



**Martinsville City
Public Schools**

Empowering Success One Learner At A Time

**Student Expectation
Handbook
2023-2024
Elementary Edition**

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Dr. Zebedee Talley, Jr.
Superintendent
ztalley@martinsville.k12.va.us

2023-2024 Martinsville City Public Schools Calendar

Start – Finish
(Aug 14 – May 22)

Summary of Calendar
Days in classroom:
First Semester 90
Second Semester 90
TOTAL CALENDAR DAYS **180**

CALENDAR LEGEND

- Start/End
- New Teachers
- Student Holiday-Teacher Professional Day/ Staff Development
- Early Dismissal-Students
- Student and Staff Holiday

HOLIDAYS:

- Labor Day (9/4)
- Thanksgiving Day (11/23)
- Christmas Day (12/25)
- New Year's Day (1/1)
- Martin Luther King Jr. (1/15)
- Easter Sunday (3/31)
- Memorial Day (5/27)

Make-Up Days

December 21, January 4-5, February 19, March 29, April 1-5, and May 23-24 as designated.

School Day Hours:

- MHS- 8:25-3:30
- MMS- 8:20-3:20
- AHES/PHES- 7:50-2:45
- CECC- 8:00-2:40

For Schools Delays & Closings:

www.martinsville.k12.va.us
Weather Line-276-403-5859

July/August 2023							Date	Events
S	M	T	W	Th	F	S		
30	31	1	2	3	4	5	Aug 2-4	New Teachers
6	7	8	9	10	11	12	Aug 7-11	Pre-Service Days
13	14	15	16	17	18	19	Aug 7	All Teachers & Staff Return
20	21	22	23	24	25	26	Aug 9	Open House All Schools
27	28	29	30	31			Aug 11	Convocation
							Aug 14	First Day of School
September								
					1	2		
3	4	5	6	7	8	9	Sept 1	2 Hour Early Dismissal
10	11	12	13	14	15	16	Sept 4	Labor Day Holiday
17	18	19	20	21	22	23		
24	25	26	27	28	29	30		
October								
1	2	3	4	5	6	7		
8	9	10	11	12	13	14	Oct 13	End of First Nine Weeks (PK-12)
15	16	17	18	19	20	21		Teacher Professional Day/Staff Development
22	23	24	25	26	27	28		
29	30	31						
November								
			1	2	3	4		
5	6	7	8	9	10	11	Nov 7	Teacher Professional Day/Staff Development
12	13	14	15	16	17	18	Nov 22-24	Thanksgiving Holiday
19	20	21	22	23	24	25		
26	27	28	29	30				
December								
					1	2		
3	4	5	6	7	8	9	Dec 21	End of Second Nine Weeks (PK-12)
10	11	12	13	14	15	16		End of First Semester
17	18	19	20	21	22	23	Dec 22-29	3-Hour Early Dismissal
24	25	26	27	28	29	30		Winter Break
31								
January 2024								
	1	2	3	4	5	6		
7	8	9	10	11	12	13	Jan 1	New Year's Day
14	15	16	17	18	19	20	Jan 4-5	Teacher Professional Day/Staff Development
21	22	23	24	25	26	27	Jan 8	Classes Resume
28	29	30	31				Jan 15	Martin Luther King, Jr. Holiday
February								
				1	2	3		
4	5	6	7	8	9	10	Feb 19	Student Holiday/Teacher Professional Day
11	12	13	14	15	16	17		
18	19	20	21	22	23	24		
25	26	27	28	29				
March								
					1	2		
3	4	5	6	7	8	9	March 12	End of Third Nine Weeks (PK-12)
10	11	12	13	14	15	16		3 Hour Early Dismissal
17	18	19	20	21	22	23	March 29	Parent Conferences/Home Visits
24	25	26	27	28	29	30	March 29	Good Friday Holiday
31							March 31	Easter Sunday
April								
	1	2	3	4	5	6		
7	8	9	10	11	12	13	April 1-5	Spring Break
14	15	16	17	18	19	20		
21	22	23	24	25	26	27		
28	29	30						
May								
			1	2	3	4		
5	6	7	8	9	10	11	May 16	"Big M" Award Ceremony
12	13	14	15	16	17	18	May 22	Last Day of School/ 3 Hour Early Dismissal
19	20	21	22	23	24	25	May 23	Teacher Workday
26	27	28	29	30	31		May 25	MHS Graduation
							May 27	Memorial Day Holiday

Message from the Superintendent
Dr. Zebedee Talley, Jr.

2023-2024 School Year

Dear Parents:

We are pleased to provide to you the 2023-2024 edition of the Martinsville City Public Schools *Student Expectation Handbook*. I hope you will find this publication to be a valuable resource for understanding the policies and procedures that govern our school system. It was created with the aim of defining the expectations and rules that apply to all students across all of our school programs.

Within these pages you will also find descriptions of the many programs and services available within our school system. Our programs are designed to help all students learn the knowledge and skills necessary to be “college and career ready” upon high school graduation. From advanced academic coursework, to support services that assist students who may be experiencing social, emotional, or behavioral problems that interfere with their learning, you will find a full array of opportunities and supports planned with the success of every student in mind.

Like you, we want our schools to be purposeful places of learning for our students. To create this environment, our schools must be safe and free from distractions that interfere with the teaching and learning process. We believe that all students are capable of understanding and following school rules and procedures, but it is important that we work together to make our expectations clear to them. As your superintendent, I strongly encourage you to review this *Student Expectation Handbook* with your child(ren) and reinforce our efforts to promote an excellent learning environment for all students.

As you review these pages, I hope you will find evidence of our commitment to common sense and respect for all children. Since we update this book annually, I would certainly welcome your comments and suggestions. Please feel free to call our staff any time during the school year. Although some information included in this handbook is required by law to be shared with you, we have attempted to make most policy and legal references as user-friendly as possible.

Please note that official Martinsville City School Board policy, along with state and federal laws and regulations, supersede any information that may be contained here in the event of any discrepancy among the formats. If you wish to learn more about our School Board policies and regulations, you will find them posted on our school division website. Printed copies of our policies and regulations are also available for review by citizens who do not have online access. Please note that every parent must sign the form on the following page stating that they have received this *Student Expectation Handbook*. There are several additional forms that you must sign in order for your child(ren) to participate in or opt-out of certain activities. It is our expectation that within five days of receiving this handbook, all required forms will be returned to your child’s school. These forms should be returned to building principals.

On behalf of the Martinsville City School Board and all of our staff, I wish the very best for your child(ren) in this school year, and we look forward to working with you in the months ahead! We will make sure that all of our students have an opportunity to learn during this pandemic.

Sincerely yours,

Zebedee Talley, Jr.

Dr. Zebedee Talley, Jr.
Superintendent of Schools

Acknowledgment of Parental Responsibility Martinsville City

Public Schools

2023-2024 Student Expectation Handbook

This form is for parents/legal guardians of all students enrolled in Martinsville City Public Schools to ensure that they have received a copy of the 2023-2024 Student Expectation Handbook which includes the following important documents:

- Martinsville City Public Schools Standards of Student Conduct;
- A copy of § 22.1-279.3. of the *Code of Virginia* that sets forth the duty of each parent of a student enrolled in a public school to assist the school in enforcing the standards of student conduct and compulsory school attendance;
- A copy of the compulsory attendance law;
- A copy of the Acceptable Technology System and Infrastructure Use Agreement;
- Notice of parental responsibility and involvement requirements;
- Procedures to opt out my child's participation in certain school division programs or activities, or request that my child's directory information and/or picture not be released;
- Notice of risk associated with voluntary participation in athletics and extracurricular activities.

My signature acknowledges receipt of above-listed documents. By signing this statement of receipt, I do waive, but expressly reserve, my rights protected by the constitution or laws of the United States or Commonwealth of Virginia. I retain the right to express disagreement with a school's or school division's policies or decisions.

Printed name of student: _____

Parent /Guardian Signature: _____

Parent/Guardian Name: _____

(Please Print)

Date: _____

OPTIONAL

Parent/Guardian email address: _____

(If you use email, please share your address with us to stay up-to-date on school happenings. The school and central administration may use it periodically to send you email updates about school events, programs and issues relevant to you. Your email address will not be used for commercial purposes, nor shared/sold to outside parties.)



Parents must sign and return this form pursuant to Code of Virginia § 22.1 -279.3.
Please return this form to your child's school within five days of receipt.

RETURN THIS FORM

**Martinsville City Public Schools
Acceptable Technology System and Infrastructure Use Agreement**

Each student and his or her parent/guardian must sign this Agreement before being permitted to use the Martinsville City Public Schools technology system and infrastructure. Read this Agreement carefully before signing. Prior to signing this Agreement, read Policy/Regulation IIBEA/GAB, Acceptable Technology System and Infrastructure Use (located in this handbook on pages 63 - 66). If you have any questions about this policy/regulation, contact your student’s principal.

I understand and agree to abide by the Martinsville City Public Schools Acceptable Technology System and Infrastructure Use Policy/Regulation. I understand that the school division may access, monitor, and archive my use of the technology system and infrastructure, including my use of the Internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation; my technology system and infrastructure privileges may be revoked and disciplinary action and/or legal action may be taken against me.

I understand that if I bring my own technology device to school, I should take steps to ensure my device is safe and secure at all times while on campus or involved in school activities. I understand that the school division makes no guarantees for the loss or damage of student-owned devices or data on those devices, and that the school division will not provide training, technical support, or repair services for student devices.


The school division provides wireless access in the schools for connecting to the Internet. I understand that all personal technology devices must connect to the Internet via a web browser through the school’s designated, filtered student network when on campus. Connecting to the Internet through the use of personal data subscriptions or connections, including but not limited to 3G or 4G data connections, is prohibited. Plugging or wiring personal devices directly to the school system’s network is prohibited.

Student Signature _____ Date _____
(Students in grades 6-12 should sign)

Student Name _____
(Please Print)

I have read this Agreement and Policy IIBEA/GAB and Regulation IIBEA/GAB-R. I understand that access to the technology system and infrastructure is intended for educational purposes and that the school division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the school division to restrict access to all inappropriate material, and I will not hold the school division responsible for information acquired on the technology system and infrastructure. I have discussed the terms of this agreement, policy and regulation with my student.

I grant permission for my student to use the technology system and infrastructure in accordance with Martinsville City Public Schools policies and regulations and for the school division to issue an account for my student.

 Parent/Guardian Signature _____ Date _____

Parent/Guardian Name _____
(Please Print)

**Parental Acknowledgement of Risk
Associated with Voluntary Participation in
Extracurricular Athletics and Activities**

I am the parent or legal guardian of the below named child and by my signature I acknowledge that I have reviewed the information regarding risks associated with voluntary participation in extracurricular athletics and activities, along with information specific to concussions, found on pages 73 - 74 of this handbook.

I understand that:

- Students attending Martinsville City Public Schools have the opportunity to participate in numerous extracurricular athletics and activities. While voluntary participation in such activities can offer many benefits for students, participation in some types of activities, especially athletics, can increase a student's exposure to possible injuries.
- My child's voluntary participation in such activities carries the risk of injury to my child. The degree of danger and the seriousness of the risk varies significantly from one activity to another, with sports—especially contact sports—carrying the higher risk. While not common, injuries sustained while participating in extracurricular athletics and activities can be extremely serious and in rare cases may even result in death.
- The school division annually offers an optional student accident insurance plan which I may choose to purchase for my child. Information about this insurance plan may be obtained through my child's school principal. Failure to obtain or have insurance coverage on my child can result in financial liability to me if my child is injured and requires medical attention.

Printed name of student: _____

Parent/Legal Guardian Signature: _____

Parent/Legal Guardian Name: _____
(Please Print)

Date: _____



**Parents must sign and return this form.
Please return to your child's school within five days of receipt.**

Parent Registration for Emergency Notifications and School Communications

Keeping you informed in the event of an emergency is a top priority of Martinsville City Public Schools. The school division utilizes both a district-wide messaging service and smartphone app which allow us to send a telephone call, text message, email message, and/or push notification to you providing important information about school closings due to inclement weather, or to remind you about various events such as report card distribution, field trips, and more. In the event of an emergency at school, you can have peace of mind knowing that you will be informed immediately through the information you have provided to the school through the Returning Student Registration web form.

What you need to know about receiving notifications through the MCPS messaging system:

- Caller ID will display either the school's main number or the division's notification number (276) 403-5710 when an announcement is delivered.
- The system will leave a message on any answering machine or voicemail.

The successful delivery of information via this system is dependent upon accurate contact information for each student, so please make certain that we have your most current phone numbers and email address. If this information changes during the year, please contact your student's school to update your information. If you have students enrolled at multiple schools within the division, you must update your information with each school.

What you need to know about the MCPS app:

- To download the free app, search Martinsville City Schools, VA in the iOS App Store or Android Play Store and enable Notifications.
- The app will send out a push notification with the same information distributed by the MCPS messaging system.
- Important notices can be reviewed in the app's Notifications section which is accessed via the Menu in the bottom left corner of the app.
- District-wide messages regarding school closures due to inclement weather will also be posted on the MCPS website (www.martinsville.k12.va.us) and official social media pages.

**Community Eligibility Provision
School Year 2023-2024**

Date: 8/1/2023

Dear Parent or Guardian:

We are pleased to let you know that all schools in Martinsville City Public Schools will be implementing the Community Eligibility Provision (CEP) for school year 2023-2024. CEP allows eligible schools participating in the USDA National School Lunch Program and School Breakfast Program to provide meals at no cost to all students without meal applications.

What does this mean for you and your student(s) attending the school(s) identified above?

Great news! All students attending any school in Martinsville City Public Schools are eligible to receive a nutritious breakfast and lunch at school at **no charge** to your household each school day. You do not have to take any action. The student(s) in your household who attend a participating CEP school will receive a complete breakfast and lunch meal at no cost without you paying a fee or submitting a meal application.

If you have questions or need help, please contact us at 276-403-5800.

Sincerely,

Sheila W. Williams

Director of MCPS School Nutrition Services

SCHOOL NUTRITION SERVICES

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.

Student Directory Information

Martinsville City Public Schools occasionally shares student directory information in the course of carrying out its educational programs and activities. “Directory information” may contain personally identifiable information from your child’s education records but is generally not considered harmful or an invasion of privacy if released. The primary purpose of directory information is to allow information about your child to be included in certain school or school division publications. Examples include:

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

Directory information may also be released to certain outside organizations. Examples of outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

Martinsville City Public Schools has designated the following information as directory information:

- Student's name (currently attending and former students)
- Address
- Telephone listing
- Electronic mail address
- Dates of attendance
- Grade level
- Date and place of birth
- Major field of study
- Degrees, honors, and awards received
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- The most recent educational agency or institution attended
- Photographs and videos (including those that may appear on a school website, official school- or division-sponsored social media account; be printed in a newspaper; or be recorded on video for broadcast)
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s SSN, in whole or in part, cannot be used for this purpose.)

From time to time, MCPS staff and (with administrative approval) representatives from the news media or partner organizations may cover positive school events by taking photographs, video, or interviews. Some classroom activities are funded by the Martinsville City Public Schools Endowment, which is a component fund of the Martinsville Area Community Foundation, a nonprofit that gives grants to Martinsville teachers every fall for creative classroom learning projects. If your child participates in one of these Endowment-funded activities, or a program funded by another grant partner, these organizations may also occasionally use students' images or words for positive publicity of how the grant funds were used. Examples of how MCPS or its partners may use these images, video, and quotes from students include, but are not limited to: publication in news stories; TV broadcasts; internal and external publications such as brochures, newsletters, and annual reports; the school division's or MCPS Endowment's websites or official social media pages; or other lawful, non-profit, promotional and informational purposes.

If you do not want Martinsville City Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify your child's school principal in writing within five days of receiving this notice.

PLEASE NOTE: If your child attends, performs, or participates in a public event, including but not limited to school plays, concerts, athletic games, cheerleading, talent shows, or any kind of on-stage performance, Martinsville City Public Schools cannot be held responsible for photography, recording, or other documentation conducted by another parent or attendee. Please keep this in mind when you give permission for your child to participate in a voluntary event that is open to other students, parents, and/or the public.

Military Recruiters and Institutions of Higher Learning

In accordance with federal law, Martinsville City Public Schools will provide access to secondary school students' names, addresses, and telephone listings upon request made by military recruiters or an institution of higher education.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent.

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

If you do not want Martinsville City Public Schools to release your secondary student's name, address, and telephone listing upon request made by military recruiters or an institution of higher education without your prior written consent, you must notify your child's school. This notice must be made in writing to the school principal within five days of receiving this notice.

Student Education Records

The Family Educational Rights and Privacy Act (FERPA), a federal law, gives parents and students over 18 years of age certain rights in regard to student education records. More information about your rights under this law appears on pages 79 - 81 of this handbook.

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

Parental Notification

On December 10, 2015, the *Every Student Succeeds Act of 2015* (ESSA) was signed into law. Section 1112(e)(2) of ESSA states that parents of students in Title I schools have a right to know about state or division policies regarding student participation in any assessments mandated by ESSA, including any policy, procedure, or parental right to opt students out of such assessments. If you would like to receive information about this topic, please contact Martha Sherwood, Coordinator of Assessment and Data Management, either by phone at 276-403-5836 or in writing at 746 Indian Trail, Martinsville, VA 24112.

All students enrolled in Virginia public schools are expected to take the applicable state tests. The *Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia* state:

“In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests” and “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction” (8VAC20-131-30).

The Virginia regulations do not provide for what is sometimes referred to as an “opt out policy” for students regarding the Virginia assessments. If parents refuse to have their student participate in one or more of the required Virginia assessments, they should be aware that their student’s state assessment score report will reflect a score of “0” for any test that is refused.

**Martinsville City Public Schools
School Counseling Programs
Opt-Out Request**

Dear Parent or Guardian,

Martinsville City Public Schools provides a comprehensive school counseling program that support the Standards of Learning and addresses the academic, career, and social/emotional development of all students. School counselors are professional advocates who provide support to maximize student potential and academic achievement.

Please complete this form only **if you DO NOT** want your child to participate in the school counseling program.

There is more information regarding the school counseling program offered by Martinsville City Public Schools on p. 67 of this handbook.

Please contact your child’s school counselor or principal before choosing to opt out of any aspect of the school counseling program.

(THIS FORM IS OPTIONAL)



I request that my child **not** participate in the Martinsville City Public Schools Counseling program. I understand that parent permission is not required for counseling that is needed to maintain order, discipline, or a productive learning environment.

Student Name

Student School..... Grade

Parent/Guardian Name (Please Print)

Parent/Guardian Signature..... Date

THIS FORM SHOULD BE RETURNED WITHIN FIVE DAYS OF RECEIPT OF THIS NOTICE IF YOU DO NOT WANT YOUR CHILD TO PARTICIPATE IN THE SCHOOL COUNSELING PROGRAM.

Dear Parents and Guardians,

Martinsville City Public Schools are committed to improving the culture and climate of our schools and supporting the whole child. One way we are addressing the whole child is by looking at student strengths and areas of concern for social, emotional, and behavioral well-being.

As mandated by the Marjory Stoneman Douglas High School Public Safety Act—your child will participate in a universal screening (MCPS SEL Universal Screener) to identify student needs, provide prevention and/or positive supports, and intervention. The survey will be administered in the Fall (October/November) and will ask about their feelings. It will help promote social emotional well-being for all students.

If you would prefer that your child **not** participate in the universal screening, please complete and sign the portion below, and return this form to the school.

If you have any questions, please contact your child’s school counselor for further information:

AHES: Helen Martin 403-5838

PHES: Lauren Appel 403-5811

I have read the above statement and request that my child OPT-OUT of the universal screening.

Child’s Name (print) _____

Parent/Guardian’s Signature _____

Date of Signature _____

Martinsville City Public Schools
Authorization for Medication to be Administered During School Hours
(Pharmacy-labeled or original manufacturer containers only)

School _____ Grade/Teacher _____

Child's Name _____ Male/Female Date of Birth _____

Physician's Name _____

Address _____

To be completed by the PARENT/GUARDIAN:

I hereby consent that authorized school personnel administer my child the medication ordered below by the prescribing physician in accordance with Martinsville City Public Schools policy.

Date _____ Parent/Guardian Signature _____

Home Phone _____ Emergency Phone(s) _____

To be completed by the PHYSICIAN:

Diagnosis for which medication is given: _____

Name of Medicine: _____ Dosage: _____

Method of administration: _____

If medicine is to be given daily, at what time? _____

If there is any reason why the medication must be given at a specific time and not the present standard flexibility of ½ hour, please specify: _____

If medicine is to be given "when needed" describe indications:

How soon can it be repeated? _____

List significant side effects: _____

Length of time this is ordered: _____

***Is child authorized to medicate him/herself?** _____
(Self-medication applies only to diabetic supplies and equipment, insulin, inhalers, and Epi-pens.)

***Note: In the event a School Nurse is not present when your child may incur an identified acute allergic reaction, his/her Epi-pen/ Epi-pen Jr. will be immediately administered by an adult present. The 911 EMS system will also be initiated at this time. It is not possible to follow a medication administration order prescribing Benadryl (diphenhydramine) prior to Epi-pen by anyone other than School Nurse or trained school personnel.**

Date _____ Physician's Signature _____

Date _____ Received by School Nurse _____



Martinsville City School Board

Mrs. Yvonne Givens
Mr. Mike Williamson
Ms. Nekia Blackwell
Ms. Heather Blankenbaker
Mr. Cody Williams

Superintendent of Schools

Dr. Zebedee Talley, Jr.

Clerk of the Board

Yani Smith
yani.smith@martinsville.k12.va.us

Regular monthly meetings of the Martinsville City School Board are held the second Monday of each month, beginning at 6:15 P.M. Meeting information can be found on the school division website at the following link: <https://go.boarddocs.com/va/martinsville/Board.nsf/Public>.

For additional meeting information, please contact the Clerk of the Board at (276) 403-5820.

Division Administration

Superintendent

Dr. Zebedee Talley, Jr.
ztalley@martinsville.k12.va.us

Assistant Superintendent of Instruction

Dr. Angilee M. Downing
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Executive Director of Special Education & Student Services

Dr. Cynthia Tarpley
ctarpley@martinsville.k12.va.us

Executive Director of Administrative Services

Travis J. Clemons
tclemons@martinsville.k12.va.us

A full department directory is located on our website at:
martinsville.k12.va.us

Building Administration

Albert Harris Elementary School

710 Smith St.
Martinsville, VA 24112
(276) 403-5838

Renee Brown
Principal
rbrown@martinsville.k12.va.us

Jill Holder
Assistant Principal
jholder@martinsville.k12.va.us

Clearview Early Learning Center

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Martinsville, VA 24112
(276) 403-5800

Sheilah Williams
*Director of Early Childhood & School
Nutrition Services*
swilliams@martinsville.k12.va.us

Patrick Henry Elementary School

1810 Church Street Ext.
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(276) 403-5812

Cameron Cooper
Principal
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Linda Littlejohn
Assistant Principal
llittlejohn@martinsville.k12.va.us

Martinsville City Public Schools

Vision

Empowering success one learner at a time.

Mission

Martinsville City Public Schools creates a safe and supportive learning environment that engages students in individualized learning experiences.

Core Values

To achieve our vision and mission, we value:

- ❖ Integrity and ethical behavior;*
- ❖ academic excellence;*
- ❖ diversity, equity, and inclusion;*
- ❖ respect, compassion, and positive relationships;*
- ❖ family and community engagement;*
- ❖ and service to others.*

School/Parent/Student/Community Compact

A compact is a written document which defines the shared responsibility of the school, parents and community for helping students reach high academic standards. The school/student/parent/community compact is not a legal document, nor is it a document that requires signing; rather, it is a bond of trust that results from a process which allows parents, school personnel, students and community to come together to define and agree upon implementation. It is the responsibility of all to create and maintain a school environment that is conducive to learning. Clearly defined roles are essential to carrying out these responsibilities.

Families/Parents/Guardians will:

- Communicate daily about school and stress the importance of education to their child,
- Provide encouragement and support aimed at motivating the student toward responsible behavior and participation within the school setting,
- Ensure that children are well-rested, nourished and appropriately dressed for school,
- Assist the child to be in regular attendance and arrive at school on time,
- Assume responsibility for their child's behavior and teach compliance with school guidelines and rules,
- Help with and check homework assignments,
- Communicate regularly with school staff and schedule at least one teacher conference each year,
- Provide and return emergency information to enable immediate contact with the family/parent/guardian in case of emergency,
- Actively participate in career and post-high school educational planning.

Students will:

- Come to school regularly, on time and ready to learn with a positive attitude for learning each day,
- Be prepared each day by having homework completed and bringing all necessary books and supplies,
- Know and comply with all school guidelines and policies,
- Accept responsibility for their learning and actions,
- Show respect for all people and property,
- Maintain respect for culture and individual self-worth,
- Talk with family/parents/guardians about school.

The School will:

- Recognize that all children can learn and hold high expectations for all,
- Welcome the family as a partner in education and encourage volunteerism, attendance at conferences, meetings, committees, etc.,
- Provide a strong curriculum for all and articulate clear academic expectations,
- Provide a learning environment that is conducive to teaching and learning,
- Provide an environment where responsible behavior is an expectation of all,
- Communicate regularly with homes via newsletters, websites, e-mail, phone calls, etc.,
- Inform home and students of school attendance issues and academic progress,
- Discuss graduation requirements with high school students and assist with college planning.

The Community will:

- Support family values,
- Partner with places of worship and other organizations to build healthy families,
- Come into the schools to share information and hold discussions on helpful topics,
- Encourage students to explore after-school recreational, educational and career-oriented activities,
- Provide volunteers to the schools when appropriate,
- Build partnerships between businesses and the schools.

Attendance

According to the laws of the Commonwealth of Virginia and the policies of the Martinsville City School Board, regular attendance at school is required for all children ages 5 to 18. The full burden of responsibility for attendance shall rest with the parent or guardian. Each student must be in class every day of the school year unless there is a serious reason for not doing so. A student who is absent from school without proper authorization is truant.

We believe it is important for every student to be present for the entire school day, for as many of the 180 school days as possible. Therefore, we strive to partner with parents to encourage regular attendance. The experiences of the classroom are important to the student's education, and any missed days can never be fully regained. As such, the scheduling of vacations while school is in session is discouraged. Parents/guardians, teachers, administrators and guidance counselors will work with the student in a positive manner to encourage the student's attendance and to address special needs.

Attendance is tied to academic success – we cannot educate children who are not in class. High school attendance is part of a student's permanent record that will be forwarded to colleges and places of employment seeking references.

School Division Attendance Policy

- When students are absent from school, it is requested that a parent/guardian call the school before the time requested in the school handbook (or, if no time is listed, by 9:00 a.m.).
- In compliance with Virginia law, when a student is absent and a parent or guardian does not notify the school by 9:00 a.m., the school will attempt to contact the parent/guardian at home or at work. In cases where telephone contact cannot be made, a school official may be sent to the student's home.
- The Code of Virginia 8VAC20-730-10 defines an excused absence as “...an absence of an entire assigned instructional school day with a reason acceptable to the school administration that is provided by the parent. If circumstances permit, the parent should provide the school administration with the reason for the nonattendance prior to the absence. 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 procedures, suspensions, religious observances, and military obligation.”

All make-up work must be completed within a reasonable period of time as established by each school.

A student absent from school or more than 30 minutes tardy on a regular school day may not attend or participate in any after-school activity that day. Any exception to this rule must be made by the administration prior to the student attending the activity. The administration reserves the prerogative to exercise judgment in cases where extenuating circumstances exist.

Appointments are not valid reasons for absence and should be scheduled for after school. If you have a chronic condition or issue that you know will require special accommodations, it is the responsibility of the student, parent/guardian, and service provider to notify the school as soon as possible to discuss the potential need for an alternate instructional plan.

Attendance Procedures

- 5 **unexcused** absences – attendance plan developed
- 6 **unexcused** absences – parent conference
- 7 **unexcused** absences – referral to Director of School Safety
- **Any student with 18+ absences will be referred to the Child Study Committee and considered for retention (does not indicate an automatic retention)

Student appeals – process is as follows:

- Student must fill out the waiver request.
- Principal can grant a waiver; however, the student with the parent/guardian must present all completed required assignments prior to the waiver meeting. The principal along with the teacher(s) will review all assignments.
- If the principal denies the waiver and the parent/guardian and student do not agree with his/her denial; they will have the opportunity to appeal the decision. A letter of appeal must be sent to the Attendance Review Committee within 5 days of the principal's decision to grant the waiver.
- The student's case will then be heard by the Attendance Review Committee which will consist of the Administrator/Designee (not the principal), School Counselor, Teacher (information only), Central Office Staff (Executive Director of SPED and Student Services or Director of Pupil Personnel Services), the Director of Safety (information only), and the Truancy Interventionist (information only).

Student Check-Outs and Release During the School Day

Students are not permitted to leave school during school hours for any reason without checking out through the main/attendance office. Students will only be released to custodial parents or other persons (over 18 years of age) approved by the parent or legal guardian. Leaving early for unauthorized reasons as listed above will be treated by the same rules that govern tardiness.

To ensure the safety and security of students, the following student release process applies:

- Adults arriving to check out a student from school must report to the school's main office to sign the student out.
- Anyone picking up a student may be asked to show valid photo identification before the student is released.
- A Student Information Form must be completed online for each student at the beginning of each new school year or at the time of enrollment. **No student will be released to persons who are not listed on the emergency contact list unless written or verified spoken permission is given by the parent(s)/guardian.** All persons listed on emergency contact information will be checked against the Virginia Sex Offender Registry.
- It is the sole responsibility of the parent(s)/legal guardian to ensure the school office has the correct and up-to-date emergency contact information.
- Parents needing to make changes regarding student pick up (including a "leave-early") or busing, must notify their child's school office by 2:00 p.m. either by calling or sending a note with the student that morning. Any calls after 2:00 p.m. regarding a change in travel must be approved by the building administration and **will only be accepted in emergency situations** in order to allow office staff sufficient time to verify the credibility of the call.
- The school division's transportation department (bus garage) does not accept calls for changes in student bus drop-offs. **All calls for a change of travel must go through the school's main office** to safeguard student accountability.

School Cancellation, Delay, or Early Dismissal

When school is cancelled, delayed, or dismissed early due to inclement weather or other emergencies, every practical means will be used to notify parents of an impending cancellation, including television, radio, newspapers, official school social media (including Facebook and Instagram), a notification via the MCPS smartphone app, and the school division's website at www.martinsville.k12.va.us.

Local media notified of school cancellations and delays include the Martinsville Bulletin (www.martinsvillebulletin.com), the Henry County Enterprise, television stations MGTV-Channel 22, BTW-21, WDBJ-7, WSLS-10, WSET-13, and Cable 18.

The school division's rapid notification system is used to alert parents and students in the event of an *unscheduled early dismissal or closure* due to inclement weather or other emergency. Make sure to notify your child's school with any changes in your telephone number so you will receive these notices.

All students will be expected to follow their usual routines when an early dismissal occurs (bus students on buses, walkers walk, car riders ride, etc.).

Student Behavior

Martinsville City Public Schools expects that students will act in an exemplary manner while in school. Each student has the right to expect an educational environment in which the focus is on teaching and learning. The student is expected to attend school regularly, be diligent in his/her studies and conduct him/herself in such a way that the rights and privileges of others are not violated. The student is expected to accept and demonstrate the obligation of good citizenship to help prevent problems from happening and help solve problems if they occur.

All parents are expected to assume responsibility for their student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. The school principal has the responsibility and authority to exercise reasonable judgment in enforcing this code of conduct. The schools provide leadership to be sure that appropriate standards of behavior are maintained while students are under school supervision. Schools shall exercise the right to determine and request appropriate school behavior from the student in order to encourage the positive social and educational development of the child.

The establishment of appropriate policies to maintain good student discipline is an administrative responsibility of the Martinsville City School Board and the Superintendent. The Superintendent shall establish clearly defined procedural steps to be followed by all school employees in dealing with disciplinary problems. These steps shall:

- A. Ensure that respect for the individual and commitment to student success will be the top priorities in all disciplinary actions;
- B. Recognize the limits of individual freedom in order to maintain the integrity of the educational community when dealing with disciplinary issues;
- C. Make ample provision for procedural due process in all disciplinary actions;
- D. Inform parents of the school system's concern for procedural due process in disciplinary actions;
- E. Respect age when rendering disciplinary action;
- F. Be consistent with appropriate Virginia state statutes.

Parental Responsibility and Involvement Requirements

Section § 22.1-279.3 of the Code of Virginia states that 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.

Parents are expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem that affects the student or other children in the school. It is the parents' responsibility to notify the school of any unusual behavior pattern or medical problem that might lead to serious difficulties.

The school principal may request a student's parent(s) to meet with the principal or his designee to review the Martinsville City School Board's Standards of Student Conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

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 a disciplinary action or filed such a petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compliance with compulsory school attendance; (2) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (4) that a petition with the Juvenile and Domestic Relations Court may be filed under certain circumstances to declare the student a child in need of supervision.

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

If a parent fails to comply with the requirements of this state law, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent, in accordance with Va. Code § 22.1-279.3.G, for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance. Upon a finding of noncompliance, the court may order the student, parent, or both to participate in programs or 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 court may also require participation in a parenting, counseling or a mentoring program, as appropriate, or that the student, 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 parent. In addition, the court may order the parent to pay a civil penalty of up to \$500.

Student Behavioral Expectations Generally

Expectations for student behavior in Martinsville City Public Schools are based on a shared attitude of mutual respect and common courtesy. Students must learn and take responsibility to ensure that their actions do not interfere or disrupt the classroom, school activities, or the right of any person to a public education. Students are expected to adhere to norms of good behavior, including the following:

Classroom

- Be on time
- Listen when teachers and peers speak
- Follow directions the first time they are given
- Use words of respect when addressing staff and peers
- Wait to be recognized by the teacher before talking
- Ask for help when needed
- Always have an "*I can*" attitude
- Be prepared with completed homework and supplies
- Complete assignments
- Take care of school property
- Keep hands and feet to self
- Keep work area neat and organized

Cafeteria

- Be courteous to cafeteria staff
- Have I.D. number or money ready
- Do not cut into the line
- Remove winter coats before going through the line
- Move through the line quickly and quietly
- Talk quietly
- Keep hands and feet to self
- Leave food and drinks in the cafeteria
- Return tray to proper area
- Leave area clean

Library

- Enter quietly
- Follow library rules as outlined by school staff
- Talk quietly at all times
- Do not bring food or drinks into the library
- Use Internet for school assignments only
- Ask for assistance if needed
- Put chair under the table and leave area clean and orderly

Hall

- Walk to the right
- Speak quietly
- Keep halls litter free
- Show courtesy to staff and peers
- Keep hands and feet to self
- Respect school property and displays
- Go promptly to your designated area
- Follow staff directions

Gym/Locker Rooms

- Keep self and others safe by using appropriate actions
- Offer help to encourage positive participation
- Report injuries to staff immediately
- Use gym equipment safely
- Remain in assigned area
- Follow staff directions
- Exit in an orderly manner
- Respect the private property of others

Bus

- Report to bus on time
- No food or drink on the bus
- Be respectful to bus driver and peers
- Stay seated with no body parts out of the window
- No fighting
- Inform bus driver if there is a problem
- Keep the bus clean

Bathrooms

- Keep bathrooms clean
- Place trash in appropriate receptacle



**Martinsville City
Public Schools**

Empowering Success One Learner At A Time

Student Code of Conduct

2023-2024

Grades PreK-5

The following are Standards of Student Conduct established by the Martinsville City School Board for all students. The consequences of any act are determined based on the facts presented in each situation in the reasonable discretion of the Board, its designated committees, and other appropriate school officials.

- **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.

- **Attendance; Truancy**

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

If a student who is under 18 years of age has 10 or more unexcused absences from school on consecutive school days, the Principal may notify the Juvenile and Domestic Relations Court, which may act to suspend the student's driver's license.

- **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**

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

"Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated 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 (See Policy JFCC Student Conduct on School Buses).

- **Cheating**

Students are expected to perform honestly on schoolwork and tests. The following actions are prohibited:

- cheating on a test or assigned work by giving, receiving, offering and/or soliciting information;
- plagiarizing by copying the language, structure, idea and/or thoughts of another;
- falsifying statements on any assigned schoolwork, tests or other school documents.

- **Communication Devices**

Students may possess cellular telephones, smart watches, smart devices, electronic games, ear buds, and other forms of electronic communication on school property, including school buses, provided that the device must remain off and out of sight. Students may **only** use their devices before and after school. At no time may any device be used with an unfiltered connection to the Internet. The School Division is not liable for devices brought to school or school activities.

If a student possesses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent (See Policy IIBEA/GAB Acceptable Technology System and Infrastructure Use).

- **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.

- **Disruptive Conduct**

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

- **Electronic Cigarettes/Tobacco Products/Nicotine Vapor Products**

Students, employees, and visitors shall not possess electronic cigarettes, tobacco products, or nicotine vapor products on school premises, on school buses, or at school sponsored activities (See Policy JFCH Tobacco-Free Schools for Staff and Students).

- **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.

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

- **Harassment**

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

- **Hazing**

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity. The Principal of any school at which hazing which causes bodily injury occurs shall report the hazing to the local Commonwealth Attorney.

- **Internet Use**

Students shall abide by the Martinsville City Public School Division's Acceptable Technology System and Infrastructure Use Policy and Regulation. (See Policy IIBEA Acceptable Technology System and Infrastructure Use.)

- **Laser Pointers**

Students shall not have in their possession laser pointers.

- **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 article which may be used as a weapon, regardless of whether it is commonly accepted as such. (See Policy JFCD Weapons in School.)

- **Profane, Obscene or Abusive Language or Conduct**

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

- **Reports of Conviction or Adjudication of Delinquency Pursuant to §16.1-305.1**

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

- **Stalking**

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

- **Student Dress**

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

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

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

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

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

- **Theft**

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

- **Threats or Intimidation**

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

- **Trespassing**

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

- **Use and/or Possession of Alcohol, Tobacco, and Other Drugs**

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

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

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

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

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

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

- **Vandalism**

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

Corrective Actions

Students are subject to corrective action for any misconduct that occurs:

- o in school or on school property;
- o on a school vehicle;
- o while participating in or attending any school sponsored activity or trip;
- o on the way to and from school; and
- o off school property, when the acts lead to: (1) notification pursuant to Va. Code § 16.1-305.1 or a conviction for an offense listed in Va. Code § 16.1-260, (2) a charge that would be a felony if committed by an adult, or (3) disruption of the learning environment.

Student Behavior Categories

The following behavior categories are designed to recognize the impact student behavior has on the school environment and on learning. They encourage awareness for administrators, teachers, parents, and counselors of students' social-emotional development and emphasize the importance of helping students achieve academically and develop SEL competencies.

- A. **Behaviors that Impede Academic Progress (BAP):** These behaviors impede academic progress of the student or of students. They are typically indicative of the student's lack of self-management or self-awareness. Sometimes, the student may need help in understanding how the behavior impacts others so training in social awareness may also be indicated.
- B. **Behaviors Related to School Operations (BSO):** These behaviors interfere with the daily operation of school procedures. Students exhibiting these behaviors may need to develop self-management, self-awareness, or social awareness skills.
- C. **Relationship Behaviors (RB):** These behaviors create a negative relationship between two or more people that does not result in physical harm. Relationship behaviors affect the whole school community in that the school climate is often a reflection of how people treat one another. Students who exhibit difficulty with relationship behaviors may also have difficulty with the other social-emotional competencies.
- D. **Behaviors that Present a Safety Concern (BSC):** These behaviors create unsafe conditions for students, staff, and visitors to the school. The underlying reasons for this type of behavior may lie in any of the social-emotional competencies so the administrator should investigate the underlying motivation for the student's behavior. Training in social awareness and decision-making are usually indicated in any behavior that creates a safety concern.
- E. **Behaviors that Endanger Self or Others (BESO):** These behaviors endanger the health, safety, or welfare of either the student or others in the school community. Behaviors that rise to this level of severity are often complex. While they are indicative of poor decision-making skills, students who exhibit these behaviors may also have developmental needs in the other social-emotional competencies.

Leveled Systems of Disciplinary Responses and Instructional Interventions

In an effective approach to intervention and discipline, when students do not meet behavioral expectations, they receive supports to address the root causes of the behavior and learn appropriate alternatives. When a specific student behavior does not change following an intervention—or the behavior increases in frequency, intensity, or duration—a problem solving approach identifies alternative interventions and responses. All stages of a system of intervention should include opportunities for learning acceptable replacement behaviors within the school and community and access to interventions to address the underlying causes of behavior.

Delivering disciplinary responses to unwanted behaviors is often a needed but never sufficient strategy for reducing inappropriate behavior. Therefore, leveled systems of disciplinary responses should always be only one part of more comprehensive policy around behavior that includes instructional, preventive, and proactive strategies as described earlier in this document. The delivery of disciplinary responses should only serve four key functions:

- preventing a negative behavior from being rewarded;
- preventing a problem behavior from escalating;
- preventing a problem behavior from significantly interrupting instruction; and
- preventing physical and/or social-emotional harm to others.

Leveled Responses

Level 1 Responses: Level 1 responses are intended to prevent further behavioral issues while keeping the student in school.

- Re-teaching or modeling of desired behavior
- Recognize/Reward appropriate behavior
- Administrator/Student conference and/or Administrator/Student/Teacher conference
- Written reflection or letter of apology
- Peer mediation or conflict resolution
- Behavior progress chart
- Restitution
- Seat change
- Loss of school privileges
- Confiscation by the administration
- Administrator/Teacher/Parent/Guardian conference
- In-school suspension (Up to one-two days) with behavioral instruction and academic support

Level 2 Responses: Administrative responses and interventions at this level are designed prevent further behavior issues and keep the student in school. Depending upon the severity of the behavior, short-term removal of the student from the classroom may be appropriate.

- Student conference
- Administrator/Teacher/Counselor/Student conference (includes re-teaching of expected behavior)
- Administrator/Teacher/Parent/Guardian conference
- Check-In/Check-Out
- Mediation or conflict resolution
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, and Problem-Solving Team (ex. VTSS), Substance Use and Intervention Program)
- Referral to Individualized Education Plan (IEP) team
- Schedule change
- Referral for community-based services
- Restitution
- Confiscation
- Temporary loss of privileges
- In-school suspension with behavioral interventions and/or restorative practices (one-three days)

Level 3 Responses: Dependent upon the severity, chronic nature of the behavior and/or safety concerns, Level 3 behaviors may result in the student's short-term removal from school.

- Administrator/Teacher/Parent/Guardian Conference
- In-school suspension with restorative practices (three plus days not to exceed five days)
- Referral to support services (e.g., School Counselor, Behavior Interventionist, Mentor Program, Problem Solving Team, Therapeutic Day Treatment (TDT), Substance Use and Intervention Program)
- Referral for community-based services

- Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Development (Special Education Students)
- Functional Behavioral Assessment (FBA) and Behavior Support Plan (BSP) Development (General Education Students)
- Revocation of privileges
- Restitution
- Referral to alternative education programs
- Short-term out-of-school suspension¹ (one-three days for elementary students²) with restorative circle or conference upon return
- Behavior contract (developed with and signed by the student, parent/guardian, and school officials)
- Referral to law enforcement where required

Level 4 Responses: Some Level 4 behaviors require a report to the superintendent or superintendent’s designee as outlined in the *Code of Virginia* § 22.1-279.3:1. Local school board policy may require additional reporting. A referral to the superintendent or superintendent’s designee does not automatically result in a long-term suspension, change of placement, or expulsion. After a review of the incident in context, the superintendent or designee may return students to the comprehensive setting with additional supports and/or responses to be implemented.

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Parent-Administrator-Teacher-Student behavior contract
- Long-term revocation of privileges
- Restitution via written contract
- Referral for community-based services
- Schedule change
- Short-term out-of-school suspension (for preschool to grade three students one to three days³, four to ten days for fourth- to sixth-grade students, or five to ten days for seventh- to twelfth-grade students)
- Recommendation for a long-term suspension as determined by local policy or by *Code*.

Level 5 responses: Level 5 responses are reserved for those behaviors that require a referral to the superintendent or designee. For preschool to grade three students, any suspension beyond three days must be referred to the superintendent. A referral to the superintendent or designee may not automatically result in an expulsion, alternative placement, school reassignment, or long-term suspension.

Required School-based Administrative Responses to Level 5 Behaviors

- Threat Assessment as indicated by the behavior
- Referral to law enforcement as required
- Referral to Superintendent or designee

Examples of superintendent or designee responses to Level 5 behavior

- Long term suspension⁴
- Alternative placement
- Expulsion⁵
- School reassignment: Students may be assigned to another school within the division. Board policy should establish the procedures for assigning any student to another school. Those policies and procedures should ensure equity.
- Return the student to the school setting with appropriate supports and interventions.

Students Acting with Aggression toward Others

The following corrective actions shall be enforced when a student engages in assault/battery and/or intentional injury (fighting):

1. A ten (10) day suspension may be immediately imposed for any student who is involved in an assault/battery or intentional injury (fighting), with additional corrective actions possible pending further investigation.
2. The student and parent/guardian (for the student under the age of 18) must meet with the principal or designee during the ten (10) day suspension and before the student shall be allowed to return to school. The principal may request that a Discipline Review Committee conduct the meeting.
3. The student may be required to participate in an anger management and/or conflict resolution program as part of the conditions to re-enter the school.
4. If appropriate, the student may be required to apologize to the person he assaulted or intentionally injured.
5. The student's schedule may be reviewed by the principal to determine if any modifications are needed.
6. The student may be removed from all extra-curricular activities, including sports, for a period from the time of the incident.
7. Any student who participates in an assault/battery or fight in the cafeteria, bus area, parking lot, or any other area the principal determines is not a classroom setting may lose the privilege of being in the area when other students or staff are in that area.
8. Martinsville City Public Schools may seek criminal charges against any student who is involved in an assault/battery and/or intentional injury (fight) to others.
9. Any student involved in a second fight, or any act of aggression may be removed from the school and may be required to attend an alternative program before he can re-enter the school.
10. A student who is involved with three acts of aggression may be removed from the school and all school-related activities for no less than 45 days and shall be subject to the above procedures. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation that special circumstances exist and no disciplinary action or another disciplinary action or another term of suspension or expulsion is appropriate.

PreK-3 Aggravated Circumstances

Prohibits, except for drug offenses, firearm offenses, and certain criminal acts, students in preschool through grade three from being suspended for more than three school days or expelled from attendance at school unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department of Education.

For the purposes of §22.1-277 and §22.1-277.05 of the *Code of Virginia*, "aggravating circumstances" shall mean:

1. That a student engaged in misconduct which caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or
2. That a student's presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or
3. That a student engaged in a serious offense that is:
 - a) persistent (repeated similar behaviors are documented on the student's disciplinary record), and
 - b) unresponsive to targeted interventions as documented through an established intervention process.

Claims of Self-Defense

Incidents of fighting in which a student claims self-defense shall be considered by the Superintendent or designee in order to determine reasonable corrective actions. A claim of self-defense must meet the following criteria:

1. The claimant must not have provoked or behaved in a manner to cause the incident;
2. The claimant must have had reasonable fear of danger of harm; and
3. The claimant must have used not more force than needed for protection from the threatened harm.

Incidents of self-defense should be reported immediately to the school principal. When a claim of self-defense has been made, the principal shall allow the student to present his version of what occurred and shall review circumstances and relevant information from others pertaining to the incident, including relationships and previous patterns of interactions among the students involved. The principal shall report in writing the facts of the case, along with relevant circumstances and other relevant information, to the Superintendent or his designee and to the parent of the student. Findings from the facts of the case, along with the review of circumstances and other relevant information will be considered by the Superintendent or his designee in determining appropriate corrective disciplinary action.

Claims of self-defense do not constitute a valid defense against possession or use of a weapon on school property or at any school-sponsored activity. Weapons are prohibited on school property and at school-sponsored events.

Weapons in School

The Martinsville City School Board and administration will not tolerate unauthorized firearms and weapons on any school property or at any school sponsored event. Therefore, carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school sponsored activity without the authorization of the school or the school division is prohibited, and grounds for disciplinary action. Any individual who suspects that a student has a firearm or weapon at school, in any school vehicle, or at any school-sponsored activity, should notify the principal/designee immediately.

Student discipline proceedings will be initiated immediately upon violation of this policy and may include immediate suspension of the student for up to ten (10) days. A student who has possessed a firearm, destructive device, firearm muffler, firearm silencer or pneumatic gun on school property or at a school-sponsored activity may be expelled for at least one year. The School Board may determine, based on the facts of a particular situation that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The Superintendent or his/her designee, pursuant to School Board regulation, may conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate.

Any student who in any way encourages another student to bring a firearm or weapon to school also endangers the safety of others. If through an investigation it is determined that another student did knowingly or willfully cause, encourage, or aid any other student to possess, handle, bring, or transmit any firearm or weapon, he/she shall be subject to appropriate disciplinary action.

Gang Activity or Association

Students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. In addition, students shall not engage in gang activity using the school division technology system or network infrastructure at any time. A gang is defined as any group of three or more persons whose purpose includes:

- o commission of illegal acts,
- o participation in activities that threaten the safety of persons or property,
- o disruption of the school environment,
- o creation of an atmosphere of fear and intimidation.

Students are subject to disciplinary action for participating in gang activity. Gang activity is defined as:

- o wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- o committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;

- using any speech or committing any act or omission in furtherance of the interests of any gang, including:
 - (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy, and (d) inciting other students to act with physical violence;
- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

Searches of Students and Personal Property

All students will be free from unreasonable searches of their persons, clothing and other personal property. A student is subject to search by school officials, however, if reasonable grounds exist to suspect that the search will yield evidence of a student’s violation of the law or school rules governing student conduct. Vehicles parked on school property or school-controlled areas are also subject to search. Parking on school property or at school functions is a privilege that may be revoked.

Any search of a student conducted by a school division employee must be reasonably related to the discovery of contraband or other evidence of a student’s violation of the law or school rules.

For the purpose of this policy, “contraband” means items, materials or substances the possession of which is prohibited by law or school division policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products or any device which could pose a disruption to the learning environment or could be reasonably considered a firearm or a dangerous weapon. All criminal infractions, not limited to the above, will be referred to the Martinsville City Police Department for potential prosecution.

Employees will conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. No student will be subject to a strip search or body cavity search by school employees.

STUDENT SUSPENSION/ EXPULSION

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

Recommendations for suspensions and expulsions for actions other than those specified in Policy JGD/JGE under the headings “Firearms” and “Drug Offenses” shall be based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student’s disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student’s age and grade level;
- the results of any mental health, substance abuse, or special education assessments;
- the student’s attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this regulation shall be deemed to preclude the Superintendent or Superintendent’s Designee, or the School Board, from considering any of the factors listed above as “special circumstances” for purposes of suspensions and expulsions.

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

Pursuant to School Board policy JGD/JGE, by this regulation, the Director of School Safety and Emergency Management shall serve as the Superintendent’s designee on all matters pertaining to student suspensions and expulsions. As designee, the Director of School Safety and Emergency Management shall serve as the Discipline Review Committee Chairperson where referenced in this regulation.

SHORT-TERM SUSPENSIONS – TEN (10) DAYS OR LESS

A pupil may be suspended for not more than ten (10) schooldays by either the school Principal, any Assistant Principal or, in their absence, any Teacher. The Principal, Assistant Principal, or Teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts, and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the Principal, Assistant Principal, or Teacher responsible for such suspension shall report the facts of the case in writing to the Superintendent, the Discipline Review Committee Chairperson, and the parent of the pupil suspended. The Superintendent or Discipline Review Committee Chairperson shall review forthwith the action taken by the Principal, Assistant Principal, or Teacher upon a petition for such review by any party in interest. Any petition for such review must be in writing and must be filed with the Superintendent within five (5) calendar days of the suspension decision. Upon receipt of such written petition, the Superintendent or Discipline Review Committee Chairperson shall review the action taken by the Principal, Assistant Principal, or Teacher and shall confirm or disapprove such action based on an examination of the record of the pupil's behavior.

In accordance with Va. Code § 22.1-277.04, the Martinsville City School Board prescribes through this regulation that the decision of the Superintendent or his/her designee in all cases of student suspensions of ten (10) or less days shall be final.

LONG-TERM SUSPENSION – IN EXCESS OF TEN (10) DAYS

A pupil may be suspended from attendance at school for more than ten days after written notice is provided to the pupil and his parent of the proposed action and the reasons therefor, and of the right to a hearing before the Superintendent or his/her designee, in accordance with this regulation of the School Board. In accordance with Va. Code § 22.1-277.05, this regulation provides for appeal of the decision to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The Principal or designee will notify the Superintendent and the Discipline Review Committee Chairperson in writing of the recommendation for long term suspension and enclose a copy of the written notice provided to the student and parent.

Any pupil or parent appeal for a hearing before the Superintendent or his/her designee must be in writing and must be filed with the Superintendent within seven (7) calendar days of the suspension decision. All long-term suspension decisions will undergo an automatic review by the Superintendent or the Discipline Review Committee Chairperson regardless of whether the student has exercised the right to a hearing. The Superintendent or Discipline Review Committee Chairperson shall confirm, amend, or disapprove the long-term suspension. This decision shall be final unless the pupil or parent files an appeal of the decision to the full School Board and the School Board amends the decision.

Procedure for Discipline Hearing

Upon written appeal of a long-term suspension by a student or his/her parent to the Superintendent, the following procedure will apply:

- The Discipline Review Committee Chairperson will act on the appeal of a long-term suspension by organizing a hearing and will invite in writing the student and his parent(s), legal guardian, or person having control or charge of the student to attend the discipline hearing. The written notice shall include the date, time and place of the hearing.
- The Principal or designee shall present the evidence of his/her investigation, which may include witnesses, which formed the basis for the long-term suspension recommendation.
- The student and parent may present evidence including witnesses to support their appeal.
- After the Discipline Review Committee conducts the hearing, and upon consideration of the evidence presented, the Committee shall render a decision and notify the Superintendent and the Principal. Once finalized, the Principal will verbally notify the student and parent of the Discipline Review Committee decision and the Discipline Review Committee Chairperson will send a written notice confirming the decision to the student and parent, with a copy to the Principal and Superintendent.
- The final written notice of the Discipline Review Committee shall include:

- The reasons for the suspension;
 - The duration of the suspension;
 - Information concerning the availability of community-based or alternative educational programs or intervention programs, and notice that the cost of such programs that the student may attend during his suspension shall be borne by the parent;
 - A statement that the student is eligible to return to school and all school activities upon the expiration of the suspension or to attend an appropriate alternative education program approved by the Superintendent and/or School Board;
 - A notice that the student or parent may appeal the decision to the full School Board;
 - Such appeal must be in writing and must be filed with the Superintendent within seven (7) calendar days of receiving the verbal Discipline Hearing suspension decision;
 - Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal.
- Upon receipt of an appeal, the Superintendent will schedule a hearing before the School Board and the student and parent will be notified in writing of the location, date and time. Such appeal shall be decided by the School Board within thirty calendar days.
 - The student and parent may present evidence including witnesses to support their appeal. The Principal and Discipline Review Committee Chairperson will be in attendance and will present their findings first.
 - After the School Board has confirmed or disapproved the suspension, the Superintendent will send a letter to the student and parent confirming the School Board's decision. The written notice of a suspension for more than ten days shall include notification of the length of the suspension and shall provide information concerning the availability of any community-based educational, alternative education, or intervention programs. Such notice shall also state that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension shall be borne by the parent of the student.

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

EXPULSION

Pupils may be expelled from attendance at school after written notice to the pupil and his/her parent of the proposed action and the reasons therefor, and of the right to a hearing before the School Board in accordance with regulations of the School Board. The regulations shall also provide for subsequent confirmation or disapproval of the proposed expulsion by the School Board regardless of whether the pupil has exercised the right to a hearing.

Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below shall be based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse, or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection shall be deemed to preclude the Superintendent or his/her designee, or the School Board, from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

Firearms

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to School Board policy, or the School Board may, however, determine, based on the facts of a particular situation that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate.

In accordance with Va. Code § 22.1-277.07, through this regulation, the Martinsville City School Board authorizes the Superintendent or Superintendent's Designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. If a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action shall be taken in accordance with the procedures set forth in Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this regulation. The provisions of this regulation shall not apply to persons who possess such firearm or firearms as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

Drug Offenses

Possession of a controlled substance, imitation controlled substance, marijuana, on school property or at a school-sponsored activity is prohibited. The principal shall report a violation of this policy to parents and local law enforcement. A student who is determined to have brought a controlled substance, imitation controlled substance, marijuana, as defined in the Code of Virginia, onto school property or to a school-sponsored activity may be expelled in accordance with School Board policy. The Superintendent or his/her designee, pursuant to School Board regulation, may conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. The Superintendent may determine, based on the facts of the particular case that special circumstances exist, and another disciplinary action is appropriate.

Any student who violates this policy shall participate in the prevention and intervention activities identified in Martinsville City Public Schools' drug and violence prevention plan. The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case that special circumstances exist, and another disciplinary action is appropriate.

In accordance with Va. Code § 22.1-277.07, through this regulation, the Martinsville City School Board authorizes the Superintendent or Superintendent's Designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. If a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action shall be taken in accordance with the procedures set forth in Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia. Nothing in this policy shall be construed to require a student's expulsion regardless of the facts of the particular situation.

All expulsion recommendations of the Principal or Principal's Designee will undergo an automatic review within ten (10) days by the Superintendent or Superintendent's Designee regardless of whether the student has exercised the right to a hearing. The Superintendent or Superintendent's Designee shall confirm, amend, or disapprove the expulsion. Any amendment or disapproval of this decision shall be final unless the pupil or parent files an appeal of the decision to the full School Board and the School Board amends the decision. Any confirmation of the recommendation to expel shall be confirmed by the School Board regardless of whether the student has exercised the right to a hearing.

If the Superintendent upholds the recommendation for expulsion, he/she will provide written notice of such and of the student's right to appeal the decision at a hearing of the School Board. The appeal to the full School Board must be in writing and must be filed with the Superintendent within five (5) calendar days of the Superintendent's decision.

Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. Such appeal shall be decided by the School Board within thirty calendar days of the Superintendent's written notification to the parent.

If a student or parent does not exercise the right to a hearing before the full School Board, the Superintendent shall present his/her recommendation to the School Board, along with the findings of any investigation that support the recommendation. The School Board may, by majority vote, uphold, reject or alter the recommendation of the Superintendent.

Upon written appeal of an expulsion by a student or his/her parent to the School Board, the procedure detailed in Policy JGD/JGE will apply.

The School Board shall transmit its decision, including the reasons therefor, to the student, his parent(s), the Principal, and Superintendent. Such written notice shall include any changes in: (1) the duration of the suspension; (2) the availability of community-based educational, training, and intervention programs, and that the costs of any Community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his expulsion shall be borne by the parent of the student and/or (3) eligibility to return to school or attend an alternative education program.

Student Dress

The tone and the atmosphere of a school are affected by the overall appearance of the students. Since the choice of clothing directly affects the school environment and students' attitudes, careful consideration of wardrobe is important. This policy is an effort to promote school unity and pride, to ensure the health, welfare, and safety of the members of the student body and enhance a positive image of students and the schools.

Students are asked to consider cleanliness, good taste and appropriateness in the selection of clothing to be worn in school. However true it is that one's appearance is a personal choice, it is nevertheless the responsibility of the teachers and the school administration to maintain a reasonable standard of conduct and appearance. A standard of modesty and appropriateness necessary for the educational environment is required; this determination will be made by the school administration.

PreK – 5 Student Dress Code

A student's dress and appearance should not be such that it causes disruption, is immodest, distracts from the educational process, conveys an inappropriate message, or creates a health or safety problem. Students will wear full-cut shorts, skirts, dresses, skorts, and jumpers that are at least as long as fingertip length with the shoulders relaxed and the arms and fingers fully extended downward (not bent). Students may not wear transparent clothing. Pants, shorts, and skirts shall be worn at the waist; undergarments shall not be visible.

T-shirts with sleeves must be worn under all basketball-type jerseys and football-type jerseys with an open weave. Straps on girls' tops must be at least two (2) inches wide. Necklines must be modest in nature and midriffs must be covered. All students shall be prohibited from wearing hats, caps, scarves, sweatbands, bandanas, or head coverings of any description inside of a school building except when worn because of religious beliefs, or when worn as a matter of health or safety. Heavy winter coats are to be placed in the students' lockers upon arrival at school and not worn inside the school.

Clothing, adornments, accessories, or jewelry should not convey inappropriate messages. Inappropriate messages include advertisements for items prohibited at school, messages intended to demean a person, including language related to race, religion, sex, national origin, disability, or intellectual ability, or messages of an obscene, violent, or inappropriate nature that convey either violent or sexually suggestive messages or offensive statements toward school personnel and/or students.

The Administration has the final decision on whether a student has violated the dress code.

Bus Transportation and Safety

Bus Transportation & Safety

School bus transportation is a **privilege** provided by the Martinsville City Public Schools. Because conduct on buses is directly related to the driver's control of the vehicle and to the safety of all students, Martinsville City Public Schools considers bus misconduct to be a serious offense and subject to disciplinary action. Bus drivers have the authority to enforce all bus rules and regulations.

Students must assume responsibility for their actions and behavior. They also have the responsibility to learn and follow the rules and regulations of bus and bus stop behavior. Parents must also assume responsibility for the behavior of their children riding the bus as well as knowing the bus and bus stop rules and regulations. Parents are responsible for their child's behavior and safety to, from, and at the bus stop. Parents are not permitted to get on the bus.

- Parents must give permission for their child to ride a bus other than the one to which he/she has been assigned. Parents who need to make a change in bus arrangements **must notify their child's school office** by 2:00 p.m. either by calling or sending a note with the student that morning. Any calls after 2:00 p.m. regarding a change in travel must be approved by the building administration and **will only be accepted in emergency situations** in order to allow office staff sufficient time to verify the credibility of the call.
- The school division's transportation department (bus garage) does not accept calls for changes in student bus drop-offs. **All calls for a change of travel must go through the school's main office** to safeguard student accountability.
- **Parents are not allowed on the school bus.**

Bus and Bus Stop Rules and Regulations

Students are expected to observe the following rules and regulations for safety and courtesy on the bus and at the bus stop. Due to the community nature of the bus stop, problems of a criminal nature will be referred to the Martinsville Police Department for resolution.

At the Bus Stop

- The Bus Stop is considered school property. Students can be disciplined for actions that happen at the bus stop.
- Arrive at your assigned stop ten minutes before bus pickup (students are not allowed to ride any school bus other than the one assigned to their address)
- Stand on the sidewalk or the edge of the street by the curb
- Stay off private property
- Do not stand on the traveled part of the road
- Be respectful and watchful of traffic
- Wait quietly and orderly

When the Bus Arrives

- Allow the bus to come to a complete stop
- Cross in front of the bus
- Stay at least 10 feet away from the bus on all sides
- Board bus in a quiet and orderly manner

Exiting the Bus

- Remain seated until the bus comes to a complete stop
- Leave in an orderly manner
- Leave only at your assigned bus stop
- Stay at least 10 feet away from the bus on all sides
- Cross in front of the bus

When school administrators receive written notification of student misbehavior on the bus, parents will be contacted, and appropriate action will be taken. If permission to ride the bus is revoked, the parent/guardian must provide transportation to and from school until such time as bus privileges may be reinstated.

Academics

Academic Integrity

Martinsville City Public Schools recognizes the need for all students to assume responsibility for their own work. Academic integrity must be preserved not only for its own sake but also to ensure objective evaluation of all students. Cheating and plagiarism in any form cannot be permitted; downloading and copying information from websites without appropriate citations is prohibited. In a case that involves cheating, the following actions will be taken:

1. Parent/guardian(s) will be contacted by the teacher and/or an administrator. A conference may be scheduled.
2. The student's work will be rejected and a grade of "zero" will be imposed for the assignment in question. An alternate assignment may be given at the discretion of the teacher.
3. The student will be assigned after-school detention to complete the make-up work related to the assignment in question as determined by the classroom teacher.
4. If more than one student is involved in cheating, the same penalty will be applied to all parties concerned. Students who allow their work to be copied are considered to be cheating.
5. In the case of cheating, an administrator may impose a suspension.
6. The theft of a teacher grade book or testing materials will result in a suspension.

MCPS Grading Scale

MCPS grade scale:

LETTER GRADE	NUMBER RANGE	MCPS Courses	DE/AP Courses
A	100-90	4.0	5.0
B	89-80	3.0	4.0
C	79-70	2.0	3.0
D	69-60	1.0	2.0
F	59-0	0	0

* Grades earned prior to 2017-2018 reflect the previous grade scale.

Dual Enrollment, Advanced Placement Classes, and Special Programs

Martinsville City Public Schools provides the following advanced programs for Martinsville High School students:

Dual and Concurrent Enrollment

Upon meeting course prerequisites and college admission requirements, students may opt to take a variety of dual and/or concurrent enrollment classes. A student may earn college credit from Patrick & Henry Community College (P&HCC) that is transferable to most in-state colleges, as well as to some out-of-state colleges, depending on the institution's requirements. Martinsville City Public Schools maintains an agreement with P&HCC to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma.

Advanced Placement

Advanced Placement (AP) classes are taught at Martinsville High School in the areas of mathematics, science, English, and social studies. Students enrolled in AP courses are expected to take the AP exam at the end of the school year, which with a certain score guarantees college credit at many universities. All students are encouraged to enroll in Advanced Placement classes.

Piedmont Governor's School for Mathematics, Science, and Technology

Students may apply to attend the Piedmont Governor's School for Mathematics, Science, and Technology their 11th and 12th grade years. At Governor's School students take advanced math, science, and technology classes. These courses may be eligible for dual enrollment credit through Patrick & Henry Community College.

Accelerated College Education (ACE)

Through the Accelerated College Education, or ACE, program, students can simultaneously receive a diploma from Martinsville High School and an associate's degree from Patrick & Henry Community College. Upon completion of the program, students will have taken enough dual enrollment classes, as well as the required classes from P&HCC, to obtain both degrees during the course of their high school career.

Financial assistance is available to low-income and needy students to take high school Advanced Placement examinations. Financial aid may also be available to assist with fees charged for industry credential assessments or other types of tuition or fees related to college and career readiness. Students needing financial assistance should contact their high school guidance counselor.

Advanced Middle School Classes

Pre-AP classes in mathematics are offered at Martinsville Middle School. Any student with an appreciation of a challenging academic curriculum focused on higher-level thinking may enroll in these classes. Numerous high school credit-bearing courses are also offered at Martinsville Middle School. All students are encouraged to participate in high school level courses, especially those students who plan to pursue an Advanced Diploma in high school.

Virginia State Assessment Program

All Martinsville City Public Schools students participate in the Virginia State Assessment Program. Each student in grades three through eight is required to take the Virginia Growth Assessments and Standards of Learning (SOL) assessments for the student's respective grade or an appropriate alternate test. In addition, each student in middle and high school must take all applicable end-of-course SOL tests. Middle and high school students who achieve a passing score on a high school end-of-course SOL test will be awarded a verified unit of credit in that course. Students may earn verified credits in any courses for which end-of-course SOL tests are available, or by passing certain other assessments approved by the Board of Education. Students must earn a certain number of verified credits in order to earn a high school diploma.

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and that the student not earn high school credit for the course. Parents of these students will be notified of the procedure for making such a request at the end of the school year.

High School Graduation Requirements

In order to graduate from high school students must complete all state and local requirements for a Standard or Advanced Studies Diploma. Certain students who have an individualized education program (IEP), and who entered ninth grade for the first time prior to 2013-2014, may opt to complete the requirements for a Modified Standard Diploma.

Students who successfully complete the requirements of a high school credit-bearing course earn one standard unit of credit. Those who successfully complete the requirements of the course and achieve a passing score on an end-of-course SOL test are awarded a verified unit of credit. Students may also earn verified credits by taking alternative tests to the SOL assessment that have been approved by the Virginia Board of Education and achieving a passing score established by the Board of Education.

All Martinsville High School students pursuing either a Standard Diploma or an Advanced Studies Diploma are required to complete 40 hours of service learning/career internship over their four high school years, to be documented as part of a senior project or portfolio in conjunction with senior coursework. The service-learning module is designed to provide a practical experience to students through service to the community and/or through work with adults in the community, such as industry partners, workers in health care fields, teachers, and nonprofit organization leaders. Provisions are in place to ensure student safety, and the program will provide for special accommodations and arrangements to ensure that all students can participate. This requirement may be modified by the principal based on extenuating circumstances, such as illness.

The charts below summarize the high school graduation requirements for students entering ninth grade for the first time **in 2013-2014 through 2017-2018:**

Advanced Diploma Requirements

Virginia Board of Education Requirements	Standard Credits	Verified Credits
English	4	2
Math	4	2
Lab Science	4	2
History/Social Studies	4	2
Foreign Language	*3	
Health /PE	2	
Fine Arts or CTE	1	
Economics and Personal Finance	1	
Electives	3	1
Student Selected Test		
Total (plus see NOTE in box at right)	26	9
Students in Martinsville City Public Schools must also complete a total of 40 hours of service learning over and above their scheduled coursework throughout their four years of high school, to be documented as part of a senior project or portfolio in conjunction with senior coursework.		

* Courses completed to satisfy the Foreign Language requirement of the **Advanced Studies Diploma** must include three years of one language or two years of two languages.

NOTE:

Students entering ninth grade for the first time in 2013-2014 through 2017-2018 must complete one virtual course, which may be noncredit-bearing, to graduate with a **Standard or Advanced Diploma**.

Additionally, students entering ninth grade for the first time in 2013-2014 through 2017-2018 must earn a career and technical education credential that has been approved by the Board of Education to graduate with a **Standard Diploma**. The credential could include, but is not limited to, an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia Workplace Readiness Assessment.

Standard Diploma Requirements

Virginia Board of Education Requirements	Standard Credits	Verified Credits
English	4	2
Math	3	1
Lab Science	3	1
History/Social Studies	3	1
Health /PE	2	
Fine Arts or CTE	1	
Foreign Language, Fine Arts, or CTE	1	
Economics and Personal Finance	1	
Electives	4	
Student Selected Test		1
Total (plus see NOTE in box at right)	**22	6
Students in Martinsville City Public Schools must also complete a total of 40 hours of service learning over and above their scheduled coursework throughout their four years of high school, to be documented as part of a senior project or portfolio in conjunction with senior coursework.		

** Courses completed to satisfy the requirements of the **Standard Diploma** must include two sequential electives, which should provide a foundation for further education or training or preparation for employment.

The charts below summarize the high school graduation requirements for students entering ninth grade for the first time **in 2018-2019 and Beyond:**

Advanced Diploma Requirements

Virginia Board of Education Requirements	Standard Credits	Verified Credits
English	4	2
Math	4	1
Lab Science	4	1
History/Social Studies	4	1
World Language	*3	
Health /PE	2	
Fine Arts or CTE	1	
Economics and Personal Finance	1	
Electives	**3	
Total (plus see NOTE in box at right)	26	5
Students in Martinsville City Public Schools must also complete a total of 40 hours of service learning over and above their scheduled coursework throughout their four years of high school, to be documented as part of a senior project or portfolio in conjunction with senior coursework.		

Standard Diploma Requirements

Virginia Board of Education Requirements	Standard Credits	Verified Credits
English	4	2
Math	3	1
Lab Science	3	1
History/Social Studies	3	1
Health /PE	2	
World Language, Fine Arts, or CTE	2	
Economics and Personal Finance	1	
Electives	**4	
Total (plus see NOTE in box at right)	22	5
Students in Martinsville City Public Schools must also complete a total of 40 hours of service learning over and above their scheduled coursework throughout their four years of high school, to be documented as part of a senior project or portfolio in conjunction with senior coursework.		

NOTE:

Students entering ninth grade for the first time in 2018-2019 and beyond must complete one virtual course, which may be noncredit-bearing, to graduate with a **Standard or Advanced Diploma.**

Additionally, students entering ninth grade for the first time in 2018-2019 and beyond must earn a career and technical education credential that has been approved by the Board of Education or successfully complete an Advanced Placement, International Baccalaureate, or honors course to graduate with a **Standard Diploma or Advanced Diploma.**

Also, to graduate with a **Standard Diploma or Advanced Diploma** students shall be trained in emergency first aid, CPR, and the use of AED, including hands-on practice. Students with an IEP or 504 that documents they cannot successfully complete this training will be granted a waiver.

Students shall acquire and demonstrate documented foundational skills in critical thinking, creative thinking, collaboration, and citizenship in accordance with the Profile of a Virginia Graduate.

* Courses completed to satisfy the World Language requirement of the **Advanced Studies Diploma must** include three years of one language or two years of two languages.

**Courses to satisfy this requirement shall include at least two sequential electives.

Homework

Homework is considered a vital and integral part of a student's school experience and is considered an extension of the daily classroom activity. It may take either written or oral form and, on occasion, outside events or activities may be used as a topic or assignment. These may include the assignment of a television program, an event such as the attendance of a City Council meeting, or some other worthwhile learning experience.

Along with other valid reasons, homework should reinforce school learning, and provide opportunity for independent thinking and the development of good work habits. It should also encourage profitable out of school leisure hours and allow the home and school to better understand each other's aims.

Children who do homework regularly are more likely to succeed in school. Following are some helpful guidelines for homework.

1. Communicate your belief that homework is an important part of learning.
2. Help your child establish a schedule for completing his or her homework.
3. Provide a place where your child can work. It should be comfortable, adequately lit and free from distractions.
4. Have needed supplies on hand in your child's homework area. Include pencils, paper, rulers, glue, tape, erasers, a dictionary, a thesaurus, etc.
5. Encourage, motivate, and prompt your child, but don't sit with him or her and do the homework. Homework should provide an opportunity for your child to practice and use what he or she has learned. Contact your child's teacher if he or she is consistently unable to complete homework independently.
6. Some general daily time guidelines for homework follow. Contact your child's teacher for more specific information.
 - For children in the primary grades; an average of 30 minutes;
 - For children in the upper elementary grades: an average of 45-60 minutes;
 - For middle-school students: an average of 60-90 minutes;
 - For high-school students: an average of 1-2 hours.

If your child doesn't have any homework on a particular day, he or she might benefit from using the regularly scheduled homework time to work on some other type of learning activity, such as looking at a newspaper, reading a book or a magazine, watching a TV program with an educational focus, or learning about a topic of interest.

Student Athletes

Athletics play an important part in helping individual students develop a healthy self-concept as well as a healthy body. Athletic competition adds to school spirit and helps all students and spectators develop pride in their school. However, the student athlete's primary responsibility is to excel in academic studies.

Martinsville High School student athletes are required to maintain a "C" or better grade average in all core classes each nine-week grading period. Athletes who do not reach this goal will be placed on academic probation. The high school's Athletic Review Team will monitor the athlete's academic program and develop an individual course of action to improve the student athlete's academic performance. The review team may recommend extra tutoring, a short suspension from practice and games until grades improve, or removal from the team for the season.

Promotion and Retention Policy

Each student at grades kindergarten through eight must take the SOL assessments for the student's respective grade, and the test results shall be part of a multiple set of criteria for determining advancing or retaining students in those grades. The multiple criteria shall be as follows:

Elementary (K – 5)

1. The student shall demonstrate that he or she has learned the relevant grade level material before promotion to the next grade. The report card shall reflect the student's level of academic achievement.
2. The parent or guardian of a student being considered for retention shall be notified of such, in writing, no later than the end of the third grading period.
3. A student being considered for retention shall be referred to the school's Child Study Committee to determine possible interventions and/or support services that may be provided to assist the student in making academic progress.
4. The Child Study Committee shall consider the following additional factors in making a recommendation for retention of student:
 - a. Prior retention in a grade
 - b. Age, size, maturity of the student
 - c. Excessive absences (45 or more) or tardies during the school year
 - d. Childhood life experiences (ex., extenuating circumstances or emotional problems)
 - e. Whether there is a history of learning or other disabilities
 - f. Academic history (previous and current grades, SOL test scores, other standardized test scores)
 - g. Parental support for retention
 - h. Consideration of whether retention will help or hinder the student
5. SOL test results shall not be the sole criterion upon which promotion and retention decisions are made.
6. A student shall not be excluded from membership in a grade, or participation in a course, in which SOL tests are administered.

Acceptable Technology System and Infrastructure Use Policy

The Martinsville City School Board offers students the use of electronic communications through the Martinsville City Public Schools' technology system and infrastructure. Students are able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

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

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

In order for your student to take advantage of this educational opportunity, your authorization is needed. Following are the Acceptable Technology System and Infrastructure Use Policy and Regulation (IIBEA/GAB). **Both parent and student must sign an Acceptable Technology System and Infrastructure Use Agreement** (located at the front of this handbook) before the student may use the technology system and infrastructure. Please review these materials carefully with your student before signing the required agreement.

Acceptable Technology System and Infrastructure Use

The Martinsville City School Board provides a technology system and infrastructure, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term technology system and infrastructure includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart telephones, the Internet, other internal or external networks, and new technologies as they become available.

All use of the school division's technology system and infrastructure must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the technology system and infrastructure is a privilege, not a right. Any communication or material generated using the technology system and infrastructure, including electronic mail, instant or text messages, tweets, or other files deleted from a user's account, may be monitored, read, and/or archived by school officials.

- The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the technology system and infrastructure. The procedures shall include:
- (1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
 - (2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, which seek to prevent access to
 - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256; (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - (c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
 - (3) provisions establishing that the technology protection measure is enforced during any use of the school division's computers;
 - (4) provisions establishing that all usage of the technology system and infrastructure may be monitored;
 - (5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chatrooms and cyberbullying awareness and response;
 - (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities;

- (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors;
- (8) a component of Internet safety for students that is integrated in the division's instructional program; and
- (9) procedures for the use of approved personal devices used in support of the division's mission.

Use of the school division's technology system and infrastructure shall be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The division's technology system and infrastructure is not a public forum.

Each School Board employee, student and parent/guardian of each student shall sign the Acceptable Technology System and Infrastructure Use Agreement (IIBEA/GAB-A1) before using the division's computer system. The failure of any student or School Board employee to follow the terms of the agreement, this policy or accompanying regulation may result in loss of technology system and infrastructure privileges, disciplinary action, and/or appropriate legal action.

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

Technology System and Infrastructure Use – Terms and Conditions:

All use of the Martinsville City Public Schools technology system and infrastructure shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term technology system and infrastructure includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape or flash drives, servers, mainframe and personal computers, tablets, cellular phones, smart telephones, the Internet, other internal or external networks, and new technologies as they become available.

1. **Acceptable Use.** Access to the school division's technology system and infrastructure shall be (1) for the purposes of education or research and be consistent with the educational objectives of Martinsville City Public Schools or (2) for legitimate school business.

2. **Privilege.** The use of the school division's technology system and infrastructure is a privilege, not a right.

3. **Unacceptable Use.** Each user is responsible for his or her actions on the technology system and infrastructure. Prohibited conduct includes, but is not limited to:

- using the network for any illegal or unauthorized activity, including violation of copyright or contracts; or transmitting any material in violation of any federal, state or local law;
- sending, receiving, viewing or downloading illegal material via the technology system and infrastructure;
- unauthorized downloading of software;
- using the technology system and infrastructure for private financial or commercial purposes;
- wastefully using resources, such as file space or consumable such as paper, toner, or ink;
- gaining unauthorized access to resources or entities;
- posting, using, or altering material created by another without his or her consent;
- submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate material;
- using the technology system and infrastructure while access privileges are suspended or revoked;
- vandalizing the technology system and infrastructure, including destroying data by creating or spreading viruses or by other means; or monitoring or inhibiting the operations of the network;
- intimidating, harassing, bullying, or coercing others;
- threatening illegal or immoral acts.

4. Network Etiquette. Each user is expected to abide by generally accepted rules of etiquette, including the following:

- Be polite.
- Users shall not forge, intercept or interfere with electronic messages sent via email, text, or other formats.
- Use appropriate language. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited.
- Users shall not post information other than directory information as defined in Policy JO Student Records about themselves or others.
- Users shall respect the technology system and infrastructure's resource limits.
- Users shall not post chain letters or download large files.
- Users shall not use the technology system and infrastructure to disrupt others.
- Users shall not read, modify or delete data owned by others.

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

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

7. Vandalism. Intentional destruction of or interference with any part of the technology system and infrastructure through creating or downloading computer viruses, inhibiting the operations of the network, or by any other means is prohibited.

8. Charges. The school division assumes no responsibility for any unauthorized charges or fees as a result of using the technology system and infrastructure, including telephone, data, or long-distance charges.

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

10. Personal Devices. Students may be allowed to utilize approved personal computing devices including but not limited to laptops, tablets, smart phones, and other computing devices in support of the goals and acceptable uses described in this document. The use of these devices is a privilege and is at the discretion of individual teachers during classroom settings. The school division provides wireless access in the schools for connecting to the Internet. All personal devices must connect to the Internet via a web browser through the school's designated, filtered student network when on campus. Connecting to the Internet through the use of personal data subscriptions or connections, including but not limited to 3G or 4G data connections, is prohibited. Plugging or wiring personal devices directly to the school system's network is prohibited. Students should only use their assigned school email accounts for communicating with teachers and others in relation to schoolwork.

Students who bring their own device to school acknowledge that it is their personal property just as if they were bringing any other learning materials from home. Students should take steps to ensure their device is safe and secure at all times while on campus or involved in school activities. The school division makes no guarantees for the loss or damage of student-owned devices or data on those devices and will provide no training, technical support, nor maintenance for personal devices. Students and families should keep a record of important information about personal devices, such as serial numbers, model, and type. Tracking software is available for some computers and phones and its use is encouraged.

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

Additional Notices Regarding the Use of School-Provided or Personal Technology Devices

Students are required to use the school's network to connect to the Internet through school-provided or personal technology devices. The school's student network is filtered, as required by the federal Children's Internet Protection Act, and helps Martinsville City Public Schools remain compliant with this law. This connection should not be considered secure, and the school division offers no guarantees of privacy or protection while using the network. All activity on the network may be subject to review, and the school division reserves the right to monitor and investigate all devices and activities on its network and may do so without cause or notice. Any student who observes inappropriate material being accessed through the school's network should report it to his or her teacher or principal.

Printing may not be accessible on the school's student network. Alternatives include saving documents to a portable storage device, such as a flash drive, or cloud-based storage and printing from home or from an approved school computer. All printing should have prior approval from a teacher or staff member, and students should use print preview features to ensure accurate printing.

Students will not be penalized academically for not having a personal technology device to use. In cases where a device is required, school-provided devices can be made available. The use of any technology device in the classroom is limited to use as directed by a teacher or administrator.

Student Services

School Counseling Programs

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

- **Academic guidance** assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities.
- **Career guidance** helps students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational, career and work opportunities.
- **Personal/social counseling** helps students to develop an understanding of themselves and the rights and needs of others, how to resolve conflict, and to define individual goals reflecting their interests, abilities, and aptitudes. This counseling may be provided through classroom and school activities that focus on age-related issues of social and character development or through structured individual/small group/classroom activities that focus on specific concerns (e.g., bullying and harassment, grief, divorce, substance use or abuse, aggressive behavior).
- **Employment counseling and placement services** offer information relating to the employment opportunities available to students graduating from or leaving the public schools. Such information will be provided to secondary students and will include 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 and labor organizations, and career schools.

No student will be required to participate in any counseling program to which the student's parents object. An opt-out request form is located on p. 21 of this handbook.

Participation in short-term personal/social counseling of an individual or small group nature shall be by parental consent. Parental consent is not required for short-duration personal/social counseling that is needed to maintain order, discipline or a productive learning environment.

The school counseling program does not include the use of counseling techniques that are beyond the scope of the professional certification or training of counselors, including hypnosis or other psychotherapeutic techniques that normally are employed in medical or clinical settings and focus on mental illness or psychopathology. Parents may review materials used in guidance and counseling programs at their child's school by contacting a school counselor.

Administering Medication to Children in School

Parents are requested, whenever possible, to schedule the administration of medication outside of the normal school day. In the event this is not possible, the following policy will apply.

Prescription Medications

Martinsville City Public Schools personnel may give prescription medication to students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student. An authorization form must be completed by the physician and the parent/legal guardian and submitted to the school. A blank authorization form is included on p. 25 of this handbook. Forms are also available at each school. **Forms must be completed each school year.**

Nonprescription Medications

Grades PreK-8:

Martinsville City Public Schools personnel may give nonprescription medication to students in grades K-8 only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered, along with a completed authorization form, to the principal, school nurse, or school division designee by the parent/guardian of the student. A blank authorization form is included on p. 24 of this handbook. Forms are also available at each school. **Forms must be completed each school year.**

Self-Administration of Medication

Self-administration of any medication with the exception of medication for the immediate treatment of high and low blood glucose levels, as well as asthma medication, insulin, and auto-injectable epinephrine, as discussed below, is prohibited for students.

Sharing, borrowing, distributing, manufacturing, or selling any medication is prohibited. Students violating this policy may be subject to disciplinary action in accordance with the Standards of Student Conduct.

Self-Care and Self-Administration of Medication When Diagnosed with Diabetes

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

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

An authorization form provided by the school division must be completed by the prescriber and the parent or legal guardian of the student and submitted to the school. A blank authorization form is included on p. 25 of this handbook. **Forms must be completed each school year.**

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

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

- Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, must be on file with the school.
- Written notice from the student's health care provider must be on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication.
- An individualized health care plan must be prepared, including emergency procedures for any life-threatening conditions.
- There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.

- Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health.
- Information regarding the health condition of the student may be disclosed to School Board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

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

Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, a school nurse, School Board employee, employee of a local appropriating body or employee of a local health department who is authorized and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction. This policy **is not** intended to replace student specific orders or parent provided individual medications. Parents of a student with known life-threatening allergies and/or anaphylaxis should provide the school with written instructions from the student's health care provider for handling anaphylaxis and all necessary medications for implementing the student specific order on an annual basis.

Notice to Parents of Scheduled Screenings

Martinsville City Public Schools, in accordance with the Code of Virginia and local policy, screens all students (through third grade) upon their initial entry into Virginia public schools in the areas of speech/voice/language skills, fine/gross motor functions, and vision and hearing to determine if a referral for an evaluation for special education and/or related services is indicated. These screenings occur prior to the beginning of the school year, such as during kindergarten registration, or within three months of initial enrollment. The school may also elect to use information from your child's school entrance physical if it contains appropriate screening information. If your child fails a screening, you will be notified of the results and what action the school will take on behalf of your child.

Code of Virginia §22.1-273 states that vision screenings continue at kindergarten, seventh and tenth grades, but expands the option for vision testing in grades two or three. School divisions may choose which grade they prefer to complete the screening cycle. The scheduling of such screenings shall be completed no later than the sixtieth administrative working day of the school year.

All information obtained in student screenings is confidential and is maintained as part of the student's scholastic record. If you have any questions about these procedures, please contact Dr. Cynthia Tarpley, Executive Director of Special Education and Student Services at 403-5856.

Scoliosis Information

What is scoliosis?

Scoliosis is an abnormal curvature of the spine. A spine affected by scoliosis has a sideways curve, making it appear more like an "S" or a "C" than a straight line. Untreated scoliosis can lead to limited motion, back pain, deformity, and in extreme cases, impaired function of the heart and lungs. Early detection and treatment may prevent scoliosis from progressing.

When should my child be screened for scoliosis?

Scoliosis most commonly occurs during the growing years, between age 10 and the time an adolescent is fully grown. Screenings should begin in early adolescence. Pediatricians should check for early signs during a routine physical exam.

What causes scoliosis?

The cause of scoliosis is unknown. Scoliosis is more common in females than males.

How is scoliosis treated?

In many cases, the curve is mild and does not require treatment. In some cases, treatment may involve bracing. Severe curves may require spinal surgery. The need for treatment is best determined by a trained medical professional.

What are the signs of scoliosis?

- One shoulder may be higher than the other.
- One shoulder blade may be higher or more prominent than the other.
- One hip appears higher or more prominent than the other.
- Unevenness of the waist.
- The spine curves sideways.
- The head is not centered over the pelvis.

If you have any concern that your child may have scoliosis, make sure that your child is screened by a health care provider. The School Nurse/Health Coordinator may provide screening for individual students at the request of the parent or guardian.

For more information, see: <https://www.srs.org>

Parent Educational Information Regarding Eating Disorders

The *Code of Virginia* requires that each school board provide educational information regarding eating disorders to parents of students in grades 5 through 12 on an annual basis.

§ 22.1-273.2. Parent educational information regarding eating disorders.

Each school board shall annually provide parent educational information regarding eating disorders for pupils in grades five through 12. Such information shall be consistent with guidelines set forth by the Department of Education.

Overview

According to the National Eating Disorders Association (NEDA, 2020):

“Eating disorders are serious but treatable mental and physical illnesses that can affect people of all genders, ages, races, religions, ethnicities, sexual orientations, body shapes, and weights. While no one knows for sure what causes eating disorders, a growing consensus suggests that it is a range of biological, psychological, and sociocultural factors. Eating disorders are not fads or phases, and can have serious consequences for health, productivity, and relationships.

Eating disorders can develop or re-emerge at any age. Eating disorder specialists are reporting an increase in the diagnosis of children, some as young as five or six. Many eating disorder sufferers report that their thoughts and behaviors started much earlier than anyone realized, sometimes even in early childhood. Although most people report the onset of their eating disorder in their teens and young adulthood, there is some evidence that people are being diagnosed at younger ages.

It is not clear, whether individuals are actually developing eating disorders at younger ages or if an increased awareness of eating disorders in young children has led to improved recognition and diagnosis.”

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

Key things to look for around food:

- Eating a lot of food that seems out of control (large amounts of food may disappear, you find a lot of empty wrappers and containers hidden)
- Develops food rules—may eat only a particular food or food group, cuts food into very small pieces, or spreads food out on the plate
- Talks a lot about, or focuses often, on weight, food, calories, fat grams, and dieting
- Often says that they are not hungry
- Skips meals or takes small portions of food at regular meals
- Cooks meals or treats for others but won't eat them
- Avoids mealtimes or situations involving food
- Goes to the bathroom after meals often
- Uses a lot of mouthwash, mints, and/or gum
- Starts cutting out foods that he or she used to enjoy

Key things to look for around activity:

- Exercises all the time, more than what is healthy or recommended – despite weather, fatigue, illness, or injury
- Stops doing their regular activities, spends more time alone (can be spending more time exercising)

Physical Risk Factors:

- Feels cold all the time or complains of being tired all the time; likely to become more irritable and/or nervous
- Any vomiting after eating (or see signs in the bathroom of vomiting – smell, clogged shower drain)
- Any use of laxatives or diuretics (or you find empty packages)

Other Risk Factors:

- Believes that they are too big or too fat (regardless of reality)
- Asks often to be reassured about how they look
- Stops hanging out with their friends
- Not able to talk about how they are feeling

If you think your child may be showing signs of a possible eating disorder, please contact your primary health care provider, school nurse, or one of the following listed resources:

Academy for Eating Disorders (AED)
<https://www.eatingdisorderhope.com/>

Families Empowered and Supporting Treatment of Eating Disorders (F.E.A.S.T.)
www.feast-ed.org

National Eating Disorders
Association
www.nationaleatingdisorders.org
Toll-free, confidential Helpline, 1-800-931-2237

Risks Associated with Participation in Extracurricular Athletics and Activities

Students attending Martinsville City Public Schools have the opportunity to participate in numerous extracurricular athletics and activities. While voluntary participation in such activities can offer many benefits for students, participation in some types of activities, especially athletics, can increase a student's exposure to possible injuries. Parents should understand that their child's participation in such activities carries the risk of injury to their child. The degree of danger and the seriousness of the risk varies significantly from one activity to another, with sports—especially contact sports—carrying the higher risk. While not common, injuries sustained while participating in extracurricular activities can be extremely serious and in rare cases may even result in death.

The school division takes many steps to ensure that extracurricular activities are conducted in a way that promotes student safety as the top priority. Opportunities for students and parents to understand the risk inherent in extracurricular activities are provided through various methods such as meetings, handouts, or other means suitable to the activity. Additionally, the school division annually offers an optional student accident insurance plan which parents may choose to purchase for their child(ren). Information about this insurance plan may be obtained through any school principal. Failure to obtain or have insurance coverage on your child can result in financial liability to you if your child is injured and requires medical attention.

A Parental Acknowledgement of Risk form is included on p. 13 of this handbook. Parents/legal guardians shall sign and return this form to the school. **Forms must be completed each school year.**

Concussions

Martinsville City Public Schools desires the safe return to activity for all students participating in extracurricular physical activities following an injury, but particularly after a concussion. A concussion is a brain injury that is characterized by an onset of impairment of cognitive and/or physical functioning, and is caused by a blow to the head, face or neck, or a blow to the body that causes a sudden jarring of the head (i.e., a helmet to the head, being knocked to the ground). A concussion can occur with or without a loss of consciousness.

The most common symptoms after a concussive traumatic brain injury are headache, amnesia and confusion. The signs and symptoms of a concussion can be subtle and may not be immediately apparent, may be preceded by a loss of consciousness, and almost always involves the loss of memory of the impact that caused the concussion. Signs and symptoms of a concussion may include:

- Headache or a feeling of pressure in the head
- Temporary loss of consciousness
- Confusion or feeling as if in a fog
- Amnesia surrounding the traumatic event
- Dizziness or “seeing stars”
- Ringing in the ears
- Nausea or vomiting
- Slurred speech
- Fatigue

Some symptoms of concussions may be immediate or delayed in onset by hours or days after injury:

- Concentration and memory complaints
- Irritability and other personality changes
- Sensitivity to light and noise
- Sleep disturbances
- Psychological adjustment problems and depression
- Disorders of taste and smell

Seek emergency care for a child who experiences a head injury and:

- Vomiting
- A headache that gets worse overtime
- Changes in his or her behavior, including irritability or fussiness

- Changes in physical coordination, including stumbling or clumsiness
 - Confusion or disorientation
 - Slurred speech or other changes in speech
 - Vision or eye disturbances, including pupils that are bigger than normal (dilated pupils) or pupils of unequal sizes
 - Changes in breathing pattern
 - Lasting or recurrent dizziness
 - Blood or fluid discharge from the nose or ears
 - Large head bumps or bruises on areas other than the forehead, especially in infants under 12 months of age.
- If a concussion is suspected, a child should be immediately removed from the activity, practice or play.

A student athlete suspected by that student athlete's coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice or game shall be removed from the activity at that time. A student athlete who has been removed from play, evaluated, and suspected to have a concussion or brain injury shall not return to play that same day nor until, 1) evaluated by an appropriate licensed health care provider, and 2) in receipt of written clearance to return to play from such licensed health care provider.

Education of Students with Disabilities – Section 504 of the Rehabilitation Act of 1973

It is the intent of Martinsville City Public Schools to ensure that students who are disabled under Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. It is also the intent of the district to provide students access to programs, to guarantee students and parents their due process rights and to comply with the administrative requirements of this act.

Eligible Student:

A student is a qualified individual with a disability under Section 504 when the student is between the ages of 3 and 21 years old and has a physical or mental impairment that substantially limits one or more major life activity. Physical impairment means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting a body system. Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities. Major life activities mean functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, such as functions of the immune system, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, or endocrine functions.

The student may also be qualified if the student has a history or is regarded as having a disability as defined under this act.

Students who are currently engaging in the illegal use of drugs are excluded, but those students who are no longer using drugs, those who have completed or are in a rehabilitation program and those who are erroneously regarded as using drugs are included.

Students may be disabled under this policy even though they are not eligible for services pursuant to the Individuals with Disabilities Education Improvement Act of 2004.

Identification:

Annually, the district will make efforts to identify and locate every qualified disabled student residing in the district's jurisdiction who is not receiving a public education and take appropriate steps to inform students with disabilities and their parents or guardians of the district's responsibilities under Section 504. Any student who, because of disability, needs or is believed to need Section 504 services must provide the appropriate documentation.

Placement:

It must be demonstrated that the education of a student in the general education setting with the use of supplementary aids and services cannot be achieved satisfactorily before the student is moved from the general education setting. If a student is placed in a setting other than the neighborhood school, proximity to the student's home must be considered.

The division will provide placement in a public or private residential program if necessary to provide a student with an appropriate program. The facilities, services and activities of these out-of-district placements must be comparable to that of the school division. If the division provides appropriate programming for a student but the parent chooses to place the child elsewhere, the school division is not responsible to pay.

Access:

The school division is responsible to make its programs, services and activities accessible to students with disabilities. All facilities need not be accessible so long as the programs, services and activities provided to students, when viewed in their entirety, are also accessible to students with disabilities. The division can reassign classes or other services and activities to other classrooms, buildings, or sites.

Procedural Safeguards:

- Verbal or written consent of the parents or guardians shall be obtained before an initial evaluation of a student is conducted.
- The parents or guardians will be notified of the evaluation results and any programming and placement recommendations. The parents or guardians will be notified before initially placing a student with disabilities, conducting a subsequent evaluation or implementing a significant change in a student's placement, transportation or service arrangements.
- Notification shall include informing the parents or guardians of their rights to examine relevant records, request an impartial hearing and to be represented by counsel.

Child Find

In accordance with the Individuals with Disabilities Education Act, Martinsville City Public Schools is proactive in its efforts to locate, identify, and evaluate children with disabilities. This includes those students who are enrolled by their parents in private (including religious) elementary and secondary schools within Martinsville City and students who are home-schooled. The school division ensures equitable participation of these students in special education services in consultation with representative of those settings and maintains an accurate count of these children.

Special education services are provided to students aged 2-21 who are found eligible in the following categories: intellectual disability, hearing impairment, speech or language impairment, visual impairment, emotional disability, orthopedic impairment, autism, traumatic brain injury, other health impairment, specific learning disability, deaf-blindness, multiple disabilities, or developmental delay.

If you believe your child may have a disability and would like to find out more about the referral and eligibility process, please speak with your child's teacher or contact Dr. Cynthia Tarpley, Executive Director of Special Education and Student Services, at 403-5856.

Virginia Tiered System of Support

Virginia Tiered System of Support (VTSS) is viewed by the Virginia Department of Education (VDOE) as a general education process that uses high quality instruction, tiers of interventions and student performance data to help students learn. The primary purposes of VTSS are to identify and prevent potential learning problems and to provide additional support for individual student needs. The VTSS process encourages parent participation and requires that if a parent or educational professional suspects a disability, a referral for special education evaluation can be made at any time during the process.

For more information:

Virginia Department of Education Web site: www.doe.virginia.gov or contact Division of Special Education and Student Services at 804-225-2932, 1-800-422-2083, Text users dial 711 (Virginia Relay)

Home Instruction

The Martinsville City School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if the parent:

- Holds a high school diploma;
- Is a teacher of qualifications prescribed by the Board of Education;
- Provides the child with a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
- Provides evidence that the parent is able to provide an adequate education for the child.

Definition

For purposes of this policy, "parent" means any parent, guardian, legal custodian or other person having control or charge of a child.

Notification of Parents

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the Superintendent no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the Superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The Superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Evidence of Progress

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the Superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test or an equivalent score on the ACT, SAT, or PSAT test or (i i) an evaluation or assessment which the Superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program, or home-education correspondence school

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year.

Parents shall file with the Superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the Superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease, and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

Immunizations

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code §32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the Superintendent, the parent shall submit to the Superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the Superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices, or (ii) a written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

Notification to Parents

Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and PreACT examinations are available to students receiving home instructions pursuant to Va. Code § 22.1-254.1. The superintendent establishes a schedule identifying the dates by which students receiving home instructions must register to participate in such examinations. The superintendent notifies students receiving home instruction and their parents of the registration deadlines and the availability of financial assistance to low-income and needy students to take such examinations.

Disclosure of Information

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

JROTC MEMBERSHIP FOR HOMESCHOOLED STUDENTS

Homeschooled students who reside in the division and who are otherwise eligible for membership in a Junior Reserve Officers' Training Corp (JROTC) unit maintained by a secondary school but for their lack of enrollment in the division are permitted to be members of the unit.

Homeschooled students who are members in the division's JROTC units must comply with behavioral, disciplinary, attendance and other rules applicable to all students, including rules governing the use of the division's computer systems. If a student fails to comply, the school may withhold credit and/or terminate the student's participation in addition to taking any disciplinary action that would be taken against a full-time student for similar conduct.

Adopted: May 14, 2007
Revised: October 6, 2008
Revised: February 11, 2013
Revised: July 10, 2017
Revised: October 12, 2020

Homeless Education Rights

Title IX, Part A of the *Every Student Succeeds Act* defines homelessness as living in the following places due to a lack of a fixed, regular, and adequate nighttime residence.

- In an emergency or transitional shelter
- In a motel, hotel, or campground due to lack of an adequate alternative
- In a car, park, public place, bus or train station, or abandoned building
- Doubled up with relatives or friends due to loss of housing, economic hardship, or a similar reason
- In the above conditions and is a migratory child or youth
- **Further descriptions of nighttime residence**

This definition of homelessness applies to children and youth with:

- Uncertain housing
- A temporary address
- No permanent physical address

Children and youth living in these settings meet the criteria for the McKinney-Vento definition of homelessness and have special educational rights.

Eligibility updates for unaccompanied youth

On December 13, 2019, **Superintendents Memo 283-19** was released with information about eligibility is viewed for McKinney-Vento services for youth not living with their parents. This memo indicates that students who move in with a friend or relative because of a CPS safety plan or other planned circumstance should not be considered to meet eligibility criteria for McKinney-Vento. For additional information, please see the following:

- **Superintendents Memo 283-19: Determining McKinney-Vento Eligibility for Student Not Residing with Their Parents** (Word)
 - **Attachment A: Examples of Planned and Unplanned Unaccompanied Youth Scenarios** (Word)

Where can a child or youth without a fixed, regular, and adequate residence attend school?

- The school the child or youth attended before becoming homeless or was last enrolled (school of origin)
- The school in the attendance area where the child or youth is currently living

How can delays be avoided when enrolling a student experiencing homelessness in school?

- *Enroll the student immediately*
- Contact the previous school and ask that the records be sent electronically or shared over the phone
- Contact the principal, school counselor, or local homeless education liaison with any concerns
- Contact the local homeless education liaison to support unaccompanied youth when enrolling in school

MCPS Homeless Liaison, Felicia Preston, fpreston@martinsville.k12.va.us 276-403-5833

Notices to Parents and Students

Federal Elementary and Secondary Education Act

The federal Elementary and Secondary Education Act (ESEA), the most recent authorization of which is also known as the Every Student Succeeds Act of 2015 (ESSA), amended the Protection of Pupil Rights Amendment (PPRA) to require that the Department of Education (Department) notify annually each State Educational Agency (SEA) and each local educational agency (LEA) of their obligations under PPRA and under the Family Educational Rights and Privacy Act (FERPA). This section serves to provide notice of these rights. Each law is discussed separately below.

Parental Notification of Rights Under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act or FERPA (20 U.S.C. § 1232g; 34 CFR Part 99) provides certain rights for parents regarding their children's education records. FERPA gives these rights to custodial and noncustodial parents alike, unless there is a court order, legally binding document, or State law that specifically provides to the contrary. When a student reaches 18 years of age or attends an institution of postsecondary education at any age, he or she becomes an "eligible student," and all rights under FERPA transfer from the parent to the student. Given the target audience for this document is parents, this guide is intended to discuss parents' rights under FERPA. Under FERPA, the term "parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian. A companion document discussing eligible students' rights under FERPA is available on our website at <https://studentprivacy.ed.gov/resources/ferpageneral-guidance-students>.

FERPA is a Federal law that is administered by the Student Privacy Policy Office (SPPO) in the U.S. Department of Education (Department). FERPA protects "education records," which are generally defined as records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. An "educational agency or institution," herein after referred to as a "school," generally means a school district, a public elementary or secondary school, or an institution of postsecondary education such as a college or university. There are also a few exceptions to the definition of education records, such as law enforcement unit records and sole possession records. More information is available at <https://studentprivacy.ed.gov/faq/what-records-are-exempted-ferpa>.

FERPA applies to schools that receive funding under any program administered by the Department. Private and faith-based schools at the elementary and secondary levels generally do not receive such funding and are, therefore, generally not subject to FERPA. In addition, the confidentiality of personally identifiable information (PII) in the education records of children with disabilities is further protected by Part B of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1417(c) and 34 CFR §§ 300.610-300.626). These regulations contain confidentiality provisions that are similar to, but broader than, FERPA. The IDEA-FERPA crosswalk contains additional information comparing IDEA and FERPA and is available at <https://studentprivacy.ed.gov/resources/ferpaidea-cross-walk>.

The rights provided by FERPA to a parent include, but are not limited to:

- **Access to Education Records**

Under FERPA, a school or State educational agency (SEA) must provide a parent with an opportunity to inspect and review their child's education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request. A school or SEA is generally not required to provide copies of the education records unless circumstances effectively prevent the parent from exercising the right to inspect and review the education records. For example, if a parent who does not live within commuting distance of their child's school requests that the school provide access to his or her child's education records, the school would be required to make other arrangements for the parent to inspect and review the requested records, or to provide a copy of the requested records.

- **Amendment of Education Records**

Under FERPA, a parent has the right to seek amendment or correction of their child's education records that the parent believes to be inaccurate, misleading, or in violation of the child's rights of privacy. However, while a school is not required to amend an education record in accordance with a parent's request, a school is required to consider the request for amendment, to inform the parent of its decision, and, if the request is denied, to advise the parent of his or her right to a hearing on the matter. If, as a result of the hearing, a school decides not to amend the education records, then the parent has the right to insert a statement in the record commenting on the contested information or stating why the parent disagrees with the decision, or both. That statement must remain with the contested part of the education record for as long as the record is maintained and be included whenever the contested part is disclosed. While a parent has the right to seek to amend non-substantive factual errors in the student's education records, the right is not unlimited, and a school is not required by FERPA to afford a parent the right to seek to change substantive decisions made by school officials, such as substantive decisions made in the context of grades given to a student based on their performance, other evaluations of the student's performance, or disciplinary decisions. These substantive decisions also include evaluations of whether a student has a disability and is eligible for special education and related services, disagreements about the content of a student's Individualized Education Program (IEP), or the student's educational placement under Part B of IDEA. While under FERPA a parent may seek amendment to correct a non-substantive factual error in an IEP, a parent should utilize the Part B of IDEA dispute resolution procedures (State complaints, mediation, or due process hearing procedures) to resolve disputes with a school regarding substantive matters. Each State has resources to help parents to participate effectively in their children's education and development. State contact information is available at <https://sites.ed.gov/idea/contacts/#state>.

- **Disclosure of Education Records**

Under FERPA, a school generally may not disclose PII from a student’s education records to a third party unless the student’s parent has provided prior written consent. However, there are a number of exceptions to FERPA’s general consent requirement, some of which are described below. Under these exceptions, schools are permitted to disclose PII from education records without consent, but they are not required to do so by FERPA.

School Official

FERPA allows “school officials,” including teachers, within the school to obtain access to PII from education records without consent, provided that the school has determined the officials have a “legitimate educational interest” in the information. The school’s annual notification of rights under FERPA must specify the criteria for determining who constitutes a “school official” and what the school considers to be a “legitimate educational interest.” Typically, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Also, under the “school officials” exception to the consent requirement, FERPA permits a school to disclose education records to contractors (e.g., software/application vendors, lawyers), consultants (e.g., nutritional or information technology consultants), volunteers (e.g., home room parent volunteers, field trip chaperones, student volunteers), or other third parties to whom the school has outsourced institutional services or functions, provided that the outside party:

1. Performs an institutional service or function for which the school would otherwise use employees;
2. Is under the direct control of the school with respect to the use and maintenance of education records;
3. Is subject to the requirements in FERPA that PII from education records may be used only for the purposes for which the disclosure was made, and which govern the redisclosure of PII from education records; and
4. Meets the criteria specified in the school’s annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records. More information regarding the use of school volunteers and FERPA is available at <https://studentprivacy.ed.gov/training/school-volunteers-and-ferpa>.

Complaints of Alleged Violations with FERPA

Parents who believe that their FERPA rights may have been violated may file a complaint with SPPO at <https://studentprivacy.ed.gov/file-a-complaint>. SPPO will review the complaint to ensure the complaint:

- Is filed, in writing, by a parent who maintains FERPA rights over the education records that are the subject of the complaint;
- Is submitted to SPPO within 180 days of the date of the alleged violation or of the date that the parent knew or reasonably should have known of the alleged violation; and
- Contains specific allegations of fact giving reasonable cause to believe that a violation of FERPA has occurred.

SPPO will then make a case-by-case determination to determine the best mechanism for resolving the underlying situation. Sometimes the action will be a formal investigation; for other complaints, consistent with the statute and applicable regulations, we will take other appropriate actions, such as acting as an intermediary or providing resolution assistance. More information regarding our complaint process is available at <https://studentprivacy.ed.gov/file-a-complaint>.

Additional Information

For more information regarding FERPA and other student privacy issues, please visit our website at <https://studentprivacy.ed.gov>.

If you have questions about FERPA that are not addressed here, you may also submit a question through our website at <https://studentprivacy.ed.gov/contact> or write to SPPO for additional guidance at the following address:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

The Martinsville City Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

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

The Protection of Pupil Rights Amendment (PPRA) affords parents of students certain rights regarding, among other things, participation in surveys, the collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

Consent before students are required to submit to a survey that concerns one or more of the following eight protected areas (protected information survey) if the survey is funded as part of a program administered by the U.S. Department of Education (Department) (applicable program) –

1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of:*
 1. Any protected information survey administered or distributed to a student by an local educational agency that is a recipient of funds under an applicable program (LEA) if the protected information survey is either not funded as part of a program administered by the Department or is funded as part of a program administered by the Department but to which a student is not required to submit;
 2. Any non-emergency, invasive physical examination or screening required by an LEA as a condition of attendance; administered by the school and scheduled by the school in advance; and, that is not necessary to protect the immediate health and safety of a student, with some exceptions; and
 3. Activities of an LEA involving collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or to otherwise distribute such information to others for that purpose), with some exceptions.
 - *Inspect, upon request:*
 1. Protected information surveys and surveys created by a third party, before the administration or distribution by an LEA of the surveys to a student;
 2. Any instrument used by an LEA to collect personal information for the purpose of marketing or sale (or otherwise distributing such information for that purpose), before the instrument is administered or distributed to a student, with some exceptions; and
 3. Instructional material, excluding academic tests or academic assessments, used by an LEA as part of the educational curriculum for a student.

These rights transfer from the parents to the student when the student turns 18 years old or becomes an emancipated minor under applicable State law.

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

- Collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or otherwise distributing such information to others for that purpose), with some exceptions;
- Administration or distribution to a student of any protected information survey not funded as part of a program administered by the Department or funded as part of a program administered by the Department but to which students are not required to submit; and
- Certain non-emergency, invasive physical examinations or screenings, as described above.

Parents who seek additional resources on student privacy under PPRA may visit the Department’s Student Privacy Policy Office website at <https://studentprivacy.ed.gov/> . Parents who believe their PPRA rights have been violated may file a complaint online by selecting the PPRA complaint form option at <https://studentprivacy.ed.gov/file-a-complaint> or by mailing the form to the following address:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Teacher Qualifications

Parents may request information regarding the professional qualifications of their child's classroom teachers, including:

- 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;
- Whether the teacher is teaching in the field of discipline of the certification or degree he/ she received; and
- Whether their child is provided services by paraprofessionals and, if so, their qualifications.

Parents should submit requests regarding teacher qualifications to the Director of Human Resources at the Martinsville City School Board Central Administrative Offices.

Martinsville City Public Schools will provide timely notice to parents if a child attending a Title I school has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Parental Involvement Policy

The Martinsville City School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The School Board endorses the parental involvement goals of Title I (20 U.S.C. § 6318) and Title III (20 U.S.C. § 7012(e)) and encourages the regular participation by parents of all children including those eligible for Title I and Limited English Proficiency (LEP) programs in all aspects of those programs.

In keeping with these beliefs, it is the intention of the Martinsville City School Board to cultivate and support active parental involvement in student learning. The School Board will:

- Provide activities that will educate parents regarding the intellectual and developmental needs of their children. These activities will promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups and the Head Start program) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development;
- Implement strategies to involve parents in the educational process, including:
 - keeping families informed of opportunities for involvement and encouraging participation in various programs;
 - providing access to educational resources for parents and families to use with their children;
 - keeping families informed of the objectives of district educational programs as well as of their child's participation and progress with these programs;
- Enable families to participate in the education of their children through a variety of roles. For example, family members may:
 - provide input into district policies;
 - volunteer time within the classroom and school programs;
- Provide professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies;
- Perform regular evaluations of parent involvement at each school and in the district;
- Provide access, upon request, to any instructional material used as part of the educational curriculum;
- If practicable, provide information in a language understandable to parents.

In addition, for parents of students eligible for Limited English Proficiency (LEP) programs, the School Board will inform such parents through regularly scheduled parent meetings and a parent resource center of how they can be active participants in assisting their children:

- to learn English;
- to achieve at high levels in core academic subjects; and
- to meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

Parental Involvement in Title I Plan

The Martinsville City Public School Division encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the District's Title I plan. Parents may participate by notifying their child's school principal or the Assistant Superintendent of Instruction at the school division central administrative offices.

Parental Involvement in School Review and Improvement

The Martinsville City Public School Division encourages parents of children eligible to participate in Title I, Part A, and LEP programs to participate in the process of school review and, if applicable, school improvement as implemented by the Every Student Succeeds Act of 2015. Parents may participate by notifying their child's school principal or the Assistant Superintendent of Instruction at the school division central administrative offices.

District Responsibilities

The Martinsville City Public School Division, and each school which receives Title I, Part A, funds, **WILL**:

1. Provide assistance to parents of children served by the school or district, as applicable, in understanding topics such as Virginia's academic content standards and student academic achievement standards, state and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children. Such assistance will be provided in a variety of formats, including but not limited to:
 - Posting academic and student achievement standards on the school division website;
 - Distributing copies of academic and student achievement standards to parents;
 - Provide access to the School Quality Report Cards through a link on the division web site as well as copies available in the school office; and
 - Holding regularly scheduled parent meetings to discuss student achievement standards, how to monitor their children's progress, and to share resources that are available from the school for parents to use to improve the achievement of their children.
2. Provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement. Materials and training will be provided in a variety of formats, including but not limited to:
 - Distributing materials via student folders sent home weekly; and
 - Holding regularly scheduled parent meetings at the school level for the purpose of modeling and training parents in effective techniques and activities that can advance their children's learning in reading and math.
3. Educate teachers, pupil services personnel, principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school. School staff will learn about and work to build ties between parents and the school in a variety of ways, including but not limited to:
 - Including parents as members of school and division-level committees, such as school improvement teams, policy review, grading and reporting, and Effective Schools teams;
 - Including a parent involvement component in each school's annual school improvement plan that is coordinated through the Home and School Relations team in conjunction with the school division's ongoing study of and work with the Effective Schools research;
 - Including time within the school division calendar to be set aside as a time to conduct home visits with parents;
 - Conducting a parent survey annually to identify areas for parent involvement, training, and to continually improve school/parent communications; and
 - Maintaining a system of parent contacts as established by the Superintendent.

4. To the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start and public preschool and other programs, and conduct other activities, such as parent resource centers, which encourage and support parents in more fully participating in the education of their children. Parental involvement programs will be coordinated and implemented in a variety of ways, including but not limited to:
 - Developing and implementing a systematic procedure for receiving records of preschool children, with their family's consent
 - Maintaining a parent resource center at the school division's pre-school center that is coordinated with the local Head Start program;
 - Establishing communication between school staff and their early learning program counterparts
 - Conducting meetings involving parents, kindergarten or elementary schoolteachers, Head Start teachers, or, if appropriate, teachers from other early learning programs to discuss the developmental and other needs of individual children;
 - Sharing Head Start student data for rising kindergarten students with division K-5 schools; and
 - Holding kindergarten orientation meetings for parents and students entering the K-5 schools from the school division's pre-school program, Head Start program, and other programs.

5. Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand. Such information will be shared in a variety of formats, including but not limited to:
 - Posting information related to school and parent programs, meetings, and other activities on the school division website;
 - Distributing information via student folders sent home weekly;
 - Sending information to parents in Spanish, as appropriate;
 - Making personal contacts with parents in their home language, through the school division's LEP program to ensure their understanding of information shared by the school; and
 - Mailing student assessment results to parents in their home language.

6. Provide such other reasonable support for parental involvement activities as parents may request.

The Martinsville City Public School Division, and each school which receives Title I, Part A, funds, **MAY**:

- Arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation;
- Adopt and implement model approaches to improving parental involvement;
- Train parents to enhance the involvement of other parents;
- Pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- Provide necessary literacy training from Title I funds if the district has exhausted all other reasonable available sources of funding for such training;
- Develop appropriate roles for community-based organizations and businesses in parental involvement activities.

School Parental Involvement Policies

Each school served under Title I, Part A, shall jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents that shall describe the means for carrying out the following:

- Convening an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school’s participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved;
- Offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, childcare, or home visits, as such services relate to parental involvement;
- Involving parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under the No Child Left Behind Act of 2001, 20 U.S.C. § 6312(b)(2), except that if a school has in place a process for involving parents in the joint planning and design of the school’s programs, the school may use that process, if such process includes an adequate representation of parents of participating children;
- Providing parents of participating children:
 - timely information about Title I, Part A, programs;
 - a description and explanation of the curriculum in use at the school, the academic assessments used to measure student progress, and the proficiency levels students are expected to meet; and
- If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
- If the school-wide program plan under *the Every Student Succeeds Act* of 2015 is not satisfactory to the parents of participating children, submitting any parent comments on the plan when the school makes the plan available to the district.

Parental Involvement in Allocation of Funding

Parents of children receiving services under Title I, Part A, shall be involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities through the annual school improvement plan process. Parents shall be represented on each school’s school improvement team.

Policy Review

The content and effectiveness of this policy will be evaluated annually with regard to improving the academic quality of the schools receiving Title I, Part A, or LEP funds. This evaluation will identify barriers to greater participation by parents (particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background) and use the findings of that evaluation to design strategies for more effective parental involvement, and to revise, if necessary, this policy.

Student Fees, Fines and Charges

The Martinsville City School Board charges student fees and takes action to recover funds for the loss or damage to School Board property in accordance with state and federal law. The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Fees may be charged as allowed by law and School Board policy for certain items, such as class dues, field trips, or extra-curricular activities. A schedule of fees may be viewed on the Martinsville City Public Schools website under the “Parents” button/tab. Parents who do not have access to the Internet, or who would like to obtain a printed copy of the current fee schedule, may request a copy from their child’s school. Fees are reduced or waived for those students who are unable to afford them. A fee waiver, including directions as to how to apply for the waiver, may be requested each time a fee is charged.

Compulsory School Attendance Law (Code of Virginia, 1950, as amended, Section 22.1 -254)

§ 22.1-254. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.

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

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational, or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

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

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

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

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and
2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a schoolboy reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

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

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

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

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

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

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

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

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

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

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

G. Whenever a court orders any pupil into an alternative education program, including a program preparing students for a high school equivalency examination approved by the Board of Education, offered in the public schools, the local schoolboard of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

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

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

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

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

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

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

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

Report Card for Schools, the School Division, and the State

The Virginia School Report Card provides information on student achievement, accreditation, safety, and attendance for individual schools, the school division, and the state as a whole. This information is available on the Virginia Department of Education website at www.doe.virginia.gov. A link to the report card is also available on the homepage of the Martinsville City Public Schools website at www.martinsville.k12.va.us. Parents who do not have access to the Internet, or who would like to obtain a printed copy of the report card, may request a copy from their child's school.

Notification of Asbestos Inspections and Actions

It is the intention of Martinsville City Public Schools to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. All Martinsville City Public Schools have been inspected for the presence of asbestos-containing materials. The results of these inspections have been compiled into a management plan for each school. Management plans are available for review in the main office of each school. Every six months buildings are inspected to assess any building materials still containing asbestos and to verify that the materials have not been damaged, deteriorated, or become friable by any other means that could cause a hazard to the occupants of the building. Any detected problems will be immediately referred to a licensed abatement professional. Additionally, an independent contractor licensed in asbestos inspections and abatement is employed to inspect each school every three years to ensure that asbestos containment and removal plans are being followed. The independent contractor reports any building materials containing asbestos that might become a hazard.

Sex Offender Registry Notification

Martinsville City Public Schools 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, the school division requests electronic notification through the Virginia Department of State Police of the registration or re-registration of any sex offender in the same or neighboring zip codes as its schools.

Parents may review information in the Sex Offender and Crimes against Minors Registry at the following Internet website: <http://sex-offender.vsp.virginia.gov/sor/index.html>.

The Martinsville City Public School Division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not distribute registry information to parents.

Before hiring any person, the school division screens to determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the division. Additionally, all school volunteers and student teachers working with students within the schools are screened by name and address against the registry information.

All contractors entering into a contract with the Martinsville City School Board that may involve an employee of the contractor having any contact with a student shall be notified that the contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.

When the school division learns that a parent of an enrolled student is a registered sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit. When a parent who is a registered sex offender is permitted at school or at school functions, he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children.

No adult who has been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless 1) he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote; 2) he is a student enrolled at the school; or 3) he has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him to enter and be present upon such property, has obtained the permission of the School Board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the School Boards' terms and conditions and those of the court order. Other sex offender registrants who are the parents or guardians of a student may be permitted to participate in appropriate parent or guardian activities, under appropriate supervision, unless prohibited by court order.

If the Superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect division students.

Laws Regarding the Prosecution of Juveniles as Adults

The following information has been developed by the Office of the Attorney General regarding the prosecution of juveniles as adults and is provided pursuant to § 22.1-279.4 of the *Code of Virginia*.

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:

- (a) Class 1 felony – death if the person so convicted was 18 years of age or older at the time of the offense and is not determined to be a person with intellectual disability pursuant to § 19.2-264.3:1.1, or imprisonment for life and, subject to subdivision (g), 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 a person with intellectual disability pursuant to § 19.2-264.3:1.1, the punishment shall be imprisonment for life or imprisonment for life and, subject to subdivision (g), a fine of not more than \$100,000.
- (b) Class 2 felony – imprisonment for life or for any term not less than twenty years' year and, subject to subdivision (g), a fine of not more than \$100,000.
- (c) Class 3 felony – a term of imprisonment of not less than five years nor more than twenty years and, subject to subdivision (g), a fine of not more than \$100,000.
- (d) Class 4 felony – a term of imprisonment of not less than two years nor more than ten years and, subject to subdivision (g), a fine of not more than \$100,000.
- (e) 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.
- (f) 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.
- (g) Except as specifically authorized in subdivision (e) or (f), or in Class 1 felonies for which a sentence of death is imposed, the court shall impose either a sentence of imprisonment together with a fine, or imprisonment only. However, if the defendant is not a natural person, the court shall impose only a fine. (§§ 18.2-9 and 18.2-10 of the *Code of Virginia*)

For any felony offense committed (i) on or after January 1, 1995, the court may, and (ii) on or after July 1, 2000, shall, except in cases in which the court orders a suspended term of confinement of at least six months, impose an additional term of not less than six months nor more than three years, which shall be suspended conditioned upon successful completion of a period of post-release supervision pursuant to § 19.2-295.2 and compliance with such other terms as the sentencing court may require. However, such additional term may only be imposed when the sentence includes an active term of incarceration in a correctional facility.

For a felony offense prohibiting proximity to children as described in subsection A of § 18.2-370.2, the sentencing court is authorized to impose the punishment set forth in that section in addition to any other penalty provided by law.

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.

Martinsville City School Board

NOTICE OF POLICY EQUAL EDUCATIONAL OPPORTUNITIES/ NOTICE OF NONDISCRIMINATION

Equal educational opportunities are available for all students, without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. Educational programs are designed to meet the varying needs of all students.

II. Complaint Procedure

A. File Report

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

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

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

B. Investigation

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

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

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination

based on all of the facts and circumstances revealed by a complete and thorough investigation.

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

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

C. Action by Superintendent

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

D. Appeal

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

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

E. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times.

The Compliance Officer may be contacted at compliance.officer@martinsville.k12.va.us. Complaints of discrimination may also be made to the Alternate Compliance Officer at alternate.compliance.officer@martinsville.k12.va.us.

The Compliance Officer:

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy.
- arranges necessary training to achieve compliance with this policy; and
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

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

another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

IV. Right to Alternative Complaint Procedure

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

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

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

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Legal

20 U.S.C. §§ 1681-1688

29 U.S.C. §§ 794

42 U.S.C. §§ 2000d - 2000d7

34 CFR 106.9

Code of Virginia - 2.2-3900

Code of Virginia - 2.2-3901

Code of Virginia - 2.2-3902

Code of Virginia - 22.1-23.3

Code of Virginia 22.1-212.6:1

Cross References

AC - Nondiscrimination

AD - Educational Philosophy

GB - Equal Employment Opportunity/Nondiscrimination

JB-F - Report of Discrimination - Form

JBA - Section 504 Hearing Procedures

JFHA/GAB - Prohibition Against Harassment and Retaliation

T. J. Slaughter is designated as the **compliance officer** for Martinsville City Public Schools regarding assurances of nondiscrimination. He may be reached at the following:

746 Indian Trail
P.O. Box 5548
Martinsville, VA 24115
Telephone: (276) 403-5820

Inquiries concerning the application of Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R Part 106, may be referred to the compliance officer as stated above, or to:

Office for Civil Rights
United States Department of Education
400 Maryland Avenue, SW, Washington, DC 20202-1100
Customer Service #: (800) 421-3481 * TDD#: (877) 521-2171 * <http://www.ed.gov/ocr>

Martinsville City School Board

NOTICE OF POLICY PROHIBITING HARASSMENT AND RETALIATION

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

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

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

The School Division:

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

II Definitions

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

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

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment

or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

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

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

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

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

Harassment Based on Race, National Origin, Disability or Religion

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

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

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

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

Additional Prohibited Behavior

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

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

“Title IX Coordinator” means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at Title.IX.Coordinator@martinsville.k12.va.us.

III Complaint Procedures

1. Report

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

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

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

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

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

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

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;
- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the

requirements of equal_employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

2. Compliance Officer Formal Procedure

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

The investigation may consist of personal interviews with the person allegedly harassed, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the person allegedly harassed and others pending the completion of the investigation.

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

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

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

3. Action by Superintendent

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

4. Appeal

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

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

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

A. Compliance Officer Informal Procedure

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

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

B. Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

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

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

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

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

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact

between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures, Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

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

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

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

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

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

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

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

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

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

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

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

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

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

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

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

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

Notice of allegations

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

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

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

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

Dismissal of formal complaints

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

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

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

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

Investigation of formal complaint

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

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

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

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

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

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

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

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

Determination regarding responsibility

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

The written determination must include

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

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

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

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

Appeals

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

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

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

As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
 - ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
 - ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.
- The appeal decision-maker
- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
 - reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
 - issues a written decision describing the result of the appeal and the rationale for the result; and
 - provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

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

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

maker.

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

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

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

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

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

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

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student. If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

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

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

Recordkeeping

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

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

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of

seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. Retaliation

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

V. Right to Alternative Complaint Procedure

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

VI. Prevention and Notice of Policy

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

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

VII. False Charges

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

MARTINSVILLE CITY PUBLIC SCHOOLS

Legal

20 U.S.C. - 1681-1688

29 U.S.C. - 794

42 U.S.C. - 2000d-2000d-7

42 U.S.C. - 2000e-2000e-17

42 U.S.C. - 2000ff-1

34 C.F.R. - 106.2

34 C.F.R. - 106.8

34 C.F.R. - 106.9

34 C.F.R. - 106.30

34 C.F.R. - 106.44

34 C.F.R. - 106.45

34 C.F.R. - 106.71

Code of Virginia - 2.2-3900

Code of Virginia - 2.2-3901

Code of Virginia - 2.2-3902

Code of Virginia - 22.1-23.3

Code of Virginia - 22.1-295.2

Cross References

AC - Nondiscrimination

AD - Educational Philosophy

GAB/IIBEA - Acceptable Computer System Use

GAE - Child Abuse and Neglect Reporting
GB - Equal Employment Opportunity/Nondiscrimination
GBA/JFHA-F - Report of Harassment
GBM - Professional Staff Grievances
GBMA - Support Staff Grievances
GCPD - Professional Staff Discipline
JB - Equal Educational Opportunities/Nondiscrimination
JFC - Student Conduct
KKA - Service Animals In Public Schools

T. J. Slaughter is designated as the **compliance officer** for Martinsville City Public Schools responsible for identifying, investigating, preventing, and remedying prohibited harassment. He may be reached at the following:

746 Indian Trail
P.O. Box 5548
Martinsville, VA 24115
Telephone: (276) 403-5820

Complaints of harassment may also be made to the **alternate compliance officer, Yani Smith**, at the same address and phone number.

Notes:

