
	JFC	Student Conduct
	GCPD	Professional Staff Discipline
	GAE	Child Abuse and Neglect Reporting
	KKA	Service Animals in Public Schools

File: GBA-F/JFHA-F

REPORT OF HARASSMENT

Name of Complainant: _____

For Students, School Attending: _____

For Employees, Position: _____

Address, Phone Number: _____

And Email Address _____

Date(s) of Alleged Incident(s) of Harassment: _____

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

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

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

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

Signature of Complainant Date

Complaint Received By: _____
(Principal or Compliance Officer) Date

Adopted: May 18, 2009
Revised: October 2012

D. Student Conduct
(LCS – Policy JFC)

Generally

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

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

This Policy and the Standards of Student Conduct apply to all Lexington City school students. They are enforced when the student’s conduct occurs when the student is

- On school property.
- Traveling to school or from school.
- Traveling to, at, and from bus stops.

- In School Board vehicles.
- In attendance at any school-sponsored activity.
- Off school property if the conduct disrupts the learning environment.

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

Parental Involvement and Responsibility

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

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

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

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

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

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

Prevention, Intervention, and Treatment Activities and Programs

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

Prohibited Conduct

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

Bullying and Use of Electronic Means for Bullying

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

The principal or principal's designee notifies the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying.

Gang Activity

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

Harassment

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

Hazing

Hazing is prohibited.

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

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

Self-defense

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

Threats: Intimidation

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

Trespassing

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

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

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

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

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

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

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

Use of Profane or Obscene Language and Conduct

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

Vandalism

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

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

Adopted: May 9, 1994
Revised: July 12, 2004
May 9, 2006
June 21, 2011
May 2013
June 2014
February 2015
March 11, 2020
December 9, 2020
June 9, 2021
June 6, 2023

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-56, 18.2-308.1, 18.2-308.7, 22.1-23.3, 22.1-78, 22.1-200.1, 22.1-253.13:7; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6, 22.1-288.2.

Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, Virginia Board of Education June 2021.

Cross Refs.:

CLA	Reporting Acts of Violence and Substance Abuse
EBB	Threat Assessment Teams
ECAB	Vandalism
IIBEA/GAB	Acceptable Computer System Use
JFCE	Gang Activity or Association
JFCF	Drugs in School
JFG	Search and Seizure
JFHA/GBA	Prohibition Against Harassment and Retaliation
JGA	Corporal Punishment
JGD/JGE	Student Suspension/Expulsion
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JN	Student Fees, Fines and Charges

E. Student Fees, Fines & Charges
(LCS – Policy JN)

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

The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the School Board ensures that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees are not charged to students for instructional materials, textbooks, or other materials used by a School Board employee that are not directly used by a public school student.

Fees may not be charged 1) as a condition of school enrollment, except for students who are not of school age or who do not reside within the jurisdiction; 2) for instructional programs and activities, or materials required for instruction, except as specified in by 8 VAC 20-720-80.H; 3) for textbooks or textbook deposits; however, a reasonable fee or charge for lost or damaged textbooks may be charged; 4) for pupil transportation to and from school; or 5) for summer school programs or other forms of remediation required by the Standards of Quality.

Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; and families that are homeless.

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

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

The consequences for nonpayment of fees include exclusion from the activity related to the fee.

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

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

Adopted: May 9, 1994
Revised: June 16, 2010
February 2013
March 7, 2023

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-6, 22.1-243, 22.1-280.4.
8 VAC 20-720-80.

Cross Refs.: ECAB Vandalism
 IIA Instructional Materials

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STUDENT RECORDS

Generally

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

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

Definitions

For the purposes of this policy, the Lexington City Public Schools uses the following definitions:

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

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

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

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

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

- records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;
- records created and maintained for law enforcement purposes by the Lexington City School Board’s law enforcement unit, if any. A law enforcement unit is any individual, office,

department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;

- in the case of persons who are employed by the Lexington City School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in the person's capacity as an employee;
- records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student;
- grades on peer-graded papers before they are collected and recorded by a teacher; and
- any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student's file or is stored electronically under an individual student's name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Electronic communications via emails or facsimiles regarding any matter associated with a child with disabilities, including matters related to Individualized Education Plan (IEP) meetings, disciplinary actions, or service delivery, are part of the child's educational record.

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Eligible student - a student who has reached age 18.

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

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

Dissemination and Maintenance of Records About Court Proceedings

Adjudications of Delinquency and Notifications of Other Dispositions

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

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

The parent or guardian shall also be notified of the parent's right to review, and to request an amendment of, the student's scholastic record.

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

If the child is not enrolled in the division when notification is received pursuant to Va. Code § 16.1-305.1, the superintendent forwards the notification to the superintendent of the school division where the child is enrolled or where the child intends to enroll, as evidenced by the division's receipt of a request from another division for the child's scholastic record.

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

Petitions and Reports

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

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

further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Protective Orders and Orders Prohibiting Contact with a Child

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

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Notifications

Annual FERPA Notification

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

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

Notification Regarding Special Education Records

After a child with a disability graduates, ages out of, or otherwise leaves any public school, the school retains the special education records of the child for at least seven years. The school notifies the parents of each such child of the opportunity to obtain such records during the retention period.

Procedure to Inspect Education Records

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

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

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

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

Copies of Education Records

The Lexington City Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

Fees for Copies of Records

The Lexington City Public Schools does not charge for search and retrieval of the records. The Lexington City Public Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

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

Disclosure of Education Records

The Lexington City Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except

as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.

A school official is:

- A person employed by the School Board
- A person appointed or elected to the School Board
- A person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
- A contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records

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

- Performing a task that is specified in the official's position description or by a contract agreement
- Performing a task related to a student's education
- Performing a task related to the discipline of a student
- Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. When a pupil transfer from one school division to another, the scholastic record or a copy of the scholastic record and a copy of the complete student disciplinary record, including copies of any relevant correspondence sent to the pupil or pupil's parent and copies of any correspondence and documentation relating to the pupil's placement in an alternative education program pursuant to Va. Code § 22.1-209.1:2 or Va. Code § 22.1-277.2:1, is transferred to the school division to which the pupil transfers if requested by such school division.
3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or principal's designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of the law-enforcement or correctional personnel's duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or principal's designee that the

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information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.

6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
 - specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as a dependent for income tax purposes.

9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
 - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 - the parties to whom the division disclosed the information.

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11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
12. Directory information so designated by the division, if any.
13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division discloses or makes available to a guardian ad litem, on request, any information, records, or reports concerning a student for whom a petition for guardianship or conservatorship has been filed that the guardian ad litem determines are necessary to perform the guardian ad litem's duties under Va. Code § 64.2-2003.

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

Unauthorized Disclosure of Electronic Records

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

Disclosure to Federal Agencies

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

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Disclosure of Information Relating to Home Instructed Students

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

Audit or Evaluation of Education Programs

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

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

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

Military Recruiters and Institutions of Higher Learning

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

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

Record of Disclosure

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

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

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

Directory Information

The Lexington City School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that the parent or eligible student does not want any or all of those types of information designated as directory information. The notice may specify that

disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

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

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

LEXINGTON CITY SCHOOLS - NOTICE FOR DIRECTORY INFORMATION

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

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. If you do not want Lexington City Schools to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify Lexington City Schools in writing by September 15th or the next business day. Lexington City Schools has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that

- authenticate the user's identity such as PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

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Correction of Education Records

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

1. Parents or the eligible student must request in writing that the Lexington City Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
2. Lexington City Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Lexington City Public Schools shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
4. The parent or eligible student may, at the parent's or eligible student's own expense, be assisted or represented by one or more individuals of the parent's or student's own choice, including an attorney.
5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
6. Lexington City Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
7. If Lexington City Public Schools decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.
8. If Lexington City Public Schools decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

Confidentiality of HIV and Drug and Alcohol Treatment Records

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

Adopted: May 2000
Revised: May 9, 2006
August 25, 2008
May 18, 2009
June 16, 2010
December 6, 2011
May 2012
October 2013
June 2014
October 2014
May 2015
May 2016
February 2017
May 2018
May 2019
June 10, 2020
June 4, 2024

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.
20 U.S.C. §§ 1232g, 7908.
42 U.S.C. § 290dd-2.

34 C.F.R. 99.3, 99.7, 99.10, 99.11, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 300.617.
Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3705.4, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-23.3, 22.1-254.1, 22.1-279.3:2, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23.1-405, 32.1-36.1, 64.2-2003.
8 VAC 20-81-170.

Cross Refs.:	IGBA	Programs for Students with Disabilities
	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JHCB	Student Immunizations
	JHCD	Administering Medicines to Students
	JOA	Student Transcripts
	JRCA	School Service Providers' Use of Student Personal Information
	KBA	Requests for Public Records
	KBA-R	Requests for Public Records
	KBC	Media Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction
	LEB	Advanced/Alternative Courses for Credit

SPECIAL EDUCATION RECORDS DESTRUCTION PUBLIC NOTICE

Confidential special education records are retained for seven years after a student graduates, completes Board of Education program, transfers or withdraws from the Lexington City School Division. After that time period, confidential special education records are disposed of via confidential destruction, unless the parent/guardian/adult student notifies the school division otherwise. The parent/guardian/adult student may request a copy of the records. A valid picture ID must be presented at the time the records are picked up. For additional information, please contact the Lexington City Schools' Central Office at 540-463-7146.

Library of Virginia, GS-21, Series 008224

HOME INSTRUCTION RECORDS DESTRUCTION PUBLIC NOTICE

Home Instruction records are retained for seven years after the last action with the Home Instruction program. After that time period, home instruction records are disposed of via confidential destruction, unless the parent/guardian/adult student notifies the school division otherwise. The parent/guardian/adult student may request a copy of the records. A valid picture ID must be presented at the time the records are picked up. For additional information, please contact the Lexington City Schools' Central Office at 540-463-7146.

Library of Virginia, GS-21, Series 008103

G. Administration of Surveys & Questionnaires

(LCS – Policy JOB)

I. Instructional Materials and Surveys

A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program are available for inspection by the parents or guardians of the student in accordance with Policy KBA Requests for Public Records.

B. Participation in Surveys and Evaluations

No student is required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning

- (1) political affiliations or beliefs of the student or the student's parent,
- (2) mental or psychological problems of the student or the student's family,
- (3) sex behavior or attitudes,
- (4) illegal, anti-social, self-incriminating, or demeaning behavior,
- (5) critical appraisals of other individuals with whom respondents have close family relationships,
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
- (7) religious practices, affiliations, or beliefs of the student or student's parent, or

- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board notifies the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice informs the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will

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have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey do not disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

D. Additional Protections

In the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered is protected by:

Administrators will review and approve surveys prior to distribution. Approved surveys will not include subjects listed in subsection I.B. above.

II. Physical Examinations and Screenings

If the Lexington City School Division administers any physical examinations or screenings other than

- those required by Virginia law, and

- surveys administered to a student in accordance with the Individuals with Disabilities Education Act, policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. Commercial Use of Information

Questionnaires and surveys are not administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

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This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment;
- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;
- tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

IV. Notification

Notification of Policies

The Board provides notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board also offers an opportunity for the parent (or emancipated student) to opt the student out of participation in

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or

- any nonemergency, invasive physical examination or screening that is
 - required as a condition of attendance;
 - administered by the school and scheduled by the school in advance; and
 - not necessary to protect the immediate health and safety of the student, or of other students.

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Notification of Specific Events

The Board directly notifies the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is
 - required as a condition of attendance;
 - administered by the school and scheduled by the school in advance; and
 - not necessary to protect the immediate health and safety of the student, or of other students.

V. Definitions

Instructional material: the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive physical examination: the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent: the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Personal information: the term "personal information" means individually identifiable information including

- a student or parent's first and last name;
- a home or other physical address (including street name and the name of the city or town);
- a telephone number; or
- a Social Security identification number.

Survey: the term “survey” includes an evaluation.

Adopted: May 2002

Revised: July 14, 2003
September 11, 2006
June, 21, 2011
October 2014
May 2015
May 2019
April 9, 2024

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, § 22.1-79.3.

Cross Refs.: INB Teaching About Controversial Issues
JHDA Human Research
KBA Requests for Public Records
KF Distribution of Information/Material

H. SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY INFORMATION *(LCS Policy KN)*

Generally

Each school in the division registers with the Department of State Police to receive electronic notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry (the Registry) within the division.

The superintendent establishes procedures regarding the use and distribution of information received from the Registry. Information received from the Registry may not be used to intimidate or harass.

The superintendent notifies the parent of each student enrolled in the school division of the availability of information in the Registry and the location of the website.

Visitors to Schools

When the school division learns that a parent, other than a parent who has been convicted of a Tier III offense as defined in Va. Code § 9.1-902, if an enrolled student is required to register with the Registry, the parent is notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When such a parent is permitted at school or at school functions the parent is monitored to ensure that he or she does not come into contact with any children other than the parent's own children.

When the school division learns that any person other than the parent of an enrolled student, who is required to register with the Registry, but who has not been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, seeks to be present at school or at school functions, the person is notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others.

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Principals consider requests to be present at school or at school sponsored activities from all persons who are required to register with the Registry but have not been convicted of a Tier III offense as defined in Va. Code § 9.1-902 in accordance with procedures established by the superintendent.

No adult who has been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, may enter or be present during school hours, and during school-related or school-sponsored activities on any property the person knows or has reason to know is a school or child day center property, school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless

- the person is a lawfully registered and qualified voter and is coming upon such property solely to vote;
- the person is a student enrolled at the school; or
- the person has obtained a court order pursuant to Va. Code 18.2-370.5.C allowing the person to enter and be present upon such property, has obtained the permission of the School Board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the School Board's terms and conditions and those of the court order.

Adopted: July 12, 2004.

Revised: September 11, 2006
August 13, 2007
February 12, 2010
August 2010
June 21, 2011
March 10, 2021

Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-902, 9.1-914, 9.1-918 and 18.2-370.5.

Commonwealth v. Doe, 278 Va. 223 (2009).

Cross Ref:	BBA	School Board Powers and Duties
	DJF	Purchasing Procedures
	KK	School Visitors
	KNAJ	Relations with Law Enforcement Authorities

I. 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:
 - a. 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
 - b. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be

subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

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

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

J. Compulsory Attendance

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall cause such child to attend a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by causing the child to attend any public educational prekindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

As used in this policy, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

The requirements of this policy apply to

- (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- (i) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- (ii) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a passing score on a high school equivalency examination approved by the Board of Education, or who has otherwise complied with compulsory school attendance requirements.

Individual Student Alternative Education Plan

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age
2. There shall be a meeting of the student, the student's parents, and the principal or principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:
 - career guidance counseling
 - mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with attendance reported to the principal or principal's designee
 - mandatory enrollment in a program to earn a Board of Education- approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment
 - successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma
 - counseling on the economic impact of failing to complete high school; and
 - procedures for re-enrollment
3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance law, and the superintendent or attendance officer shall seek immediate compliance with such law.

Alternative Education Programs

The School Board may, in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and upon a finding that a school-age child has been

- (i) charged with an offense relating to the Commonwealth’s laws, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person;
- (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of Va. Code § 16.1-260;
- (iii) suspended pursuant to Va. Code § 22.1-277.05; or
- (iv) expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection C of § 22.1-277, require a student to attend an alternative education program as provided by Va. Code §§ 22.1-209.1:2 or 22.1-277.2:1.

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

Adopted: May 2002
 Revised: June 21, 2011
 May 2012
 June 2014
 May 2018

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Ref.: JEG Exclusions and Exemptions from School Attendance
 LBD Home Instruction

K. School Crisis, Emergency Management, and Medical Emergency Response Plan
(LCS – Policy EB)

Each school develops a written school crisis, emergency management and medical emergency response plan as defined below. The School Board includes the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. The School Board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, annually review each school’s plan. The Department of Education and the Virginia Center for School and Campus Safety (VCSCS) will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the VCSCS.

The School Board designates the Principal of Lylburn Downing Middle School and the Principal of H. Waddell Elementary School as emergency managers.

Each school annually conducts school safety audits as defined below in collaboration with the chief law-enforcement office of the locality or with that officer's designee. The results of such school safety audits are made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or that officer's designee. Each school maintains a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and makes a copy of such report available for review upon written request.

Each school submits a copy of its school safety audit to the superintendent. The superintendent collates and submits all such school safety audits, in the prescribed format and manner of submission, to the VCSCS and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits for the officer's review and recommendation. The superintendent includes the designation of the division safety official, which includes a current mailing address, a current working daytime phone number, a current functional email address, and a current functional fax number, with the school safety audits when they are submitted to VCSCS.

File: EB
Page 2

The superintendent establishes a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards and judicial and public safety personnel. The school safety audit committee reviews the completed school safety audits and submits any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

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

response plan when there are victims as defined in Va. Code § 19.2-11.01, as well as current contact information for both.

“School safety audit” means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses include recommendations for structural adjustments, changes in school safety procedures and revisions to the Standards of Student Conduct. The audit is consistent with a list of items identified by VCSCS to be reviewed and evaluated. As part of each audit, the School Board creates a detailed and accurate floor plan for each school building or certifies that the existing floor plan is sufficiently detailed and accurate.

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

In addition, the school administration ensures that the school has:

- written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy JHCD Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year;
- space for the proper care of students who become ill;
- a written procedure, in accordance with guidelines established by the School Board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
- written procedures to follow for the safe evacuation of persons with special physical, medical or language needs who may need assistance to exit a facility. Each school building evacuation plan includes provisions that seek to maximize the opportunity for students with mobility impairments to evacuate the school building alongside their non-mobility impaired peers.

Adopted: September 11, 2006

Revised: August 10, 2009

May 2012

May 2013

June 2014

February 2018

May 2019

June 10, 2020

June 15, 2022

June 6, 2023

June 4, 2024

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-137.4, 22.1-279.8.
Acts 2006, c. 164.
8 VAC 20-131-260.

Cross Refs.:	CBA	Qualifications and Duties for the Superintendent
	CLA	Reporting Acts of Violence and Substance Abuse
	EBAA	Reporting of Hazards
	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	EBCB	Safety Drills
	EEAB	School Bus Scheduling and Routing
	GBEB	Staff Weapons in School
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JHCD	Administering Medicines to Students
	JHH	Suicide Prevention
	JM	Restraint and Seclusion of Students
	JO	Student Records
	KK	School Visitors

LCS Crisis Plan APPENDIX A: SAMPLE STATEMENTS AND COMMUNICATIONS

Procedures for parents when picking up students during a crisis situation:

In the parent handbook given to each student on the first day of school, the parents will be informed of the proper procedures to follow when picking up a child/children in a crisis situation.

The statements in the handbook should indicate that:

- school is one of the safest places for students during most crises or natural disasters;
- students will be advised of and allowed to practice procedures relating to crisis situations;
- pick-up and dismissal procedures may vary depending on the crisis situation.
- parents should **NOT** phone the school and tie-up the telephone lines that will be needed for emergency use;
- parents should wait for instructions to pick up their children; and
- parents will be notified of the crisis situation and dismissal changes via the instant alert system;
- it may be necessary to evacuate students to an alternative site; and parents will be informed of these instances and informed of how to pick up their children.

Authorization to Release Children in an Emergency

Our school has developed an emergency plan that deals with school crises. This plan has been developed in compliance with the division policy. The emergency plan is devoted to the welfare and safety of students and staff during school hours.

Should there be an emergency at school such as a fire, tornado, explosion, etc., your child may be required to remain in the care of the school until it is deemed safe by an Emergency Services authority that the child can be released. At that point, children may be released only to properly authorized parents and/or designees. Therefore, please list on the school emergency card at least two names (other than parents) of people who may pick up your child. (Be sure to list local telephone numbers and addresses). Be sure to notify those persons listed that you have authorized their supervision in case of an emergency.

In the event that you should be unable to come to school, it is essential that others be designated to care for your child. Your child will not be released to the care of unauthorized persons. We appreciate your cooperation in this important matter.

Tips for Parents to Help Create Safe Schools

- Discuss the school's discipline policy with your child. Show your support for the rules, and help your child understand the reasons for them.
- Involve your child in setting rules for appropriate behavior at home.
- Talk with your child about any violence he or she sees--on television, in video games, and possibly in the neighborhood. Help your child understand the consequences of violence.
- Teach your child how to solve problems. Praise your child when he or she follows through.
- Help your child find ways to show anger that do not involve verbally or physically hurting others.

- When you get angry, use it as an opportunity to model these appropriate responses for your child-and talk about it.
- Help your child understand the value of accepting individual differences.
- Note any disturbing behaviors in your child. For example, frequent angry outbursts, excessive fighting and bullying of other children, cruelty to animals, fire setting, and frequent behavior problems at school and in the neighborhood, lack of friends, and alcohol or drug use can be signs of serious problems. Get help for your child. Talk with a trusted professional in your child's school or in the community.
- Keep lines of communication open with your child--even when it is tough. Encourage your child to tell you where and with who he or she will be. Get to know your child's friends.
- Listen to your child if he or she shares concerns about friends who may be exhibiting troubling behaviors. Share this information with a trusted professional, such as the school counselor, principal, or teacher.
- Be involved in your child's school life by supporting and reviewing homework, talking with his or her teacher(s), and attending school functions such as parent conferences, class programs, open houses, and PTA meetings.
- Volunteer to work with school-based and community groups concerned with violence prevention.
- Talk with the parents of your child's friends. Discuss how you can form a team to ensure your children's safety.
- Find out if your employer offers provisions for parents to participate in school activities.

(Source: *Early Warning, Timely Response: A Guide for Safe Schools.*)

Action Steps for Students

Students can do many things to help create safe schools. Talk to your teachers, parents, and counselor to find out how you can get involved and do your part to make your school safe.

- Listen to your friends if they share troubling feelings or thoughts. Encourage them to get help from a trusted adult--such as a school counselor, teacher, principal, or other community leader. Share your concerns with your parents.
- Create, join, or support student organizations that combat violence.
- Work with local businesses and community groups to organize youth-oriented activities that help young people think of ways to prevent school and community violence. Share your ideas for how these community groups and businesses can support your efforts.
- Participate in violence prevention programs such as conflict resolution.
- Employ your new skills in other settings, such as the home, neighborhood, and community.
- Work with your teachers and administrators to create a safe process for reporting threats, intimidation, weapon possession, drug selling, gang activity, graffiti, and vandalism.
- Help to develop and participate in activities that promote student understanding of differences and that respect the rights of all.
- Volunteer to be a mentor for younger students and/or provide tutoring to your peers.
- Know your school's code of conduct and model responsible behavior. Avoid being part of a crowd when fights break out. Refrain from teasing, bullying, and intimidating peers.

- Be a role model — take personal responsibility by reacting to anger without physically or verbally harming others.
- Seek help from your parents or a trusted adult — such as a school counselor, principal, or teacher — if you are experiencing intense feelings of anger, fear, anxiety, or depression.

(Source: *Early Warning, Timely Response: A Guide for Safe Schools.*)

L. Student Promotion, Retention and Remediation (LCS – Policy IKD)

The Lexington City School Board holds the philosophy that every student is an individual with worth and dignity. In keeping with this philosophy, the Board directs that each decision regarding student promotion or retention be made on an individual basis with first consideration given to the emotional well-being of the student in question and the instructional benefit to be gained by the student. Promotion is not considered a reward and retention is not considered a punishment. Accordingly, the following are intended to assist in the decision-making process. Teachers and administrators are to consider these guidelines along with all other extenuating circumstances in making final decisions relative to the promotion or retention of individual pupils.

Elementary (Grade K-5)

Students should meet the following benchmarks by the end of the school year:

- 1) Kindergarten: complete Alphabet Knowledge and Early Letter Name Spelling (marking beginning and ending sounds and tracking with self-correction).
- 2) Grade 1: Instructional reading level (strong primer and early first grade reader).
- 3) Grade 2: Second grade reading level (strong second).
- 4) Grades 3-5: On grade level at the end of the year and ready for content and reading material at the next grade level.
- 5) Grades K-5: Students should demonstrate consistent achievement of grade level math objectives. Additionally, any student in grades 3-5 who receives the grade of “F” for the year in any two of the major academic subjects (Math, Reading, Science, Social Studies) may be retained at the current grade level.

REMEDATION RECOVERY PROGRAM

The Lexington City School Board supports efforts to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain Standards of Learning (SOL) assessments. Therefore, the Lexington City School Board has implemented a Remediation Recovery Program as established by the Virginia Board of Education. Remediation recovery is a program which encourages successful remediation of students who do not pass certain SOL tests in kindergarten through grade 8 and high school English and mathematics. In kindergarten

through grade 12, students may participate in a remediation recovery program as established by the Board of Education in English (reading) or mathematics or both.

Students who fail the grades 3 through 7 reading and/or mathematics tests and participate in a remediation recovery program after being promoted to the next grade will not retake the failed test or tests.

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students in two ways:

- It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate; and
- It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any ED-funded survey, analysis, or evaluation that reveals information concerning:
 1. Political affiliations;
 2. Mental and psychological problems potentially embarrassing to the student and his/her family;
 3. Sex behavior and attitudes;
 4. Illegal, anti-social, self-incriminating and demeaning behavior;
 5. Critical appraisals of other individuals with whom respondents have close family relationships;
 6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
 7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents or students who believe their rights under PPRA may have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred

M. Laws Regarding the Prosecution of Juveniles as Adults

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

Section 22.1-279.4 of the Code of Virginia states:

School boards shall provide information developed by the office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes. Methods of providing such information may include, but not be limited to, public announcements in

the schools, written notification to parents, publication in the student conduct manual, and inclusion in those materials distributed to parents pursuant to § 22.1-279.3.

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

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

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

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

Circumstance #1

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

Attachment A, Memo No. 057-12 February 24, 2012

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

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

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

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

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

Class 6 felony – a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both. (§§ 18.2-9 and 18.2-10 of the Code of Virginia)

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

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

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

Circumstance #2

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

In this circumstance, transfer is requested at the discretion of the Commonwealth’s Attorney. If the Commonwealth’s Attorney wishes to transfer the juvenile for trial as an adult, the juvenile court holds a preliminary hearing to determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is transferred for prosecution as an adult. (§16.1269.1 C of the Code of Virginia)

Circumstance #3

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

Transfer under this circumstance is automatic. Whenever a juvenile 14 years of age or older is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding, he or she must be tried as an adult. The juvenile court holds a preliminary hearing to

determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is transferred for prosecution as an adult. (§ 16.1-269.1 B of the Code of Virginia)

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

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

What happens when an adult is sentenced for a crime he or she committed as a juvenile?

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

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

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

N. Teacher Qualifications – Title 1 Requirement

**Lexington City Schools
Parent Notification Letter
Right to Request Information on Teacher Qualifications
As Required Under the
*Elementary and Secondary Education Act of 1965, as amended***

School Year: 2024-2025

Dear Parent(s)/Guardian(s),

On December 10, 2015, the *Every Student Succeeds Act (ESSA)* was signed into law. Section 1112(e)(1)(A) states that as a parent of a student in H. Waddell Elementary School, receiving Title I funds, you have the right to know the professional qualifications of the classroom teachers instructing your child. Federal law requires the school division to provide you this information in a timely manner if you request it. Specifically, you have the right to request the following information about each of your child's classroom teachers:

- Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status because of special circumstances.
- Whether the teacher is teaching in the field of discipline of the certification or degree he/she received
- Whether paraprofessionals provide services to your child and, if so, their qualifications.

If you would like to receive any of this information, please contact the Principal of H. Waddell Elementary School either by phone at 540-463-5353 or in writing at 100 Pendleton Place, Lexington, VA 24450.

Sincerely,
Kimberly G. Troise
Principal
H. Waddell Elementary School

O. Testing Transparency and Opt-Out – Title 1 Requirement

LEXINGTON CITY PUBLIC SCHOOLS

H. WADDELL ELEMENTARY SCHOOL

**100 Pendleton Place
Lexington, VA 24450
540-463-5353**

**Parental Notification of Assessment Opt Out Policies under
Section 1112(e)(2) of *The Every Student Succeeds Act of 2015 (ESSA)***

School Year: 2024-2025

On December 10, 2015, the *Every Student Succeeds Act of 2015 (ESSA)* was signed into law. Section 1112(e)(2) of ESSA states that parents of students in Title I schools have a right to know about state or division policies regarding student participation in any assessments mandated by ESSA, including any policy, procedure, or parental right to opt students out of such assessments.

All students enrolled in Virginia public schools are expected to take the applicable state tests. The *Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia* state: “In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests” and “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction” ([8VAC20-131-30](#)). The Virginia regulations do not provide for what is sometimes referred to as an “opt out policy” for students regarding the Virginia assessments. If parents refuse to have their student participate in one or more of the required Virginia assessments, they should be aware that their student’s state assessment score report will reflect a score of “0” for any test that is refused. Lexington City Schools does not have an opt-out policy.

If you would like to receive information about this topic, please contact:
Kimberly G. Troise , H. Waddell Elementary School, either by phone at 540-463-5353, or in writing at 100 Pendleton Place, Lexington, VA 24450.

P. LCS Code of Student Conduct - Lexington City Schools

[LCS Code of Conduct](#)