

# **Winchester Public Schools**

## **Policy Summaries**

The following policies and standards of student conduct are based upon School Board policies and general school rules applicable at the time of publication. For a complete outline of School Board policies and additional policy changes, please visit the Winchester Public Schools website at [www.wps.k12.va.us](http://www.wps.k12.va.us) or contact your student's school. Printed copies of school division policies and regulations are available to citizens who do not have online access.

### **We believe that . . .**

1. Excellence in education is paramount to the success of the City of Winchester.
2. Excellence in education is a shared and reciprocal responsibility among educators, students, families, caregivers and the community.
3. Every student can learn and when students have access to quality instruction, technology, and community resources, education is the equalizer.
4. Every student has the right to an excellent education in a safe and engaging learning environment.
5. Mental, emotional, and physical health is essential for optimal learning.
6. Embracing the diversity of students is a strength that unifies our learning community.
7. Success for every student is dependent upon a well-communicated expectation of excellence.
8. Every student must have the requisite knowledge and skills to become a productive citizen in a global society.
9. Pursuing excellence in learning and life develops student self-esteem and self-confidence.

**The mission of Winchester Public Schools, a vibrant and diverse community of learners, is to have the courage and commitment to inspire every student's passion for excellence in learning.**

*Every student will be...*

- SOCIALLY RESPONSIBLE exhibiting trust, respect, and integrity to create physically and emotionally safe environments
- COLLABORATIVE & INQUISITIVE by being authentically engaged in enriching learning environments
- EMPOWERED & PREPARED for the emerging opportunities in the global marketplace
- PASSIONATE & FOCUSED to achieve personal excellence by developing interests, passions, and talents
- ENGAGED participating in and benefiting from open and honest relationships at the school and interpersonal level

## **Acceptable Computer System Use**

Winchester Public Schools provides a variety of educational technologies including computer hardware, software, networked and internet-based resources and communication links for the use of students only as an integral part of the instructional program. Students are responsible for the appropriate use of these resources. All policies and regulations of Winchester Public Schools governing student conduct shall apply when students are using educational technology. The use of this technology for any improper or illegal activity is prohibited. The complete Acceptable Use Policy IIBEA is available for review on our website, [www.wps.k12.va.us](http://www.wps.k12.va.us), or from the school's office.

**I. Purpose** - The School Board supports the use of technology for purposes of educational research, communication, and instruction, and to provide access to unique resources and opportunities for collaborative work. In furtherance of its approved curriculum, the School Board provides a Computer System, which includes the Internet, the use of which must be consistent with this Policy, the educational objectives and work climate of Winchester Public Schools ("WPS" or the "Division") and other School Board policies, regulations, and directives.

The term Computer System includes, but is not limited to, hardware, software, data, communication lines and devices, display devices, printers, CD/DVD and other media devices, flash drives, servers, mainframe and personal computers, tablets, laptops, cellular and network phones, including smart phones, the Internet and all other electronic services and internal or external networks (the "Computer System"). All use of the Computer System must be for educational purposes or legitimate school business. The Computer System is not a public forum and is not intended to be a forum; its purpose is to advance the Division's communications, curriculum, and work. This Policy applies to all users of the Computer System. By using or accessing the Computer System, the user agrees to abide by this Policy. The failure of any user to follow the terms of this policy may result in the loss of computer system privileges, disciplinary action, and/or appropriate legal action.

Winchester Public Schools has established and manages an instance of G Suite for Education, a set of free productivity tools for classroom collaboration provided by Google, and utilizes additional services with the G Suite for Education platform as deemed appropriate and that support education purposes at Winchester Public Schools.

Use of the Computer System is a privilege, not a right, and can be withdrawn by the Division at any time, with or without prior notice. Any communication or material generated using the Computer System, including without limitation electronic mail, social media posts, instant or text messages, and other files, may be monitored, read, and/or archived by school officials without prior notice, reason, or permission, even if the communication or material was deleted from a user's account.

## II. In General

### A. The Computer System shall be used as follows:

1. The Computer System must be used for either an educational purpose or for legitimate school business. The term "educational purpose" includes, without limitation, use of the Computer System for class assignments; instruction, including the development and preparation of lessons and assignments; professional or career development; and otherwise in furtherance of the School Board's vision, mission, approved curriculum and other educational objectives.
2. The Computer System may not be used for commercial purposes. The term "commercial purposes" includes, without limitation, use of the Computer System for the purpose of promoting or soliciting the sale of an item or the promotion or solicitation of a service that does not have an educational purpose or is not for legitimate school business; purchasing personal, family, or household items; to obtain a monetary or personal gain; to solicit membership in or support of any non-school sponsored organization; or to raise funds for any non-school sponsored purpose, whether profit or non-profit. No staff member shall knowingly provide names, e-mail addresses, or other personal information to outside parties whose intent is to communicate with staff, students and/or their families for non-school purposes.
3. The Computer System may not be used for political lobbying or campaigning. This activity includes, without limitation, sending e-mails or making web postings or advertisements that advocate support for a particular political position or candidate; however, nothing in this Policy shall be construed to limit staff and students from using the Computer System to communicate with their elected representatives and to express their opinion on political issues for educational purposes.

### B. The following definitions apply to this Policy:

1. The term "staff" or "staff member" is defined to include all School Board employees, including without limitation all administrators, counselors, teachers, coaches, employees of virtual school programs (to include but not be limited to distance learning, on line programs) and vendors providing instructional services to students, as well as all student teachers, interns and practicum students, volunteers and community members.
2. The term "immediately" is defined as reporting a situation that may constitute a violation of this Policy within twenty-four hours of the first suspicion of the violation.

## III. Areas of Responsibility - Staff and students must comply with, and are responsible for monitoring, enforcing, and reporting infractions of this Policy as follows:

A. Central office managers (i.e., department supervisors and directors) and building principals and other school-based administrators shall be responsible for ensuring that this Policy is followed.

B. The Director of Technology will serve as the coordinator to oversee the Computer System and will work with other local, regional, or state organizations as necessary. All purchases of hardware, software, on-line resources, and other services must be evaluated and approved beforehand by the

Director of Technology or designee.

C. The building principal or designee will serve as the building-level coordinator for the Computer System and will support the building-level activities and Computer System, ensure that staff receives training pursuant to this Policy, maintain student permission data, ensure that students receive training pursuant to this Policy, and be responsible for implementing and interpreting this Policy at the building level.

D. Teachers shall be responsible for guiding and monitoring student use of the Computer System. E. Students shall be responsible for adhering to this Policy and using the Computer System for assignments directly related to the curriculum.

F. Parents and guardians shall be responsible for ensuring that their child (ren) adhere to this Policy and use the Computer System for curriculum related assignments.

#### IV. Internet Safety

A. Content Filtering. Pursuant to the federal Children’s Internet Protection Act, 47 U.S.C. § 254, and Va. Code § 22.1-70.2, the Division shall select and implement a technology protection measure to filter or block Internet access, for both adult and minor users, through the Computer System, to material unrelated to the Division's educational vision, mission, and approved curriculum, and to:

1. Pornography, including child pornography, as defined by 18 U.S.C. § 2256 and Va. Code § 18.2-374.1:1;
2. Profane and obscene material, as defined by 18 U.S.C. § 1460 and Va. Code § 18.2-372; and
3. Material that the 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.

The technology protection measure will be enforced during any and all use of the Computer System as required by law. The current technology protection measures include without limitation managed networks, firewalls, Internet filters, virus controls, and monitoring devices. Despite its best efforts, it may not be possible for the Division to restrict access to all prohibited materials. User activity and the operation of filtering protection measures will therefore be monitored to ensure compliance with federal and state law, this Policy, and other School Board policies, regulations, and directives.

B. Student Training. Pursuant to Va. Code § 22.1-70.2, WPS will provide Internet safety training to all students. Internet safety instruction is integrated into the K-12 curriculum. Principals will review this Policy and other applicable School Board policies, regulations, and directives with staff and students annually.

C. Student and Staff Training. WPS will also provide students and staff training designed to educate about appropriate online behavior, including without limitation, appropriate conduct when using email, social media, blogs, and chat rooms, as well as cyber bullying awareness and response.

#### V. Access to the Computer System

A. Staff and students will have access to the Internet through selected computers and other electronic devices. Student use may be limited upon parental or guardian notification. Parents and guardians may request alternative activities for their child(ren) that do not require Internet access by notifying the building principal in writing or completing the Parent Permission Form for Student Involvement issued with the Student Handbook. Parents and guardians may also request to view the content of their child's user file.

B. Staff and students are permitted to use personal electronic devices, such as smart phones tablets, and laptops, provided that such use is consistent with this Policy and as set forth in Policy JFI- Student Use of Personally Owned Electronic Devices.

VI. Limitation of Liability. The School Board makes no warranties of any kind, neither express nor implied, regarding the Computer System. The School Board will not be responsible for any damages users suffer, including, but not limited to:

- A. Loss of data resulting from delays or interruptions in service;
- B. Accuracy, nature, or quality of information stored on the Computer System;
- C. Accuracy, nature, or quality of information gathered through the Computer System;
- D. Damage to personal property used to access the Computer System; or
- E. Unauthorized financial obligations resulting from use of the Computer System.

#### VII. Unacceptable Uses of the Computer System

A. WPS shall cooperate fully with local, state, and/or federal officials in any investigation concerning or relating to any alleged illegal activities conducted through the Computer System.

B. Students who violate the provisions of this Policy, applicable state and federal law, applicable School Board policies, regulations, and directives, and/or applicable building-level rules shall be subject to disciplinary action in accordance with Policy JFC Student Conduct.

C. School Board employees who violate the provisions of this Policy, applicable state and federal law, applicable School Board policies, regulations, and directives, and/or applicable building-level rules shall be subject to disciplinary action in accordance with the School Board personnel policies.

D. Non-employees violating this Policy shall have their access privileges immediately suspended.

#### VIII. Computer System Monitoring and Related Searches

A. Users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored on the Computer System. The Division reserves the right to monitor and review

all usage of the Computer System at any time, for any reason, with or without prior notice or permission.

B. Routine maintenance and monitoring of the Computer System may lead to the discovery that the user has or is violating this Policy or other School Board policies, regulations, and directives.

C. A search of a user's account shall be conducted if there is individual reasonable suspicion that a user has violated the law or School Board policies, regulations, or directives. The nature of the search/investigation will be reasonable and appropriate to the nature of the alleged misconduct.

D. User files may be subject to protection and disclosure requirements set forth in the Family Educational Rights and Privacy Act (FERPA), Individuals with Disabilities Education Act (IDEA), the Freedom of Information Act (FOIA), and other federal and state laws.

E. Users must provide their password upon request to technology staff for use in diagnosing and repairing Computer System problems and in providing routine maintenance and monitoring of the Computer System. In the event an account or password is known or suspected to have been lost, stolen, or disclosed, the user shall immediately report the incident to technology staff and new passwords will be created.

IX. Software and Hardware. Only school or Division licensed software approved by the Director of Technology may be installed on the Computer System. No school-licensed software may be copied for use on other school's Computer System unless this right is specifically granted in the school's license agreement. Software may only be installed by technology staff members. All licensing and registration materials shall be furnished to the building Technology Resource Teacher, who is responsible for maintaining licensing records on a building level. The Director of Technology will maintain records on Division licensed software.

X. Selection of Material. When using the Internet for class activities, staff shall select material that is appropriate in light of the age of the students, relevant to the course objectives, and consistent with the Division's approved curriculum and educational mission, vision and objectives. Staff shall preview the materials and sites they require or recommend students to access in order to determine the appropriateness of the material contained on or accessed through the site. Staff shall provide guidelines and lists of resources to assist students in channeling their research activities effectively and properly. Staff shall assist their students in developing the skills to evaluate the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

XI. Acceptable and Unacceptable Use

A. Acceptable Use. Use of the Computer System shall be consistent with the educational vision and mission, approved curriculum, and work of the Division, as well as the varied instructional needs,

learning styles, abilities, and developmental levels of students. Staff are to utilize the Computer system for educational purposes, legitimate school business, and performance of job duties. Incidental personal use of the Computer System is permitted as long as such use does not interfere with the staff member's job duties and performance, with system operations, or other system users. "Incidental personal use" is defined as use by an individual employee for occasional personal communications not occurring during instructional time and is not otherwise prohibited by this Policy.

B. Unacceptable Use. The following is a non-exhaustive list of examples of unacceptable uses of the Computer System:

1. Engaging in Illegal and other Unacceptable Activities. Users shall not use the Computer System to:

- a. "Hack into" or otherwise access data not intended for the user, including, without limitation, logging into another user's account or otherwise obtaining another user's files or administrative data.
- b. Make deliberate attempts to disrupt the Computer System or destroy data by spreading computer viruses or by any other means.
- c. Send, receive, view or download illegal material, or engage in any other illegal act, including, without limitation, arranging for the sale or purchase of illegal drugs, alcohol or tobacco, engaging in criminal gang activity, or threatening the safety of another individual.
- d. Access, upload, download, create, or distribute profane, pornographic, obscene, sexually explicit, or other illegal material.
- e. Transmit profane, obscene, abusive, sexually explicit, or threatening language that could be characterized as bullying, harassing, prejudicial or discriminatory attacks, or is otherwise damaging to one's reputation.
- f. Vandalize, damage, or disable the property of another individual or organization, including destroying data by creating or spreading viruses or by other means.
- g. Violate any other local, state, or federal law.
- h. Delete, erase or otherwise conceal any information stored on the Computer System that violates this Policy or at any time after being advised by an administrator or supervisor to preserve any materials stored on the Computer System.

2. Jeopardizing System Security

- a. Users are responsible for the use of their individual accounts and should take all reasonable precautions to prevent others from accessing their accounts. Under no conditions should a user provide password information to another person except as provided in this Policy.
- b. Users shall not alter system or network settings, circumvent the menu, password, or Internet filtering software installed on the Computer System, or change configurations (hardware and software), except under the direct supervision of technology staff.
- c. Users shall immediately notify the Director of Technology if they have identified a possible security problem.

d. Users shall insure that the latest antivirus/antimalware software is installed and functioning on their personal electronic device when it is connected to the Computer System.

### 3. Using Inappropriate Language

a. Restrictions against inappropriate language apply to messages and posts made on or through the Computer System, including without limitation public messages, private messages, email, and material posted on Division, school, and extracurricular organization webpages or related social media accounts.

b. Users shall not use the Computer System to convey or otherwise disseminate obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.

c. Users shall not use the Computer System to post or email information that, if acted upon, could cause damage or a danger of disruption.

d. Users shall not use the Computer System to knowingly or recklessly post false or defamatory information about a person or organization.

### 4. Failure to Respect Privacy

a. Users shall not use the Computer System to publicize a message that was sent to them privately without permission of the person who sent the message.

b. Users shall not use the Computer System to post or email private information about themselves.

c. Users shall not use the Computer System to disclose, use, or disseminate photographs and/or personal information regarding other people. Personal information is defined to include information such as a person's home address, telephone number, social security number, bank or credit card account number, log-in information or password.

### 5. Failure to Respect Resource Limits

a. Staff shall not download large files on the Computer System unless absolutely necessary. If necessary, large files shall be downloaded only at a time when the Computer System is not being heavily used. All files downloaded shall be for educational purposes or legitimate school business. Students shall not download any files.

b. Users shall not use the Computer System to post or email chain letters or to engage in "spamming." For purposes of this Policy, spamming is defined to include sending an unnecessary message, unrelated to educational purposes or legitimate school business, to a large number of people.

c. Users may not use the Computer System to subscribe to discussion groups or e-mail lists, unless such groups or lists are relevant to an educational purpose or legitimate school business, including a specific assignment or for instructional purposes.

d. Users shall not abuse or monopolize the Computer System for non-educational use.

### 6. Plagiarism and Copyright Infringement

a. Users shall not plagiarize works found on the Computer System. Plagiarism is taking the ideas or writings of others and presenting such ideas or writings as if they were original to the user.

b. Users shall respect the rights of copyright owners. The School Board Policy EGAA Reproduction of



Copyright Materials applies to copyrighted materials accessed through the Computer System, as well as traditionally published materials. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If users are unsure whether or not they can use a work, users should request permission from the copyright owner.

7. Student Acceptable Use of Email and Other Electronic Communication. Student access to direct electronic communications, including e-mail, shall be made via a special account assigned to each student and used under staff supervision, provided that the following restrictions are met:

- a. Students shall not use the Computer System to post or e-mail personal or sensitive information about themselves or other people. This includes information such as the student's or another person's home address, telephone number, student ID number, bank or credit card account numbers, social security numbers, login information and passwords.
- b. Students shall not use the Computer System to meet with someone they have met online without their parent's or guardian's prior approval and participation.
- c. Students shall promptly disclose to their teacher or other school staff any message they receive that is inappropriate or makes them feel uncomfortable.

8. Staff Acceptable Use of Email and Other Electronic Communication

a. **In General.** The Computer System provides opportunities for increased communication and collaboration for both students and staff. As students and staff are connected to the global community, their use of new tools and systems brings new responsibilities. Any electronic or online communications by staff with other staff, students and parents must be transparent, accessible to supervisors and parents, and professional in content and tone.

Electronic communications should not replace in person and telephone communication, which are better modes of communication for conveying meaning and context and should be used whenever possible. Staff using electronic and online communication shall adhere to the following guidelines:

- i. Any staff member who has a reason to suspect that inappropriate communication is occurring between a staff member and student or among staff members shall report the matter immediately to their principal.
- ii. Staff members who correspond with students or parents via email must use only the Division's email system to receive or send email. Staff correspondence with students is strictly limited to school related content.
- iii. Staff members who correspond with other staff members about school related business must use only the Division's email system to receive or send email.
- iv. Staff should not include detailed student information in any email or document attached to an

email. Staff shall not use or attach a document that reveals a social security number, biometric record, or student identification number that could be used directly or indirectly to gain access to education records. When referencing students, the email shall be limited to basic factual information and exchanged only between parties who have a legitimate educational interest in the information and in the student that is the subject of the correspondence.

v. Electronic resources must never be used to discuss contentious, sensitive, emotional or highly confidential issues. These issues should be discussed in person or by phone. Emails should be short and directional in nature and only include objective factual information. Examples of such factual information are set forth in Section 8(B) below.

vi. Staff members are responsible for all email sent from their account, and should take care to protect access to their account by keeping their password secret and by logging off when not using their account.

vii. Electronic communication should be consistent with professional practices for other correspondence. This includes grammar, format and salutation.

**b. Acceptable uses of staff to parent email or other electronic communication.** Examples of this acceptable use includes providing general information about class activities such as curriculum, homework, tests, special events and school announcements; making arrangements for meeting/telephone call regarding a student issue, including a general description of the issue; and following-up on an issue that has previously been discussed. Any discussion related to other students or staff members is not appropriate.

**c. Acceptable uses of staff to student email or other electronic communication.** Examples of this acceptable use includes discussions specifically related to class activities, such as curriculum, homework, tests, special events, and school announcements. There should be no discussion related to other students, discussion about the personal life of staff members or students, or sensitive information regarding the student's performance.

**d. Establishment of social media accounts or accounts on educational sites for instructional purposes.** Staff may establish one or more social media accounts or accounts on educational websites solely for educational purposes. Staff must notify the building principal of their intent to establish such accounts and the building principal must approve and monitor each account.

These accounts shall not be used for personal communications and are to be separate from staff members' personal social media accounts. Any such site shall have a clear statement of purpose and outcomes for the use of the account, and a code of conduct for all participants. The staff member establishing the account shall apply appropriate security and privacy settings, be responsible for the account's content, diligently monitor the account for inappropriate content, and post only information related to the account's purpose that is appropriate for viewing by students, parents and the community at large. Students should not be required to create a login in order to access or view the information. When appropriate, links to these accounts shall be posted on the school's webpage, as outlined in Policy CJA-Website Development and Management. Staff members are expected to

read and understand all terms of service and privacy policies associated with the social media and educational site accounts they intend to use for instructional purposes.

**e. Personal social media accounts.** Staff members are expected to be role models. Material posted on staff members' personal websites, accounts, and social media websites must model the behavior that staff members are expected to exhibit, as a role model, both on and off campus and school related activities. Inappropriate content, including without limitation, material that compromises a staff/student professional relationship or boundaries, messages and pictures that diminish a staff member's professionalism, discredits his/her capacity to maintain the respect of students and parents, or that impairs the ability of that staff member to serve as a role model for students, is prohibited. WPS expects the following in regards to personal electronic communications, use of social media, and other online communications:

- i. WPS prohibits any students and staff members from establishing an online social media relationship through their personal social media websites. Interaction between staff and students on a social media websites must be for educational purposes only, as set forth in section XI(B)(8)(d) above.
- ii. Staff and students shall not use Internet resources that require the establishment of a student account or login that is not administrated or monitored by WPS.
- iii. Students appearing in individual or group photographs shall not be individually identified.
- iv. Staff shall not post comments about students.

XII. Non-Computer System Use. The School Board has no legal responsibility to regulate or review Internet messages, statements, postings, or acts either made off-campus or not made on, through, or in connection with the Computer System. The Division reserves the right to discipline students and staff for actions taken off-campus or independently of the Computer System, which would violate this Policy or other applicable School Board policies, regulations or directives if occurring on-campus or on, through, or in connection with the Computer System, if such actions adversely affect the safety, well-being, or performance of students while in school, on school buses, at school activities or school sponsored events, or coming to and from school; if such actions threaten violence against another student or staff member; if such actions violate local, state or federal law; or if such actions disrupt the learning environment, administration, or orderly conduct of the school.

XIII. Remote Access to the Computer System. All provisions of this policy apply when accessing the Computer System remotely or on-site.

The School Board will review and amend, if necessary, this Policy every two years.

## Attendance

**COVID Disclaimer: WPS will communicate to families how distance learning and in-person attendance will be monitored and recorded on days are not physically present.**

Good attendance requires a team effort from the school, parent/guardian and student. The importance of regular school attendance cannot be over emphasized. Students regularly attending school achieve at much higher levels, enjoy school more and develop habits of punctuality, self-discipline, and responsibility. All of these will serve an individual well as he/she continues through school and into the world of work.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age shall be responsible for such child's regular and punctual attendance at school as required under provisions of the law. Therefore, the parent/guardian or person having control or charge of a child shall make a reasonable attempt to contact the school on the day of absence.

We request that any time your child must be absent from school, please call the school on the day of the absence and advise the school that your child will not be in attendance that day. Below is a table outlining the responsibility of the school, the parent/guardian and our students in maintaining strong attendance.

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

The superintendent's regulations will include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which he or she missed by reason of such absence, if the absence is verified in an acceptable manner.

## Student Attendance Policy

<b>Number of Day(s) Absent</b>	<b>Responsibility of School</b>	<b>Responsibility of Student</b>	<b>Responsibility of Parent/Guardian</b>
1+	The school staff shall record the student's absence for each day as "excused" or "unexcused".  It will be <b>excused</b> when the reason provided by the parent/guardian is acceptable to the school administration. Examples of an excused absence may include, but are not limited to, the following reasons: funeral, illness (including mental health and substance abuse illnesses), injury, legal obligations, medical	Turn in any doctor's notes to teacher or school office.	Contact school on morning of absence. If unable to call, a note should be sent in with the student.

	<p>procedures, suspensions, religious observances and military obligation.</p> <p>The absence will be reported as <b>unexcused</b> when the student misses his/her scheduled instructional school day in its entirety and (i) no indication has been received by school personnel within three five days of the absence that the student's parent is aware and supports the absence, or (ii) the parent provides a reason for the absence that is unacceptable to the school administration.</p>		
5 <sup>th</sup> Day of Unexcused Absence	<p>When a student has received five unexcused absences, the school principal or attendance designee shall make a reasonable effort to ensure that direct contact is made with the parent/guardian. The parent/guardian shall be contacted in a face-to-face conference, by telephone, or through the use of other communication devices. During the meeting with the parent/guardian and the student (if appropriate), reasons for nonattendance shall be documented and the consequences of nonattendance explained. An attendance plan shall be made with the student and parent/guardian to resolve the nonattendance issues. The student and parent/guardian may be referred to a school-based multi-disciplinary team for assistance implementing the attendance plan and case management.</p> <p>If the principal or principal's designee, after reasonable efforts have been made, are unable to contact the student's parent/gaurdian, the conference shall be held regardless of whether the student's parent/guardian approves of the conference.</p>	Participate in attendance meeting and comply with plan of action.	Participate in attendance meeting and comply with plan of action.
Throughout School Year	A school-based team shall monitor the student's attendance and, as necessary, meet again to address concerns and plan additional interventions if the student's attendance does not improve. If additional meetings are necessary the principal or principal's attendance designee should make reasonable efforts to contact the student's parent/guardian and schedule a	Respond for requests from school staff to discuss attendance.	Respond for requests from school staff to discuss student's attendance.

	<p>face-to-face meeting, or an interaction that is conducted through the use of communication technology. If the principal or principal's attendance designee, after reasonable efforts have been made, are unable to contact the student's parent/guardian, the conference shall be held regardless of whether the student's parent/guardian approves of the conference.</p> <p>The principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.</p>		
If Absences Continue	<p>In circumstances in which the parent/guardian is intentionally noncompliant with compulsory attendance requirements or the student is resisting parental efforts to comply with compulsory attendance requirements, the school principal or attendance designee shall make a referral to the attendance officer (school social worker) or division superintendent of the student's lack of progress towards resolving nonattendance issues, given sufficient intervention to address the student's nonattendance. The attendance officer shall schedule a conference with the student and the student's parent or parents within 10 days of receiving the referral. The attendance officer may contact the Juvenile and Domestic Relations Court intake to (i) file a complaint alleging the student is a child in need of supervision as defined in <u>§ 16.1-228</u> or (ii) to institute proceedings against the parent pursuant to <u>§ 18.2-371</u> or <u>22.1-262</u>. In addition to documentation of compliance with the notice provisions of <u>§ 22.1-258</u> of the Code of Virginia, all records of intervention regarding the student's unexcused absences, such as copies of the conference meeting notes, attendance plan, and supports shall be presented to the intake worker.</p>	Respond for requests from school staff to discuss student's attendance.	Respond for requests from school staff to discuss attendance.
10 <sup>th</sup> Day of Absence (Excused or Unexcused)	School will mail "Make Every Day Count" letter to raise awareness of the impact of regular attendance on school success.	Discuss receipt of letter with parent/guardian.	Contact school administration or school social worker with any concerns or needed support.

20 <sup>th</sup> Day of 20% of the school year of Absence (Excused or Non-excused)	The principal or attendance designee will schedule a face to face meeting with the parent/guardian, student and other school staff. The purpose of this meeting is to explore barriers to regular attendance and provision of services to ensure school success. If deemed necessary, a decision can be made to initiate court proceedings for excessive excused absences. Medical excuses may be required for additional absences.	Participate in attendance meeting with school staff.	Participate in attendance meeting with school staff.
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**Attendance Reporting**

Excused and unexcused absences shall be counted for each individual student and shall be reported to the Virginia Department of Education.

**Dismissal Precautions**

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

**Tardy**

If excessive tardies continue then the following could occur:

1. If an elementary student arrives to school late, then a parent/guardian must accompany him/her to the office to be signed in.
1. Excessive tardies may be referred to an administrator for disciplinary action.
2. If a student is on a school zone variance, that variance can be revoked due to excessive tardies or absences.
3. If a student has moved out of the city during a school semester the student may continue in attendance without payment of tuition until the end of the semester. In the event of excessive absences, tardies, and/or discipline issues the administration may review this privilege on a case by case basis.

**Boundaries Policy - GM**

**MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES -**

Winchester Public Schools ("WPS" or the "Division") provides its students with a safe and supportive learning environment and protects its students from sexual misconduct and abuse. The responsibility to protect students from sexual misconduct and abuse is shared by the Winchester Public School Board ("School Board"), Superintendent, administrators, teachers, other School Board employees, volunteers, parents, state agencies and law enforcement.

Although the Division has dedicated, professional staff members, it is important to be certain that proper boundaries between staff members and students are maintained at all times in order to ensure respect for the ethical and legal duties in the staff/student relationship and the essential duty

of a staff member to serve as a role model to the student. In doing so, staff members will demonstrate a focus on job duties, a commitment to promote educational purposes, and an unconditional dedication to professionalism in conduct and interactions with students.

For the purposes of this Policy, a "staff member" is defined to include all School Board employees, including without limitation all administrators, counselors, teachers, nurses, student support specialists, support staff, coaches, employees of virtual school programs (to include but not be limited to distance learning, on line programs) and vendors providing instructional services to students, as well as all student teachers, interns, practicum students, volunteers and community members. In addition, the term "immediately" is defined as reporting a situation that may constitute a violation of this Policy, including without limitation an appearance of impropriety, within 24 hours of the first suspicion of the violation.

All staff members are to maintain a professional, moral, and ethical relationship in their conduct with students and shall serve as role models for students at all times, whether on or off School property, both during and outside of school hours. The Division encourages healthy relationships between students and staff members that promote student achievement and success. At the same time, clear and reasonable boundaries for interactions between students and staff members are necessary to protect students from sexual misconduct and abuse and to protect staff members from misunderstandings and false accusations.

All staff members have a responsibility to provide an atmosphere conducive to learning through consistent and fairly applied discipline and the maintenance of professional physical and emotional boundaries with students. These boundaries shall be maintained regardless of the student's age, the perceived consensual nature of the relationship or activity, the location of the activity, and whether the staff member directly supervises the student. For staff members whose children are students of WPS, this policy is not intended to violate or otherwise intrude upon the usual parent/child relationship.

Personal contact between students and staff members must always be professional, non-sexual, appropriate to the circumstances, and unambiguous in meaning. A boundary invasion is an act, omission, or pattern of behavior by a staff member that does not have an educational purpose and either abuses or compromises the staff/student professional relationship or has the potential to abuse or compromise the staff/student professional relationship.

### Unacceptable Conduct

Examples of boundary invasions by staff members include but are not limited to the following:

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under Policies GBA/JFHA Prohibition Against Harassment and Retaliation.
- Showing inappropriate images to a student, including pornography;
- Dating a student, or discussing or planning a future romantic or sexual relationship with a student;
- Making sexual advances toward a student;
- A flirtatious, romantic or sexual relationship with a student;



- Unnecessarily invading a student's personal privacy;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship;
- Socializing where students are consuming alcohol, drugs or tobacco;
- Providing or offering to provide alcohol, drugs or tobacco to students;
- For non-guidance/counseling staff, excessively encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to use their professional judgment and refer the student to appropriate guidance/counseling staff when appropriate;
- Sending students on personal errands unrelated to any educational, non-curricular or extracurricular purpose;
- Banter, allusions, jokes or innuendoes of a sexual nature with students;
- Asking a student to keep a secret;
- Disclosing inappropriate personal, sexual, family, employment concerns, or other inappropriate private matters to one or more students;
- Addressing students with personalized terms of endearment or pet names that would suggest the staff member feels love or affection for the student. As a staff member, permitting students to address you by your first name, nickname, with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by telephone, text message, email, Instant Messenger, Internet chat rooms, social networking websites or letters (beyond homework or other legitimate school business) without the prior express permission of the student's parent/guardian;
- Exchanging gifts cards or letters that are personal or extravagant in nature with a student (beyond customary student-teacher gifts);
- Socializing or spending time with students outside of school related or school sponsored curricular or extracurricular activities or organized community activities (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) and/or
- Giving a student a ride alone in a vehicle in a non-emergency situation or a situation that can be avoided. If a staff member must give a student a ride, the student shall ride in the back seat of the vehicle when possible and staff member must attempt to gain prior permission from the parent for the transportation arrangement.

### Appearances of Impropriety

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff members should avoid these situations. If unavoidable, these activities must be pre-approved by the appropriate administrator. If not pre-approved, the staff member must immediately report the occurrence to the appropriate administrator.

- Conducting ongoing, private conversations with individual students that do not have an educational purpose, are unrelated to school activities or the well-being of the student, and that take place in locations inaccessible to others;
- Being alone with an individual student out of the view of others or in an inaccessible

location, except for in the context of school counselors providing professional counseling support services, teachers working with students in an afterschool setting or during testing, or a school nurse providing medical services to a student;

- Driving students home or to other locations without the prior knowledge and express permission of the parent/guardian;
- Inviting or allowing individual students to visit the staff member's home without the prior knowledge and express permission of the parent/guardian;
- Inviting students for social contact off school grounds without the prior knowledge and express permission of the parent/guardian;
- Visiting a student's home in the absence of the student's parent/guardian or without the prior knowledge and express permission of the parent/guardian; and/or
- Social networking with students for non-educational purposes.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with the appropriate administrator whenever they are unsure whether particular conduct may constitute a violation of this Policy.

### Electronic Communication

Digital technology and social networking provide multiple means for staff members to communicate appropriately with students and personalize learning. Electronic and online communications between staff members and students must be transparent, contemporaneously accessible to supervisors and parents/guardians, and professional in content and tone. Such communication must be professional, non-sexual, appropriate to the circumstances, and unambiguous in meaning. Staff members must restrict one-on-one electronic communications with individual students to accounts, systems, and platforms that are provided by and accessible to the Division or with the prior express permission of the principal or supervisor and the parent/guardian.

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

- The subject, content, purpose, authorization, timing and frequency of the communication;
- Whether there was an attempt to conceal, shield or misportray the communication from supervisors and/or parents/guardians;
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship; and
- Whether the communication contained sexual innuendo, such as for purposes of grooming the student.

Parents are encouraged to have access to their children's social networking and digital communications and to supervise their children's use of these methods of communication.

### Reporting Violations

Students and their parents/guardians are strongly encouraged to notify the principal, an administrator, the lead supervisor, or division superintendent if they believe a staff member may be

engaging in conduct that violates this Policy.

Staff members are required to immediately notify the principal, an administrator, the lead supervisor, or the division superintendent if they become aware of a situation that may constitute a violation of this Policy. This obligation is in addition to the statutory responsibility to report suspected abuse and neglect under Policy JHG Child Abuse Neglect and Reporting.

Anonymous complaints involving inappropriate boundary invasions by staff members with students will be investigated as if a student, parent, or staff member reported the violation.

### Investigation

Investigations of allegations concerning improper staff/student relations shall follow the procedures utilized for complaints under Policies GBA/JFHA Prohibition Against Harassment and Retaliation and GBA-R1/JFHA-R1 Harassment: Complaint Procedure.

### Disciplinary Action

A violation of this Policy by a staff member may result in disciplinary action up to and including dismissal. In the case of termination of employment for sexual misconduct or abuse, the Division will notify the State Superintendent of Instruction. Consistent with the Virginia Department of Education Guidelines, the Division will disclose to school divisions seeking references any formal reprimands or dismissals for violating this Policy.

### Retaliation

Retaliation against students or staff members who report an improper staff/student relationship or participate in any related proceedings is prohibited. Appropriate action will be taken against students or staff members who retaliate against any student or staff member who reports alleged harassment or participates in related proceedings.

### Inappropriate Behavior Initiated by a Student

In the event that a student initiates inappropriate behavior toward a staff member, the staff member must document the incident and report it to the principal, an administrator, counselor, or the lead supervisor. If appropriate, the principal, administrator, counselor, or lead supervisor will intervene and speak with the student and the student's parent/guardian about the alleged inappropriate behavior.

### Training

The Division will provide its employees and volunteers with training on the prevention of sexual misconduct and abuse, including providing them with this Policy. All teachers are required to be trained during their recertification process. Contracts with virtual school programs and other vendors providing instructional services to students will include a requirement that those staff members will comply with this Policy.

## Dissemination of Policy and Reporting Protocols

This Policy will be included on the Division's website and in all employee, student and volunteer handbooks.

### **Career and Technical Education - Annual Public Notice**

The Winchester Public School Division provides a program of career and technical programs incorporated into the kindergarten through twelfth grade curricula that include:

- knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills
- career exploration opportunities in the middle school grades
- competency-based career and technical education programs are implemented which integrate academic outcomes, career guidance and job-seeking skills for all secondary students based on labor market needs, career guidance and student interest. Career guidance includes counseling about available employment opportunities to all students and placement service information for students exiting school; and
- Annual notice on its website to enrolled high school students and their parents/guardians of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce.

### **Emergency Procedures - Standard Response Protocol**

STUDENT SAFETY - A critical ingredient in the safe school recipe is the classroom response to an incident at school. Weather events, fire, accidents, intruders and other threats to student safety are scenarios that are planned and trained for by students, teachers, staff and administration.

SRP - Our school is expanding the safety program to include the Standard Response Protocol (SRP). The SRP is based on these four actions. Lockout, Lockdown, Evacuate and Shelter. In the event of an emergency, the action and appropriate direction will be called on the PA.

LOCKOUT - "Secure the Perimeter"

LOCKDOWN - "Locks, Lights, Out of Sight"

EVACUATE - "To the Announced Location"

SHELTER - "For a Hazard Using a Safety Strategy"

Please take a moment to review these actions. Students and staff will be trained and the school will drill these actions over the course of the school year. More information can be found at <http://iloveguys.org>.

#### **LOCKOUT - SECURE THE PERIMETER**

Lockout is called when there is a threat or hazard outside of the school building.

STUDENTS:

- Return to inside of building
- Do business as usual

TEACHERS

- Recover students and staff from outside building

- Increased situational awareness
- Do business as usual
- Take roll, account for students

### LOCKDOWN - LOCKS, LIGHTS, OUT OF SIGHT

Lockdown is called when there is a threat or hazard inside the school building.

STUDENTS:

- Move away from sight
- Maintain silence

TEACHERS:

- Lock classroom door
- Lights out
- Move away from sight
- Maintain silence
- Wait for First Responders to open door
- Take roll, account for students

### EVACUATE - TO A LOCATION

Evacuate is called to move students and staff from one location to another.

STUDENTS:

- Bring your phone
- Leave your stuff behind
- Form a single file line
- Show your hands
- Be prepared for alternatives during response.

TEACHERS:

- Grab roll sheet if possible
- Lead students to Evacuation Location
- Take roll, account for students

### SHELTER - FOR A HAZARD USING SAFETY STRATEGY

Shelter is called when the need for personal protection is necessary.

SAMPLE HAZARDS:

- Tornado
- Hazmat

SAMPLE SAFETY STRATEGIES:

- Evacuate to shelter area
- Seal the room

STUDENTS:

- Appropriate hazards and safety strategies

TEACHERS:

- Appropriate hazards and safety strategies
- Take roll, account for students

### English Learners (EL)

The School Board accepts and provides programs for students for whom English is a second

language who entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year. No tuition is charged such students, if state funding is provided for such programs.

The School Board will, not later than 30 days after the beginning of the school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, a program for limited English proficient students of

- the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction education program;
- the child's level of English proficiency, how that level was assessed, and the status of the child's academic achievement;
- the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
- how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program;
- in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- information pertaining to parental rights that includes written guidance
  - detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
  - assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the school division.

## **Graduation Requirements**

NOTE: Full descriptions of graduation requirements and courses can be found in the High School Program of Studies found at <https://www.wps.k12.va.us/domain/1670> .

### **Standard Diploma Course Requirements (8VAC20-131-51) for Students Entering Ninth Grade for the First Time in 2018-2019 and Beyond (mostly Grades 9-11)**

<b>Discipline Area</b>	<b>Standard Units of Credit Required</b>	<b>Verified Credits Required</b>
English (reading and writing)	4	2
Mathematics	3	1
Laboratory Science	3	1
History and Social Science	3	1
Health and Physical Education	2	
World Language, Fine Arts or CTE	2	
Economics and Personal Finance	1	
Electives	4	
<b>Total</b>	<b>22</b>	<b>5</b>

### **Advanced Studies Diploma Course Requirements (8VAC20-131-51) for Students Entering the Ninth Grade for the First Time in 2018-2019 and Beyond (mostly Grades 9-11)**

<b>Discipline Area</b>	<b>Standard Units of Credit Required</b>	<b>Verified Credits Required</b>
English (reading and writing)	4	2
Mathematics	4	1
Laboratory Science	4	1
History and Social Science	4	1
World Language	3	
Health and Physical Education	2	
Fine Arts or CTE	1	
Economics and Personal Finance	1	
Electives	3	
<b>Total</b>	<b>26</b>	<b>5</b>

### **Standard Diploma Course Requirements (8VAC20-131-50) for Students Entering Ninth Grade for the First Time in 2011-2012 through 2017-2018 (mostly current 12th Graders)**

<b>Discipline Area</b>	<b>Standard Units of Credit Required</b>	<b>SOL Verified Credits Required</b>
English	4	2
Mathematics	3	1
Laboratory Science	3	1
History and Social Sciences	3	1

Health and Physical Education	2	
Foreign Language, Fine Arts or Career and Technical Education	2	
Economics and Personal Finance	1	
Electives	4	
Student Selected Tests		1
Career and Technical Education Credential		
Total	22	6

**Advanced Studies Diploma Course Requirements (8VAC20-131-50) for Students Entering the Ninth Grade for the First Time in 2011-2012 through 2017-2018 (mostly current 12th Graders)**

Discipline Area	Standard Units of Credit Required	SOL Verified Credits Required
English	4	2
Mathematics	4	2
Laboratory Science	4	2
History and Social Sciences	4	2
Foreign Language	3	
Health and Physical Education	2	
Fine Arts or Career & Technical Education	1	
Economics and Personal Finance	1	
Electives	3	
Student Selected Test		1
Total	26	9

**Note:** Athletes should work closely with their school counselor to ensure courses meet NCAA/NAIA requirements. All potential college student-athletes must register with the NCAA Initial-Eligibility Clearinghouse and meet NCAA academic requirements. Information is in the High School Program of Studies found at <https://www.wps.k12.va.us/domain/1670>.

**APPLIED STUDIES DIPLOMA**

Students identified with disabilities who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards if they do not fulfill any other diploma requirements.



## **LOCALLY AWARDED VERIFIED CREDIT**

A verified credit is received when a student passes a high school course and the associated Standards of Learning (SOL) end-of-course state test. A Locally Awarded Verified Credit (LAVC) is an option available for some students who pass a class but do not pass the associated SOL test and do not have enough verified credits to graduate.

The criteria for the award of locally-awarded verified credit is summarized below:

- To qualify for locally-awarded verified credits, a student must:
  - Pass the high school course;
  - Score within a 375-399 scale score range on any administration of the Standards of Learning test after taking the test at least twice; and
  - Demonstrate achievement in the academic content through an appeal process administered at the local level (submit evidence of mastery to the Director of Secondary Education).
- Students with disabilities who have credit accommodations are not subject to the limit on the number of locally-awarded verified credits.

For students entering the ninth grade for the first time prior to the 2018-2019 academic year:

- No more than three locally-awarded verified credits may be awarded.
- Locally-awarded verified credits cannot be applied toward an Advanced Studies diploma.
- Students that are no longer in school who would now be eligible for a locally-awarded verified credit in English or mathematics may now earn a locally-awarded verified credit, provided that all criteria is met. These students could be upgraded to a diploma if they meet the criteria.

For students entering the ninth grade for the first time in the 2018-2019 academic year and beyond:

- No more than one locally-awarded verified credit may be awarded.
- Locally-awarded verified credits can be applied toward either a Standard or an Advanced Studies diploma.

NOTE: Emergency COVID-19 Guidelines from the Virginia Department of Education may be in place if SOL testing cannot take place.

## **Gifted Program**

**COVID-19 Disclaimer:** Due to temporary changes, identification and programming might be modified.

The Winchester Public Schools EXCEL Program (emphasizing: Excellence, Creativity, “En”dividuality, and Leadership) offers a continuum of services and options which provide appropriate learning pathways for gifted students. Learning opportunities are designed to be open-ended so that they may be tailored to the talents and interests of students.

The goal is to engage students in comprehensive study for which the rate of learning, the content, and high level processing skills are adjusted to provide a program commensurate with the needs of each intellectually gifted student. To ensure successful learning for all children, Winchester Public Schools affirm the need and the right of each child to appropriate and equitable educational experiences of consistently high quality.

Identification at all levels is based on multiple criteria which focus on a variety of information sources concerning potential candidates for services. Careful review of the many perspectives of each child ensures identification that draws from all segments of the population and provides a diverse gifted community in which interaction and exchange have heightened and enriched meaning. Referrals and screening of students for gifted services occur in September (students new to WPS) and Feb/March. Any of the following discrete sources may place students in the referral process for EXCEL services: referral by parent, professional school staff, community member or student. The division gifted instructional specialists may be contacted for procedures and forms.

Gifted students are identified with specific aptitudes in the academic areas of mathematics and/or English, as demonstrated by advanced skills, performance and creative expression in those areas. Students identified for gifted services at the elementary level (K-4) are cluster grouped in classes with teachers who have received specialized training in gifted education. Students receive differentiated classroom instruction, acceleration and enrichment linked to the regular curriculum and additional research opportunities. In grades 3 and 4, students may apply for admission to a center-based program, A.C.E. (Accelerated Curriculum through Enrichment), which offers an integrated model of language arts, science, and math and exposure to content and concepts beyond the general education curriculum.

Middle school students (5-8) are provided sequential differentiated instruction within the regular classroom. Services may include: acceleration (content or grade level), cluster/flexible grouping, independent study, compaction, or enrichment. Course electives and pull-out seminars are designed to challenge the ability of the highly committed gifted child and are offered several times a year to all middle school EXCEL students. Gifted middle school students are also afforded an opportunity each year to apply for admission into the summer regional Blue Ridge Environmental Governor’s School.

Students in grades 9-12 are provided with subject area options and advanced placement courses. Services can include any of the following: opportunities to develop higher level thinking skills, independent study, curriculum differentiation, acceleration, compacting, enrichment activities within the student's aptitude area(s), and an opportunity for admission into the regional Mountain Vista Governor’s School.

## Counseling Program

The Winchester School Board supports the provision of a comprehensive program of guidance and counseling services for all students.

1. Academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities.
2. Career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities;
3. Personal/Social Counseling which assists a student develop an understanding of themselves, the rights and needs of others, how to resolve conflict, and to define individual goals which reflect their interest, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without the prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.
4. No student is required to participate in any counseling program to which the student's parents object. The guidance and counseling program does not include the use of counseling techniques, which are beyond the scope of the professional certification or training of counselors, including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical setting and focus on mental illness or psychopathology.

Parents are notified about the counseling programs which are available to students within the school division. Parents shall be advised concerning the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit' their child's participation in such programs.

### Employment Counseling and Placement Services

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

### Interrogation of Students by Law Enforcement Officials

Although Winchester Public Schools wishes to cooperate fully with law enforcement agencies, it has a responsibility to protect the constitutional rights of the students entrusted to its care. The interrogation of students by law enforcement officers regarding acts committed beyond school jurisdiction shall be held outside of the school day and off school property whenever possible. However, if this restriction would impede swift law enforcement or endanger others, the interrogation of a student or students may be permitted on school property with the permission of the parents or guardian or if the parents or guardian cannot be contacted, the principal or a designee may authorize such interrogations. The interrogation shall be held in a private place designated by school officials and in the presence of school officials.

## **McKinney-Vento Act - Rights of Homeless Students**

The federal McKinney-Vento Act guarantees school enrollment for anyone who, *due to a lack of permanent housing, lives in inadequate or temporary settings*, such as:

- In emergency or transitional shelters
- In motels, hotels, or campgrounds
- In cars, parks, public places, bus or train stations, or abandoned buildings
- Doubled up with relatives or friends
- In these conditions and is a migratory child or youth
- Unaccompanied Youth

### **All Homeless Students Have the Right to:**

- Enroll or remain in school without a permanent address.
- Attend and enroll immediately in school even if unable to provide records required for enrollment.
- Remain in the same school (school of origin) even if you move.
- Go to school where last attended or school where temporarily living.
- Transportation (to the extent feasible).
- Automatically qualify for free lunch programs.
- Participate in extracurricular activities and/or special education services if eligible
- Written explanation and appeal is given if educational placement is denied. Information regarding the dispute resolution process can be obtained upon request.

**Determination of homelessness is made by the Homeless Liaison or Director of Student Services**

## **Every Student Succeeds Act of 2015 (ESSA)**

On December 10, 2015, President Obama signed the *Every Student Succeeds Act of 2015* (ESSA), which reauthorizes the *Elementary and Secondary Education Act of 1965* (ESEA) and replaces the *No Child Left Behind Act of 2001* (NCLB). There are significant differences between these two laws regarding accountability, teacher qualifications and parents' right to know. The U.S. Department of Education and the Virginia Department of Education have revised regulations. The Virginia Board of Education approved its plan to implement ESSA at its July 2018 business meeting.

### **Teacher Qualifications**

Parents may request information regarding the professional qualifications of students' classroom teachers, which will include, at a minimum, the following:

- 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 through which state qualification or licensing criteria have been waived
- the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher
- the field of discipline of the certification or degree
- whether the child is provided services by paraprofessionals and, if so, their qualifications

Schools receiving Title I funds must also give timely notice that the parent's child has been assigned or has been taught for four or more consecutive weeks by a teacher who is not highly qualified, as defined by federal law.

### **Non-Discrimination Notice**

Winchester Public Schools does not discriminate on the basis of based on sex, gender, race, color, national origin, disability, political affiliation, religion, ancestry, age, marital status, veteran status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, in the education program and activities, or employment. Equal access is provided to the Boy Scouts and other designated youth groups. In addition, arrangements will be made to assure that the lack of English language skills will not be a barrier to admission and participation in our educational programs, including our vocational education programs.

The following individuals have been designated to handle inquiries regarding the non-discrimination policies:

#### **TITLE IX COORDINATOR**

Judy McKiernan  
Director of Student Services  
Washington St., Winchester, VA 22601  
(540) 667-4253

#### **SECTION 504 COORDINATORS**

Judy McKiernan  
Director of Student Services  
12 N. Washington St., Winchester, VA 22601  
(540) 667-4253

For further information on notice of non-discrimination, visit see list of OCR enforcement offices for the address and phone number of the office that serves your area, or call 1-800-421-3481.

### **Notice of Directory Information**

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

No school discloses the address, telephone number, or email address of a student pursuant to the Virginia Freedom of Information Act unless the parent or eligible student affirmatively consents in writing to such disclosure. Except as required by state or federal law, no school discloses the address, telephone number, or email address of a student pursuant to 34 C.F.R. Section 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.

Winchester Public Schools has designated the following information as directory:

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

### **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 for 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 and 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 process.

- E. In accordance with the due process procedures set forth in this article and the guidelines required by § 22.1-279.6, the school principal may notify the parents of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compulsory school attendance compliance; (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (iv) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.
- F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.
- G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance, as follows:
  - 1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or
  - 2. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it may order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.
- H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments

designed to improve the behavior of students as described in subdivision G2. 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.

### **Prohibition against Harassment and Retaliation**

The Winchester Public 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, status as a veteran, 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 additional information, review the following Winchester School Board Policies and Regulations located on the Winchester Public Schools website:

- *JB Equal Educational Opportunities/Nondiscrimination*
- *GB- Equal Employment Opportunity/Non-Discrimination.*
- *GBA/JFHA Prohibition Against Harassment and Retaliation*
- *GBA-R1/JFHA-R1 Harassment Complaint Procedure*
- *GBA-R2/JFHA-R2 - Report of Harassment*

Students guilty of harassment may be subject to suspension/restriction. Any person who believes they may have been harassed or has knowledge of conduct/behavior which may constitute discrimination or harassment shall immediately report such conduct/behavior to the compliance officer or any member of the school staff.

The designated Compliance Officer and Alternate Compliance Officer are as follows:

#### Compliance Officer

Judy McKiernan  
Director of Student Services  
Winchester Public Schools  
12 N. Washington Street  
Winchester, VA 22601  
(540) 667-4253

#### Alternate Compliance Officer

Sarah Kish  
Director of Special Education & Related Services  
Winchester Public Schools  
12 N. Washington Street  
Winchester, VA 22601  
(540) 667-4253



See Winchester School Board regulations JBA-R Section 504 *Non-Discrimination Grievance Procedures* and GBA/JFHA-R1 *Harassment: Complaint Procedure* for more information.

### **Promotion/Retention**

The Winchester School Board believes in an academic program that sets “high expectations” and continuous growth for all its students. We believe that continuous academic growth and improvement are achieved through focused academic instruction. The foundation of this philosophy is based on the Instructional Goals and Objectives (IA) and Effective Schools correlate of “time.” Through focused remediation, increased length of the school day, and extended learning opportunities (e.g. summer school academy) more time for learning will be provided to meet the needs of all students as they progress toward high school graduation. Consequently, there will be an increase in the number of high school graduates, number of post-secondary education graduates, and number of career certifications earned.

Teachers will confer with the parents/guardians of a child making unsatisfactory progress as soon as problems arise and will develop plans to help the child reach an acceptable level of performance. Ongoing communication should be maintained between the teacher and the parents/guardians to assure that intervention procedures are being employed to assist the child in attaining vital academic skills.

When a teacher has reason to believe that a child needs a change in his/her instructional program, the teacher will consult with the principal and additional school personnel who have worked with the child. The parents/guardians of pupils being considered will be informed of the impending program changes and/or possible retention. The final decision relative to program changes and/or possible retention is the responsibility of the building principal.

### **Principles**

1. It is important to challenge all students to pursue a high level of performance;
2. In evaluating student achievement, each teacher shall make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, writing assignments, and teacher observation of student performance;
3. For students with disabilities, attainment of the promotion benchmarks is determined after consideration of the goals, accommodations, and impact of the disability;
4. For students with a primary language other than English (ESL), attainment of the promotion benchmarks is determined after consideration of the goals and accommodations for language acquisition as defined by the ESL placement;
5. Changes in a program or possible retention of students shall be in effect only after prior notification of and explanation to the student’s parents/guardians; however, the decision shall rest with the base school principal;
6. At the time program changes and/or possible retention is considered a possibility, comments on

the Report Card shall reflect the student’s academic problems. The possibility of retention or placement shall be communicated to parents/guardians via the end of quarter Report Card no later than the end of the third quarter;

7. Promotion/retention requirements will be subject to an annual review of the data to be completed by the Assistant Superintendent of Instruction with the cooperation of the school principals.

Elementary and Middle School Students (Grades K-7)

Elementary and middle school students will be promoted when, in the professional judgment of the school-based instructional personnel, competency in the appropriate grade level has been demonstrated. Promotion is the assignment to the next grade level. Students will be retained only when, in the professional judgment of the school-based instructional personnel, the student has not demonstrated appropriate grade level competencies, or the action of retention would be in the best interest of the student. Retention is the reassignment to the current grade level. In all cases of promotion or retention, the parent/guardian is to be fully involved and informed throughout the promotion/retention decision making process, but the ultimate decision will be made by the professional staff.

Eighth Grade Students (Grade 8)

In order to be promoted to ninth grade, students will be required to pass English, math, social studies, and science. A school-based Retention Committee will consider other promotion criteria, if a student has failed one or more of these courses, and will recommend retention or promotion with interventions.

Secondary School Students (Grades 9-12)

1. Secondary assignment of students in grades 9 through 12 earning a Standard or Advanced diploma is normally based on the following schedule of accumulated credits.

Grade 9	Met requirements for 8th - 9th grade promotion
Grade 10	Promoted 5 credits
Grade 11	Promoted 11 credits
Grade 12	Promoted 17 credits

2. Upon the Superintendent’s recommendation and subject to School Board approval, credit may be awarded for courses having less than one hundred forty (140) hours per course upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student will be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, will earn a verified credit. (§ 8 VAC 20-131-110B).

**Protection of Pupil Rights Amendment – Administration of Surveys, Questionnaires**

I. Instructional Materials and Surveys

A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material

which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents/legal guardians of the student in accordance with Policy KBA Requests for Information.

#### B. Participation in Surveys and Evaluations

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

- (1) political affiliations or beliefs of the student or the student's parent/legal guardian,
- (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/legal guardian, 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/legal guardian.

#### 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 Section 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 shall notify the parent/legal guardian concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent/legal guardian 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 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/legal guardians. The parent/legal guardian has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent/legal guardian and exempt the parent's/legal guardian'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 shall 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

A parent/legal guardian or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with Policy KBA Requests for Information. In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered will be protected by setting procedural guidelines and providing adequate instruction to survey handlers relating to handling survey information in a manner to protect student privacy.

#### II. Physical Examinations and Screenings

If the Winchester Public 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/legal guardians.

#### III. Commercial Use of Information

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

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

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

#### IV. Notification

The Board shall provide notice of this policy directly to parents/legal guardians of students annually at the beginning of the school year and within a reasonable period of time after any substantive

change in the policy. The Board will also offer an opportunity for the parent/legal guardian (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.

#### Notification of Specific Events

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

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

### **Records: Access To Records**

Winchester Public Schools officials may review an education record for legitimate educational interest to fulfill his or her professional responsibility. Parents have the following rights with respect to access to scholastic records:

1. The right to an explanation and interpretation of records;
2. The right to inspect and review records of their children without unnecessary delay and before any meeting regarding an IEP or hearing involving identification, evaluation or placement. Parents may also extend the rights of inspection and review to a designated representative;
3. The right to request copies of records when fees for duplication are paid. These fees must not effectively prevent parents or their designee from exercising their rights to inspect and review records and does not include a fee for search and retrieval;
4. The right to inspect and review only information pertaining to their child in cases where records contain information on more than one child;
5. The right to request that information within the scholastic record be amended when it is believed that such information is inaccurate or misleading. School officials will, upon written request, respond within 15 administrative working days after receipt of such request of the decision to amend the record or to deny the request. Any amendment will be in writing and will be inserted in the student's record. If the request is denied, the parent or eligible student will be advised for the right to a hearing;
6. The right to a hearing if school officials refuse to amend information in records per parent request;
7. The right to challenge the content of scholastic records and to file with the Family Educational Rights and Privacy Act Office a complaint concerning an alleged failure by Winchester Public Schools to comply with 20 U.S.C. 1232g. Central Administrative Offices, Winchester Public Schools, 12 N. Washington St., Winchester, VA.

In addition, a copy of the document, *Management of the Student's Scholastic Record in the Public Schools of Virginia*, is available for review by parents at the Central Administrative Office of Winchester Public Schools.

### **Records: Scholastic Records Maintenance Policy**

This information is being given to you to inform you of the rights accorded students and parents regarding records kept by Winchester Public Schools. Each school in Winchester maintains scholastic records which are official school records.

Scholastic records are records directly related to a student and are maintained by the school division. These include, but are not limited to, documentation pertinent to the educational growth and development of students as they progress through school, student disciplinary records, achievement and test data, cumulative health records, reports of assessments for eligibility for special education services and Individualized Educational Programs.

Scholastic records do not include records of instructional, supervisory, administrative and ancillary educational personnel that are kept in the sole possession of the maker and the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

Whenever a pupil transfers from one school division to another, the scholastic record or a copy of the scholastic record shall be transferred to the school division to which the pupil transfers upon request from such school division. Permission of the parent, guardian or other person having control or charge of the student shall not be required for transfer of such scholastic record to another school or school division within or outside the Commonwealth of Virginia.

### **Search and Seizure Policy**

In order to promote a safe learning environment, and to protect the safety and welfare of all students and school personnel as well as maintain order and discipline in the schools, authorized school personnel are permitted to conduct searches of students, their belongings and personal effects, motor vehicles, lockers and desks whenever there is a reasonable suspicion of wrongdoing based on all the circumstances. Any and all searches of students shall be conducted in conformity with applicable state and federal laws and Winchester Public School Board Policy. Searches must balance the student's expectation of privacy against the need to maintain a safe learning environment.

Winchester Public Schools may employ appropriately trained canines for use on school property in the search for illegal narcotics, drugs, marijuana and other illegal contraband or evidence of other criminal activity that may be located or have occurred on school property. Authorized school officials may confiscate any contraband discovered in the course of a student search.

### **Sex Offender Registry Notification**

The Winchester Public School Division recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school or are at school-related activities, each school in the Winchester Public School Division shall request electronic notification of the registration or reregistration of any sex offenders in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police).

### **Special Education**

Winchester Public Schools provides special education services to student ages two to 21 inclusive, in categories of disability as established through the Virginia regulations. Students must be found eligible to receive special education services under the provisions of the federal Individuals with Disabilities Education Act (IDEA) or under Section 504 of the Americans with Disabilities Act. Eligible students will receive a free appropriate education in the least restrictive environment. Should you feel that your child might need and be eligible for such services, you should contact your child's principal or the Director of Special Education to make a referral to Child Find.

The rights and responsibilities for students with disabilities are contained in a booklet called "A Parent's Guide to Special Education." You may receive a copy of this document from your child's school or from the Director of Special Education.

## **Standards of Student Conduct**

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

### **Prohibited Conduct**

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

#### **Assault and Battery**

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

An assault is a threat of bodily injury.

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

#### **Bomb Threats**

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

#### **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.

#### **Bus-Related Offenses**

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

#### **Defiance of the Authority of School Personnel**

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

#### **Extortion**

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

#### **Felony Charges**

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

#### **Fighting**

Exchanging mutual physical contact between two or more persons by pushing, shoving or



hitting with or without injury is prohibited.

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

#### Gambling

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

#### 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.

#### Other Conduct

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

#### Possession or Use of Weapons or Other Dangerous Articles

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

#### Stalking

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

#### Theft

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

#### 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 Derogatory or Discriminatory Language and Conduct

Students are prohibited from using derogatory or discriminatory 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.

#### Corrective Actions

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

Counseling

Admonition

Reprimand

Loss of privileges, including access to the School Division's computer system

Parental conferences

Modification of student classroom assignment or schedule

Student behavior contract

Referral to student assistance services

Removal from class

Initiation of child study process

Referral to in-school intervention, mediation, or community service programs

Tasks or restrictions assigned by the principal or his designee

- Detention after school or before school
- Suspension from school-sponsored activities or events prior to, during, or after the regular school day
- In-school suspension
- Off-site restriction (served at Alternative Education Center)
- Out-of-school suspension
- Referral to an alternative education program
- Notification of legal authority where appropriate
- Recommendation for expulsion including recommendation for expulsion for possessing a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored event and recommendation for expulsion for having brought a controlled substance, imitation controlled substance or marijuana, synthetic cannabinoids, onto school property or to a school sponsored activity
- Evaluation for alcohol or drug abuse
- Participation in a drug, alcohol or violence intervention, prevention or treatment program

### **Prosecution of Juveniles as Adults**

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

Section 22.1-279.4 of the Code of Virginia states:

School boards shall provide information developed by the office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes. Methods of providing such information may include, but not be limited to, public announcements in the schools, written notification to parents, publication in the student conduct manual, and inclusion in those materials distributed to parents pursuant to § 22.1-279.3.

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

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

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

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

#### **Circumstance #1**

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

Offenses are either felonies or misdemeanors. Those offenses that are punishable by confinement in a state correctional facility or death are felonies; all other offenses are misdemeanors. Felonies are classified for the purposes of punishment and sentencing into six classes. The authorized punishments for conviction of a felony are as follows:

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

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

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

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

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

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

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

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

The juvenile’s age

The seriousness and number of alleged offenses

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

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

The record and previous history of the juvenile in the jurisdiction where the alleged crime occurred

or in other jurisdictions

Whether the juvenile has escaped from a juvenile correctional entity in the past

The extent, if any, of the juvenile's degree of mental retardation or mental illness

The juvenile's school record and education

The juvenile's mental and emotional maturity

The juvenile's physical condition and maturity

Circumstance #2

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

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

Circumstance #3

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

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

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

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

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

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

juvenile who is adjudicated delinquent remains in the juvenile system where a judge has discretion in the determination of the punishment or consequences to be imposed. In the juvenile system, the emphasis is on treatment and education.

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

### Dress Code

Although student dress and grooming are the personal responsibility of the student and his/her parents/guardians, students are expected to dress appropriately for a K-12 educational environment. Any clothing that interferes with, disrupts, or has the potential to disrupt the educational environment, is unacceptable. Secondary students are expected to attend school with appropriate attire for school reflecting the adolescent workplace standard.

Students are permitted to wear the following:

- shorts, skirts and dresses of an appropriate length and that meets or exceeds the mid-thigh with no midriff/navel showing.
- sleeveless tops that cover to the top of the armpit for both male and female students.
- religiously and ethnically specific, or significant head covering or hairstyle, including but not limited to hijabs, yarmulkes, headwraps, braids, locs, and cornrows.

Students are prohibited from wearing the following:

- any apparel, jewelry, accessory, tattoo, or manner of grooming that, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior.
- clothing or article with language or images that are lewd, vulgar, discriminatory, or obscene, or clothing that promotes illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco products, nicotine vapor products, or drug paraphernalia.
- any clothing or article that is racially divisive at school, on school property, or at school sponsored activities. Examples include but not limited to clothing that denotes Ku Klux Klan, Aryan Nation-White Supremacy, Neo-Nazi, racial hate groups, or Confederate flags.
- any clothing or article any attire that exposes undergarments, excessive skin, or inappropriate areas of the anatomy.
- hats or hoodies with the hood up while in the school building.
- slippers, pajamas or lounge wear unless approved by the school's administration for a special event.
- sunglasses while in the school building.
- no shoes in and around the building.
- any clothing deemed inappropriate for the educational setting by the administration.

### Accommodations and Compliance:

- Parents of students requiring accommodation for religious beliefs, disabilities, or other appropriate causes should contact the principal.
- Students not complying with this policy will be asked to modify the non-complying clothing, change clothes, or return home to change into compliant clothing.
- Students who are not in compliance with the dress code will have dress code expectations re-taught to them. Additionally, students are subject to various progressive, corrective actions for non-compliance including but not limited to reteaching expectations, counseling, and parental contact.
- The dress code will be enforced to maintain gender neutrality by subjecting any student to the same set of standards regardless of gender.
- School board employees are prohibited from enforcing the dress code by direct physical contact with the student or the student's attire.
- School board employees are prohibited from requiring a student to undress in front of another individual, including the enforcing school board employee, to comply with the dress code.

## **Transportation**

Winchester Public Schools provides dependable and safe transportation to and from school daily for students. Buses are equipped with video cameras to address safety concerns. Bus routes, stops and times of departures will be available from your child's school in August prior to the start of school and will be available on the school system web site ([www.wps.k12.va.us](http://www.wps.k12.va.us)) by mid-August. Students should be at their stop five minutes prior to the morning departure time. We request parents of kindergarten students be at their stop five minutes prior to the afternoon arrival time.

Safe transportation to and from school is dependent upon children conducting themselves properly on the bus. Students are expected to follow the directions listed below:

- Listen to the drivers at all times
- Remain seated while the bus is in motion
- Speak only at conversational levels
- Keep arms, legs and heads in the bus at all times
- Do not use vulgar language
- Be respectful to drivers or classmates
- Students must not engage in any type of roughhousing, fighting or any behavior that may distract the driver and create a safety hazard
- Students may have in their possession a beeper, cellular telephone, personal digital assistant (PDA) or other communications device on school buses, provided that the device must remain off and out of sight unless the bus driver is notified of a declared emergency by school officials
- Do not deface or damage the bus. Violators will be assessed repair costs and will be subject to disciplinary action

Students who violate these rules lose their privilege to ride the bus.

## **Visiting Our Schools**

**COVID-19 Disclaimer:** Visitors to our buildings will be strictly limited in order to provide for the safety of our students and staff.

We encourage you as a parent to visit your child's school as often as possible. However, in today's world, building safety and security must be a strong component of keeping our children safe at school. All visitors are asked to enter a school through the designated entrance, go directly to the office (show identification), register as being in the building and receive a visitor's badge. Upon completion of the visit, please return the badge to the office and sign out.